

Fisher, Ciara

From: Tim <flyflotr@comcast.net>
Sent: Sunday, January 15, 2023 9:00 PM
To: Fisher, Ciara
Subject: Proposed Campground on the Yuba

Hi Ms. Fisher, as a fisherman and also a Director with the Bear Yuba Land Trust, it was with great concern that I read the documents relating to the proposed campground on our home waters. The CEQA documents are sadly inadequate and fail to address the significant potential for negative environmental effects to this pristine area that is home to the last remaining section of Salmon spawning in the Yuba River.

Respectfull,

L. Tim Ackerman

Fisher, Ciara

From: Doris Balog <dorisbalog@yahoo.com>
Sent: Wednesday, January 25, 2023 11:03 PM
To: Fisher, Ciara
Subject: Proposed Yuba River Campground above Parks Bar Bridge Concerns

Dear Ms. Fisher,

I have lived in Nevada City for 20 years. The fishing and beautiful environment never get old. I'm extremely concerned about the project being proposed. It is my responsibility to speak out on this issue

How will the Yuba River and it's wildlife habitat be protected from environmental impacts of soil erosion, trash, traffic, sewage, etc. These would occur during construction AND once the project would be completed.

How will you protect AND who enforces the protection of wild steelhead and salmon spawning grounds?

What are the evacuation plans / protections for wildfire and river flooding?

Please don't let this project happen on the Yuba River. Please protect the wildlife and their habitat. Wild steelhead and salmon are crucial to the health of the river, and more importantly, the species. Disturbing their spawning grounds is a detriment to their survival. There are plenty of other outdoor recreational opportunities in our area that can and should be utilized.

My last consideration for you is to think about the Feather River. I was fishing pristine areas with a guide and we drifted into the public use area. I was stunned and sad...need I say more. Please don't give people the same opportunity on the Yuba River.

Thank you for your consideration,

Doris Balog

17635 State Hwy 20
Nevada City, CA 95959
(707)344-1837

Hugs,
Doris Balog



Ciara Fisher and Kevin Perkins
Yuba County Planning Department
915 8th Street, Suite 123
Marysville, CA 95901

Re: Letter of Concern over conditional use permit for campground on the Lower Yuba River

Dear Ms. Fisher and Mr. Perkins,

I'm a California real estate investor and broker, licensed since 2006. Since that time, I've been representing buyers and sellers in Yuba and Nevada counties, and am a Masters' Club member based on top tier performance. I currently live in Smartsville.

I recently learned that a property owner has submitted Conditional Use Permit LUSE-22-0001 to construct a thirty-space campground on a private parcel along the Yuba River about a mile upstream of Parks Bar Bridge in the Smartsville Community. The purpose of this letter is to respectfully submit comments on the associated Mitigated Negative Declaration for the County's consideration.

Based on a recent community meeting, I understand others are addressing concerns around negative environmental impacts, increased fire risk, cost for increased need for services, the one-lane roads without turnarounds, and the unsafe bridge. My comments below are directly related to potential real estate impacts:

- Have you considered the drop in nearby property values and decrease in associated property tax assessments? While showing property to potential buyers for fifteen plus years, it's clear that even people who love to camp in the mountains consider foothill campgrounds to be blights. Buyers believe campgrounds produce noise, traffic, and unpleasant smells.
- Due to the convenient location to Beale AFB, Marysville, and Grass Valley, the town of Smartsville is gentrifying. Gentrification helps the county by increasing tax revenues via higher property assessments. A fire would negate these increased assessments for several decades to come. A spark from a camp stove on a windy day could wipe out the town in a heartbeat.
- Because the campground will be behind a gate and there will be limited public oversight, if you approve the permit with conditions, have you thought through how difficult it would be to evaluate those conditions once the facility became operational?
- Are you aware that sellers in California are legally required to disclose any and all material facts about their property? Material facts include sounds, dust, smells, fire, poor road conditions, etc.

- Based on my experience, buyers in this community are seeking privacy and peace and quiet. In the last five years, they have also become extremely concerned about fire risk and insurance costs. Fire concerns were brought up several times at the recent community meeting in Smartsville, with a discussion that there had already been one 20-acre fire that originated at this parcel in 2019. With permanent fire rings at the proposed campsites, have you evaluated how the applicant will successfully prevent campers from having fires during the long dry season? Fire rings alone will scare off many buyers.
- How does the proponent plan to allow river access without trespassing on adjacent parcels? It appears there's no direct river access from the subject parcel and the access to the co-owned parcel is quite narrow. How will campers be prevented from trespassing? Will the applicant be required to put up and maintain fences? What other negative impacts will there be to adjacent parcels?
- I currently have a home listed for sale in Smartsville. Due to the shallow soil, the property has a very expensive sand filtration system. The soil near the river gets even thinner and rockier. I recommend that the applicant be required to work with Environmental Health to perform a perc and mantle and obtain a septic permit before proceeding further with this application. That would let the Planning Commission and the applicant see what type of septic system would be required for a thirty-space campground, as it may be prohibitively expensive.
- The zoning for this area is rural residential with a five-acre minimum. Residents expect a peaceful, rural living experience. Noise and traffic do not align with this expectation and buyers respond by either choosing to live elsewhere, or demanding significant price reductions to make up for the unpleasantness. This perception and behavior will cause property values and tax revenue to decline. Have you evaluated the drop in tax revenue based on a potential 10-20% drop in surrounding property values?

If you doubt my professional opinion regarding a drop in property values and tax assessments, please ask yourselves, "Would I buy a home next to a 30-space campground?" or "How much of a discount would it take for me to consider buying a home on land next to the campground?"

To summarize, besides the environmental concerns to critical and endangered species, safety concerns from the one lane road and old bridge, the potential need for increased police and fire protection services, and the increased fire risk, please be sure to evaluate the damage to surrounding property values and associated decreased tax revenue. Based on my seventeen years of experience as a licensed real estate broker, I recommend the Planning Commission thoroughly investigate all the impacts of a new campground on the surrounding community and consider declining the application.

Thank you for your time and consideration.

Kind regards,



Avanti Centrae, REALTOR

Associate Broker #01745272

<https://www.goldcountry-realestate.com>



422 Century Park Drive

Yuba City, CA 95991

530.591.3669



From: Funk, Alexander@Wildlife <Alexander.Funk@Wildlife.ca.gov>
Sent: Tuesday, January 31, 2023 1:45 PM
To: Fisher, Ciara
Cc: Boyd, Ian@Wildlife; Wildlife R2 CEQA
Subject: Re: Yuba River Campground Expansion Project - Yuba County Community Development Services Agency - Planning Division; LUSE-22-0001/CEQA 2023-0005-0000-R2

Yuba River Campground
LUSE-22-0001 / CEQA 2023-0005-0000-R2

Dear Ms. Fisher,

The California Department of Fish and Wildlife (CDFW) received and reviewed the Initial Study and Mitigated Negative Declaration (IS/MND) from the Yuba County Community Development Services Agency - Planning Division, for the Yuba River Campground Expansion Project (Project) pursuant to the California Environmental Quality Act (CEQA) statute and guidelines. (Public Resources Code § 2100 et seq.)

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Fish & G. Code., § 1802.) Similarly for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also responding as a potential **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code. CDFW also administers the Native Plant Protection Act, Natural Community Conservation Act, and other provisions of the Fish and Game Code that afford protection to California's fish and wildlife resources.

PROJECT DESCRIPTION SUMMARY

The applicants, Tom McCay and Scott Milener, request the approval of Conditional Use Permit to allow a 30-space campground that will feature 8 RV spots, 1 tent cabin, and 21 spots for vans, trucks, & tent campers on a 20-acre parcel. All campsites will be dirt and gravel, not paved. Each campsite will be at least 1,000 square feet in size and will allow room for 2 vehicles, a picnic table, and a fire ring. The larger sites will be approximately 2,400 square feet wide to accommodate RV's and trailers sites. The applicants propose a maximum length of 20 feet for trailers and 25 feet for motor homes to avoid large trailer traffic on the rural

roads. There is 1 existing tent cabin the applicants plan to rent and there is 1 group campsite that is able to handle up to 10 campers. The proposed project will also involve improvements to existing roads and camp areas, creation of a septic system, installation of restroom facilities, and other minor improvements. The property is approximately 20-acres of land located immediately west of the Yuba River, and immediately east of Gunning Park Road, approximately 0.25-miles northeast of the historic community of Timbuctoo, and approximately 0.5-miles northeast of State Route 20, within the southeastern portion of Yuba County, California. For waste and restroom facilities, the applicants plan to start with Porta-Potties then possibly move to campground bathrooms on septic within 2 years from permit approval. The Porta-Potties will be provided and regularly serviced by a trusted firm such as United Rentals. Trash and recycle bins will be available throughout the campground and emptied regularly. The permitting process for a septic system will be handled with Yuba County's Environmental Health Department.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the Yuba County Community Development Services Agency - Planning Division, in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources.

The IS/MND states that the campsites will be designed to accommodate 10 campers but will only provide two parking spots for such a group. The IS/MND does not discuss the potential for parking expansion or how this issue of parking will be addressed in the future. The CEQA document should identify how the imbalance in parking versus camper accommodations will be addressed and include analysis of the potential for impacts to biological resources from potential future need for or expansion of parking areas, as a whole of the project overall.

The IS/MND states that there is a possibility of establishing permanent permitted restroom facilities, but does not provide a definitive determination of their potential for impact to biological resources. Additionally, the IS/MND makes mention of the possible need for, or intent to, establish a store building, the potential impacts of which are not discussed, nor the details of the potential construction and operational impacts. The CEQA document should fully elucidate and describe any temporary and permanent structures which are, or will be a part of the Project, along with providing an analysis of their potential to impact biological resources in the Project area.

The IS/MND identifies that fishing opportunities will be provided to campers, yet the basis for the limitations on rod numbers, requiring reservations or a pass, to fish the Yuba River, particularly when the river lies outside of the campground, is enforceable, or consistent with state fishing regulations. Furthermore, the IS/MND identifies that opportunities to rent small watercraft are to be provided to campers and potential anglers, which creates a gap in enforcement of regulation with respect to the impact on fisheries, and the campground host's intended fishing limitations. Furthermore, there is no salmon fishing allowed on the Yuba River, and the IS/MND should clarify how the project will prevent take of listed spring-run Chinook salmon that are holding in deep pools and what the impacts will be, as well as, how this impact may be addressed if the adjacent parcel is privately sold and identify the responsibilities and liabilities for the result of impact from neighboring properties.

EPHEMERAL DRAINAGES

The CEQA document should describe unique habitat types present on the project site and discuss the project's potential to impact them. CDFW is particularly concerned with the project's potential to impact aquatic and riparian habitats. All streams, ponds, intermittent drainages, vernal pools and other wetlands should be identified. The project should be designed such that there is no loss of aquatic habitat. If the proposed project unavoidably impacts aquatic habitat, mitigation should be provided that is based on the concept of no-net-loss of aquatic habitat acreage or value. CDFW recommends the IS/MND include avoidance measures such as buffers to perennial, intermittent and ephemeral habitats. Buffer widths should be modified to protect the most sensitive species present from human, traffic, development, and other disturbances.

FOOTHILL BLUE OAK WOODLANDS

The CEQA document should discuss the project's impact on native oaks. CDFW recommends the project be designed so that the loss of oak trees is avoided. Every effort should be made to retain and protect "heritage" oaks, those in excess of 24 inches in diameter at breast height. If the loss of oak trees is unavoidable, CDFW recommends a mitigation plan be developed which includes the following:

- a. Establishment and maintenance procedures to restore the canopy cover, spatial arrangement, age class distribution and species composition of the oak woodland lost.
- b. A provision that oak seedlings or acorns be obtained from local genetic stock.
- c. The identification of a restoration site located within contiguous areas of no less than five acres and adjacent to undisturbed or preserved oak woodlands.

HUMAN WILDLIFE INTERACTION

The CEQA document should discuss the project's potential to contribute to negative wildlife/human interactions such as vehicle collisions, nuisance wildlife complaints, and depredation. The CEQA document should provide the means of minimizing these interactions through changes in the project design, bear-proof trash receptacles, etc. In particular, the CEQA document does not identify potential impacts to resident bear populations and the implementation of trash receptacles in the camping areas.

The CEQA document should address direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts.

- a. The regional setting is critical to an assessment of environmental impacts. Special emphasis should be placed on resources that are rare or unique to the region (CEQA Guidelines, § 15125(a)).
- b. Project impacts should be analyzed relative to their effects on off-site habitats, and populations. This should include nearby public lands, open space, adjacent natural habitats and riparian ecosystems. Impacts to, and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be provided.
- c. The nearby zoning or development projects adjacent to natural areas may inadvertently contribute to wildlife human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.
- d. A cumulative effects analysis should be developed (CEQA Guidelines, § 15130.) General and specific plans, regional Habitat Conservation Plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on plant communities, wildlife habitats, and corridor use.

RIPARIAN HABITAT

A preliminary delineation of potential waters of the U.S. was provided for review. CDFW's authority under Fish and Game Code 1600 et. seq. is determined separately from the methods that the U.S. Army Corps of Engineers uses to determine a wetland and the ordinary high-water mark (OHWM). CDFW's area of authority can include the OHWM, associated riparian or wetland vegetation, and may also include the associated floodplain. The extent of the area subject to Fish and Game Code 1600 et. seq. is determined on a case-by-case basis and takes into account the project activities as well as the hydrogeomorphology of the stream system. An entity (any person, State, local government agency, or public utility) should consider and analyze whether implementation of the proposed project will result in reasonably foreseeable potentially significant impacts subject to regulation by CDFW under Fish and Game Code section 1600 et seq. In general, such impacts may result whenever a proposed project involves work undertaken in or near a river, stream, or lake that flows at least intermittently through a bed or channel, including ephemeral streams and watercourses. CDFW recommends the project applicant consider Notifying for Lake or Streambed Alteration (LSA) (pursuant to Fish and G. Code §1602). If upon review of an entity's notification, CDFW determines that the Project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration Agreement will be issued which will include reasonable measures necessary to protect the resource. As a responsible agency under CEQA, CDFW must rely on the CEQA analysis for the project when exercising our discretion after the lead agency to approve or carry out some facet of a proposed project, such as the issuance of an Agreement. Therefore, the CEQA document should include specific, enforceable measures to

be carried out onsite or within the same stream system that will avoid, minimize and/or mitigate for project impacts to the natural resources.

HABITAT FRAGMENTATION

Residential and commercial development within areas identified for their high value as habitat for fish and wildlife can result in significant cumulative impacts due to habitat fragmentation. Adverse effects of roads and structures placed in natural areas include increased wildlife roadkill, increased garbage and roadside dumping, light and noise disturbances, the introduction of invasive species, harassment and killing of wildlife by domestic animals, and an increase in predator fauna such as corvids (jays, crows, and ravens). These affect the long-term sustainability of wildlife populations, including but not limited to deer within critical deer habitat areas, wetland and vernal pool resources within areas known for their high value as ecologically diverse ecosystems, sensitive plant communities and the integrity of oak woodlands as habitat for diverse species of reptiles, mammals and migratory and non-migratory birds including raptors. Furthermore, the placement of residential developments in natural areas typically leads to human conflict with wildlife. This conflict often results in depredation of species such as black bear, mountain lion, and fox.

When a habitat is fragmented, the amount of edge habitat - the zone along the boundary of a habitat - increases while the amount of interior core habitat decreases. Species dependent on interior habitat suffer, while edge dependent species, including invasive species and predators, thrive. The increase of edge habitat impacts the habitat's microclimate, including light, soil, temperature, moisture, and wind conditions, which, in turn, alters the composition of plant communities.^[1] For birds, predators such as crows and raccoons, and nest parasites, find target nests more easily in edge habitats.^[2] Because different plant communities support different collections of wildlife and rare plant species, changes in habitat also shift and displace wildlife. These changes disrupt the pollination mechanisms plants depend upon, and without animal pollinators or seed dispersers, plant communities slowly lose species.^[3] Peripheral plant populations in edge habitats tend also to exhibit unique traits from the core populations: they tend to be smaller, have more variable densities, restricted gene flow, less genetic variation, greater extirpation risk and be morphologically similar.^[4]

CDFW therefore recommends the CEQA document specifically evaluate the potential for indirect and cumulative impacts due to fragmentation of sensitive plant community and wildlife habitat areas that will result from the project. The CEQA document should examine options for effective mitigation for such effects, which could include avoidance by prudent project design that tends to preserve contiguous habitats and limit fragmentation. CDFW also recommends the IS/MND include an alternative analysis that evaluates alternatives that would serve to decrease impacts due to habitat fragmentation.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link:

<https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an effect on fish and wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the Project. Written notifications shall be directed to:

California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670.

CDFW appreciates the opportunity to comment on the CEQA document and CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter, please contact Alexander Funk, Environmental Scientist, at (916) 817-0434 or alexander.funk@wildlife.ca.gov.

Sincerely,

Alex Funk

Alexander L. Funk, M.S. (He/Him)
Environmental Scientist
California Department of Fish and Wildlife
Habitat Conservation NCR Region 2
1701 Nimbus Road
Rancho Cordova, CA 95670
Cell (916) 817-0434
Alexander.Funk@wildlife.ca.gov

[1] Lerner, Jeff. On-line Paper: *Habitat Fragmentation*, Biodiversity Partnership, Washington DC, see https://us01.z.antigena.com/l/ZUqifcBQL667NLEy9Ght7yT_ao6P8tAuQYXe_BusTP6mh5JJKEMTN8HLnjT-KxSeXgz3gyJ_ZBnxeCckx81CTJlr-iKKCQ1wGDNJz4vK3GATEAVuGVldmew_vYIYUil1DXIY_Lidk3lj2ZqLUSmcGfw6hck7ldLXajrAxFICYDclBa~IZGJ3x_1az66_.

[2] Askins, R. A. *Restoring North America's birds*. Yale University Press, New Haven, Connecticut. 2000.

[3] Buchmann, Stephen L. and Gary Paul Nabhan. *The Forgotten Pollinators*. Washington DC: Island Press. 1997.

[4] Leppig, G. and J.W. White. 2006. *Conservation of peripheral plant populations in California*. *Madrono* 53:264-274.

February 3, 2023

To: Yuba County Planning Department
Attention: Ciara Fisher, Kevin Perkins, and Planning Commission
915 8th Street, Suite 123
Marysville, CA 95901

Re: Opposition to Conditional Use Permit for campground on the Lower Yuba River

Dear Ms. Fisher, Mr. Perkins and County Planning Commissioners:

My name is Rebekah Carlson, property owner on Timbuctoo Road, Yuba County. I was born here in Timbuctoo and have been a resident now for over 10 years. I am adamantly opposed to the proposal of the campgrounds on the Lower Yuba River that is within a mile of my property. Basic common sense says this is a foolish and negligent idea. Here are my concerns:

1. Fire Danger:
 - A. 2019 there was a 20 acre fire started on this very property that threatened my neighborhood as well as the town of Smartsville and Riverview terrace community.
* Prior to the fire department being called, the fire was attempted to be put out with a fire extinguisher to no avail.
 - B. Increased strain local fire department resources.
 - C. Liability of property, houses, structures, livestock and loss of life that fire danger represents.
 - D. How are camp fires going to be enforced on a 20-acre parcel surrounded by 600+ acres of wilderness (also private property.)?
is impassable due to weight limit for a number of emergency vehicles. This increases emergency response time dramatically.
2. Increased Traffic on Timbuctoo Road;
 - A. Timbuctoo Road is a one lane road with no turn around or passing lanes.
 - B. Timbuctoo Road is not paved, only cold patched (which is the only significant improvement done in the last 60 years)
 - C. Timbuctoo Road is not marked with street signs, speed limit signs, lines, and has blind corners as well as unmarked cliffs.
3. There is only one way in and out of this proposed campsite, behind two locked gates.
4. Trash/graffiti
5. There is no max stay listed in the proposal increasing chance of long term stays/people living there.

6. Trespassing

A. I constantly have to ask people who are trespassing on my or my neighbor's properties to leave. The Sheriff is called often because of this. This will only increase as more of the public is invited to visit this area, especially via the Internet.

B. How is the public staying at the campgrounds going to be stopped from trespassing? How will this be monitored?

7. Protecting the Yuba River and the wildlife.

A. Why is an Environmental Impact Report not being done? I insist one should be done not just on the 20 acres, but the areas directly around it.

In closing I would like those involved in this decision to look at local history in the immediate area. Consider the Goldfields; Twenty years ago this area was not open to the public. What has happened in the last twenty years to the Yuba River and fish in this area? What has happened to the unmaintained road? What has happened to the overall area? Is it safe? Is it beautiful? Is it clean? How much time and money does it cost the county and state? What does fish and game say about the Goldfields? How has it affected the local residents? Do the biologists who research the river have any input on this?

I insist an E.I.R. is done before any further progress is made towards this C.U.P. I do not believe this campground is a good idea for the area of Timbuctoo and Smartsville. #supportsycamoreranch.

I feel the danger to myself, my neighbors, and our homes must compel the planning commission to deny this permit and avoid being negligent for the residents they serve.

Respectfully,

Rebekah Carlson
(530)755-6205
P.O. Box 1042
Penn Valley, CA 95946

Fisher, Ciara

From: Herb Busboom <hbusboom@att.net>
Sent: Monday, January 16, 2023 12:08 PM
To: Fisher, Ciara
Subject: Campground on Yuba River

The Yuba River salmon fishery is the only major river in the Sacramento Valley that does not have a fish hatchery. The production of wild hatchery salmon and steelhead is a key component in the State's wild fishery program. How does this proposal support that responsibility?

The Yuba River upstream of Parks Bar Bridge is relatively undeveloped and pristine compared to the river reaches below the bridge. This isolated area currently has a wilderness quality to it. In my judgment, the construction of a campground has significant potential for negative effects.

Herb Busboom
Fisherman

8300 Highway 20
Smartsville, CA 95977
Janetburton13@gmail.com
kitburton@hotmail.com

January 26, 2023

To whom it may concern:

We've become aware of an application for a conditional use permit to operate a campground on 20 acres near the Timbuctoo Bend on the Yuba River in Timbuctoo. We are voicing our concerns against such a commercial venture and ask that our comments be considered by the Yuba County Planning Department and Commission who will decide on the outcome of this permit request.

The public road to the campground is a one-lane road, not properly maintained to accommodate the increased traffic caused by a public campground. There is an old wooden bridge at the upper entry to Timbuctoo with weight restrictions (which might apply to large recreational vehicles who wish to enter the proposed campground). The County may have plans to renovate that bridge, but thus far nothing has been done. There is limited ability for a large vehicle to even turn around on the road.

The private easement to the campground behind a locked gate is meant for the private property owners and is zoned, as we have been told, for residents and agricultural purposes, not for commercial use. The increased noise on the gravel roads would be harmful to the residents who already live in Timbuctoo. The wear on the roads, both private and public, doesn't appear to be considered.

We're concerned that the 20-acre campground could become a place for permanent or long-term camping of many people, as opposed to the current zoning for 20 acres for one residence.

We're also concerned that this is a high-risk wildfire area, with housing insurance becoming more difficult and expensive to get, and that these campgrounds would all have "fire rings" to allow a campfire. There is no PG&E power at the site and the one well there would be expected to fill two large tanks of water. In the event of fire, is that adequate?

The area is rich in the history of the gold rush. This history is important to many community members and should be a factor in any plans and zoning for Timbuctoo.

The area is rich in environmental resources – the river, the fauna, and the wildlife, and an Environmental Impact Report has not been offered to educate us about the consequences of a commercial development.

We believe the county hasn't completely addressed both the historic and environmental factors which most benefit the citizens of this region, as well as Yuba County itself. The public depends on you to protect our resources and enable us to enjoy them as well.

Thank you for including our comments in your future discussions and meetings.

Sincerely,

Kit and Janet Burton

Fisher, Ciara

From: Peter Burnes <ahugetrout-2@yahoo.com>
Sent: Wednesday, January 25, 2023 12:11 PM
To: Fisher, Ciara
Subject: Initial Study/MND for LUSE-22-0001 - Yuba River Campground Comment

Comment regarding Initial Study/MND for LUSE-22-0001 - Yuba River Campground

Ms. Fisher, Planning Commissioners, and Board of Supervisors of the County of Yuba,

I appreciate the opportunity to comment on the subject project proposal and Mitigated Negative Declaration (MND). I have many concerns about this project and the MND, but I want to focus your and Yuba County decision makers' attention on one particular and extremely critical element:

- the inadequacy of mitigation for impacts to ESA and CESA listed salmonids in the sphere of influence of the subject project.

As you know the reach of the Lower Yuba above the Highway 20 bridge to Englebright Dam (Reach A) has special sport fishing regulations adopted by the California Department of Fish and Wildlife prohibiting fishing from September 1 to November 30 of each year. This prohibition was established to provide a refugia for spawning salmon during the most likely spawning period.

However, the prohibition was implemented in the context of extremely limited access to this reach (Reach A) and an awareness of the type of use of this reach historically, at the time of implementation, and ongoing so far. It is also implemented in the context of the entire Lower Yuba being a refugia for threatened and endangered salmonids as evidenced by the zero take restriction for salmon, wild trout, and wild steelhead and the nearly unique attribute of the Lower Yuba fisheries not being negatively impacted by a dedicated hatchery as are all other major rivers of the Central Valley. The Lower Yuba is unique.

The Lower Yuba is a very special place for very special fish. So special, in fact, that the Yuba Water Agency (your very own and self-same Board of Supervisors) wisely have invested, and continue to invest, many millions of dollars caring for the river and attempting to stem the demise of these increasingly rare salmonids that come to this river every year, simply to survive.

This specific project will significantly change the river access profile and the nature of the access in Reach A and, therefore, the simple CDFW fishing prohibition, considered in the MND out of context, is inadequate to mitigate the significant impact of this change caused singularly by this specific project.

Here are several points to consider in a sufficient impact analysis:

- Spawning fish do not have calendars. In general, and under recent conditions, spawning schedules vary. Salmon spawn both before September 1 and after November 30.

- Spawning fish enter the system based on a variety of environmental factors, many of which are currently undergoing significant increases in variability as evidenced by record breaking heat and record breaking periods of drought, thus influencing the variability of spawning schedules into the future.

- Threatened Central Valley Steelhead mostly spawn well outside the period 9/1 - 11/30; they are generally considered to spawn in the early spring, but with a highly variable schedule overall. While the spring salmon are truly endangered, Central Valley Steelhead are nonetheless a very important threatened fishery requiring protection as evidenced by the zero take provisions of the California Sports Fishing Regulations.

- Fishing is not the only, or even the greatest, impact on spawning success. Swimming, diving, rock throwing, gold panning, and uninformed and inexperienced boating and floating have equal or greater potential for significant impacts during all potential periods of spawning throughout the year.

- The reference to a 'buffer zone' between the project property line and the normal high water line does not prevent actual impacts. The 'buffer zone' is an idea, not a mitigating barrier. The project, with its extremely close proximity to sensitive ESA species' habitats should be considered to present significant direct impacts on the river and its wildlife.

The subject project will dramatically increase the quantity and change the type of access to the Lower Yuba, particularly in Reach A. Where there is currently almost no routine public access, the project will introduce the significant impacts of thousands of person days on this delicate, sensitive and incalculably valuable resource to Yuba County and northern California citizens, taxpayers, and voters.

Please, Yuba County decision makers, don't destroy this very special and critically needed place! Do not approve this project as proposed.

Yours very truly,

Peter A. Burnes
10238 Old Oak Trail
Grass Valley, CA

Fisher, Ciara

From: William Burden <willburden3@gmail.com>
Sent: Wednesday, January 25, 2023 2:23 PM
To: Fisher, Ciara
Subject: Proposed Yuba River Campground

Ms Fisher —

I have been made aware of the proposal being considered to build and operate a campground on the Yuba River, above the Parks Bar Bridge. As someone who spends 20 or 30 days a year on the lower Yuba, fishing and hiking, I am writing to express my fervent hope that the developer will follow all the rules for the protection of the river, and specifically of the salmon and steelhead (trout) spawning beds in that stretch.

As a member of a local fly fishing club, I have seen other letters that bring up many points of concern. The main problem for us is that it's hard for us to tell just how this is proceeding. I know that it's early in the process, and the developer may be completely committed to the protection of this resource, but we are depending on you to manage and monitor this project from the County Planning's point of view. And I think by now you can see that there are others like me.

Good luck, and I'm hoping for an outcome that satisfies all parties.

Thank you,

— Bill

Bill Burden — Communications Chair
310-279-6465



Catch and Release, Wild Trout

Fisher, Ciara

From: Fred Barkis <frbarki@verizon.net>
Sent: Thursday, January 19, 2023 3:44 PM
To: Fisher, Ciara
Subject: Concerns in regard to Conditional Use Permit - Campground Construction: LUSE-22-0001 Yuba River Campground

Dear Ciara Fisher,

It has been brought to my attention, from friends of mine within my fly fishing club (Gold Country Fly Fishers), that a group of private land owners on the Yuba River are proposing to construct a campground on their property.

I do not normally go out of my way to interfere with other peoples business, but when I feel someone's private enterprises will have a negative impact on the overall health and well being of what I consider a public treasure, I am compelled to at least speak out.

The Lower Yuba River has had a lot of stress put on it through out its natural history. Gold mining, and more recently, installation of dams in the Yuba drainage, have really hurt the river, and its ecological stability. Nevertheless, after the mining was stopped, and the flow regimes somewhat restored, this river system has recovered to such an extent that the wild, native California anadromous fish populations have become self-sustaining. Actually, the Lower Yuba is one of the few rivers in California that has no hatcheries, no fish plantings and the fish are pure California natives and completely wild! This is a unique treasure to the citizens of not only Yuba County, but also the entire State of California. As such, the Lower Yuba is designated by the State of California as a "Wild and Scenic River," and the California Department of Fish and Wildlife enforces unique regulations on how the river is managed to protect the fish populations and ecology of the river.

Wild, native California Chinook Salmon (endangered), steelhead (threatened), and rainbow trout rely on this river for their entire life cycle. The biggest threats to their existence in this ecosystem is loss of habitat due to drought, poor flow regimes, and habitat destruction from man-made influences (mining was the original culprit, but now it is urban encroachment). The next great threat to the steelhead, salmon, and trout on the Lower Yuba is foot and drift boat traffic destroying the redds the fish make to lay their eggs (redds are the "nests" salmonids make in the river bed to lay and fertilize eggs). This is where my great concern with the proposed campground stems from.

You see, the area of use for the campground, as well as the adjacent property for the campground's river access, are in a portion of the river that is prime habitat for California Chinook Salmon and California Steelhead to make their breeding redds. Although the Limited Use Proposal states it will not allow access to the Yuba River to their guest for fishing purposes during the period of September 1 to December 1 (In accordance with CDFW regulations), will they continue to allow access to non-fishing guests during this critical period for breeding fish on the river? How will the campsite hosts and owners regulate the impacts of their non-fishing guests - walking, swimming, kayaking and boating - in this portion of the river during a time period that has been set aside to allow the salmon and trout to flourish and breed largely devoid of harassment by the presence of humans?

Other questions I have in regards to this unique environment:

- What measures are the owners taking to ensure trash and other human wastes do not end up in the adjacent water shed?
- With the substantial number of fires that occur in this area every year, how do the owner's propose to mitigate the threat of wildfire breaking out on this property from the use of fire pits or open cooking flames? The impacts of a wild fire to the Lower Yuba, as well as other adjacent properties should not be under estimated.

Thank you very much for reviewing my concerns associated with this Conditional Use Permit. I am certain you will give the utmost consideration to the potential impacts this proposed campground will have on the ecology, wildlife and environment of the Lower Yuba River. This place is unique and greatly loved and appreciated by many people. It would be a shame to see its qualities sacrificed for the gain of so few!

Sincerely Yours,
Fred Barkis
Lakewood, CA

[Sent from the all new AOL app for iOS](#)

Fisher, Ciara

From: Harry White <hwhite1728@gmail.com>
Sent: Saturday, January 21, 2023 9:30 PM
To: Fisher, Ciara
Subject: Concern about Yuba River campground, LUSE-22-0001

Dear Ms. Clara Fisher:

Please do not build a campground on the Yuba river per the proposed plan.

The campground would be built in a spawning area for wild salmon in the Yuba River. This is a very valuable and sensitive location! From September 1st to December 1st, the river is closed to fishing to protect the spawning habitat. We cannot afford to take a risk with increased sediment from wading and kayaking, damage from off-road vehicles, sewage leaking in the river etc.

This area has historically been off-limits to inputs and outputs from boats or kayaks during spawning season. Current practice is that even the fishing clubs (with conscientious anglers who respect the river) cease activity on the river during the spawning season. But with the campground it will be opened up more to the public, including use by less-knowledgable people who don't know and don't care how sensitive the river is. We can expect that the campground will attract ATV and off-road vehicle use, a known cause of river damage. It is unlikely that there will be adequate supervision to prevent people from damaging habitat during the spawning season. This could result in killing thousands of fish that would otherwise be spawned in the river, a nightmare for wild salmon populations at a time when we need to do everything possible to try and stabilize and increase their population, not decrease it.

Please do not allow the campground to be built.

Thank you for your time and consideration.

Sincerely,

Harry White
1728 Avondale Dr
Roseville, CA 95747

Fisher, Ciara

From: Rick <yubafisher@yahoo.com>
Sent: Monday, January 23, 2023 10:44 AM
To: Fisher, Ciara
Cc: Clay Hash; Bill Burden; Frank Rinella; Wilton Fryer
Subject: LUSE-22-0001 Yuba River Campground
Attachments: Final GCFF Yuba River Campground Response Letter_23JAN23_signed[19837].pdf

Hello Ms. Fisher,

I am affiliated with Gold Country Fly Fishers and I am responding to the public comment period for the Yuba River Campground Mitigated Negative Declaration (LUSE-22-0001) which runs from January 5, 2023 to January 25, 2023.

The Gold Country Fly Fishers and myself are raising the issues contained within the attached letter so that they may be considered by the Yuba County Planning Commission before any final action is taken on the proposed Yuba River Campground development.

Thank you,

Rick Weaver
530-615-0075

Sent from [Mail](#) for Windows

Jennifer Van Noland
7968 Timbuctoo Rd.
Smartsville, CA 95977

RECEIVED

FEB 03 2023

COMMUNITY DEVELOPMENT
& SERVICES AGENCY

1/29/23

Community Development & Service Agency
915 8th Street Suite 123
Marysville, CA 95901

Dear Sir/ Madam;

I'm writing this letter to voice my concerns and objections to the proposed campground in Smartsville, CA also known as the Yuba River Campground.

My house and property is located just 100 yards from the entry gate leading to the campground. I am the closest resident. I've owned my home here since 2010. My husband and I put our life savings into the purchase of our home.

I find this idea to be a terrible proposal to say the very least. It puts all of us local residents in danger in many ways.

The first and most important concern is fire. As you know, fire season is a very scary threat here in the foothills even without a campground around. This will only make the threat of fires more promising with the amount of people at any given time staying at the campground. The more people that populate an area, the bigger the threat will be. I don't wish to live under those dangerous conditions.

Mr. McCay is already responsible for one large fire that happened in 2019 when he had a couple living at the exact same place as the proposed campground. Those people caused a fire that spread very quickly and put all of us that are in the immediate area at risk of losing our homes and lives. It was very scary for many hours until the fire was thankfully extinguished. I don't wish to repeat that scenario.

Another threat that this proposed campground will cause is all of the traffic that this will bring. With 8 RV spots and 21 other spots for tent campers and adding two vehicles allowed for each spot, that's a lot. Far too many for this little road to handle as a single lane road. My home sits right next to the road. Timbuctoo road was just repaved recently after many years and all of the traffic and heavy vehicles will beat up the new road pretty bad. I can't imagine all of the campers, trucks, car's and RV's coming and going at all hours of the day and night. It's going to be a big nuisance for us locals, especially for my family and myself.

Also, the gate that would be the entrance to the road leading to the campground is a locked one requiring a code to get in. The gate is very loud and anyone entering is not unnoticed by myself and my neighbors with all of the noise that it makes. It sounds like a drawbridge to the entrance of a castle when it's opening up! Terrible. The gate would also potentially slow access for emergency vehicles to

be able to get to the campground in case of disaster. The road is a gravel one and it's easy to get stuck on if the vehicle isn't equipped to handle the dips and hills on the way to the proposed camp site. Also many tow companies won't tow on a gravel road.

Security will also be an issue. With this many people added to the area it will increase the amount of potential theft. Tourists wanting to explore more of the area other than the designated campground will likely trespass and invade other areas nearby (my neighbors and my own property most notably).


Trash is also a consideration. Mr. McCay allowed a wedding party into the site in 2021 and they left a lot of garbage along side the road after their event was over. I was picking up trash for weeks afterwards. He didn't have to deal with any cigarette butts, beer bottles or wedding signs/decorations left behind. All of us locals did.

Finally, it is my opinion that there is absolutely no benefit to adding a campground in our little town. There is already one on the river 5 miles from here. Mr. McCay's bank account is the only thing that will benefit from all of this. He doesn't even live in the immediate area so he has nothing to lose. He won't be the one dealing with trash, fire, theft or traffic. This campground is not a good idea for anyone but himself and I resent him for potentially putting us all at risk for his own benefit.

I'm begging you to please put a stop to all of this nonsense for all of us locals folks who love and wish to protect our small town. When there is nothing to gain the loss is certain.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Van Noland". The script is cursive and fluid, with the first name "Jennifer" being more prominent than the last name "Van Noland".

Jennifer Van Noland



January 16, 2023

Re: Letter of Concern over New proposal for campground on the Lower Yuba River

To: Yuba County Planning Department, Attention Clara Fisher 915 8th Street, Suite 123
Marysville, CA 95901

Dear Ms. Fisher & County Commissioners:

I write on behalf of the Trout Unlimited California and our 10,000 members statewide. Trout Unlimited along with numerous other conservation organizations have been engaged in caring for and watching over the Yuba River for all of the past 23 years and involved in monitoring and advocating for adequate regulations that are protective of the fish and wildlife of the Yuba River watershed. The Lower Yuba River is one of the crown jewels of all western Sierra rivers resulting from its consistent cold water flows and protective regulations that support cold water fish like Spring-run Chinook salmon, Fall-run Chinook salmon, Central Valley steelhead, green sturgeon, and rainbow trout, all species with residence time in the Lower Yuba. Three of these five are listed under both the California and Federal Endangered Species Act - Spring-run Chinook salmon, Central Valley Steelhead, Green Sturgeon.

We are very concerned about the future of these fish. Many of our members fish annually in the Lower River, accessing it either by driving to and walking in, or gaining access via the U.C. California Sierra Foothill Research and Extension Center. To be frank, the Lower Yuba is the single most prized fishing river in the Western Sierra for more than half of our members. It is prized because of the quality of its fishery for both wild rainbow trout and wild steelhead, and the wilderness experience in the river above and below the Parks Bar Bridge. Many of our Trout Unlimited members are also members of the fishing clubs in this area, and do not want to see exploitation of this watershed by private interests.

We have recently learned that a property owner has submitted a Conditional Use Permit to construct a campground on a private parcel along the Yuba River about a mile upstream of Parks Bar Bridge at Timbuctoo bend. We strongly encourage Yuba County to suspend decision making on this permit until all the issues of concern are adequately addressed, including those of the fishing community. A development like this can have unexpected and negative impacts upon sensitive watersheds and fisheries like those on the Lower Yuba.

Here are a few of our questions/concerns:

1. Has the California Dept. of Fish and Wildlife, the U.S. Fish & Wildlife Service, or NOAA Fisheries been consulted about the possible impacts of the facility being proposed?
2. Will there be negative impacts to ESA or CESA listed species as a result of this proposed facility?

3. Has there been a review done to ensure compliance with the California Environmental Quality Act, including a review of the project to ensure that potentially significant environmental impacts are avoided?
4. Is there a water right in place to allow access to water from the Yuba River system to the level needed for the project?
5. Has the Regional Water Quality Control Board been consulted about this project and it's needs for water beyond what may now be available?
6. Has the California Dept. of Conservation been consulted to assess environmental compliance and permitting issues, including CEQA, NEPA, Clean Water Act permits, Stream Alteration Agreements and others?
7. Is there a complete and fully fleshed-out design of the project available for the public to evaluate to determine if it meets local and watershed permitted uses?
8. Has there been a full study of the impacts of this project to the local watershed, including but not limited to, fish, birds, riparian plants, insects, and aquatic life within the river and its surroundings?
9. Is there a complete plan for all levels of the project, beginning to end, including construction materials, costs, degree of appropriate planning, grading, water run-off, flood impacts, procurement and contractor to be used? Will a plan be evaluated by the appropriate agencies within the County &, possibly state?
10. If the project includes river access and possible boating, is there a complete plan in place that describes these uses, how they will be controlled, including threats to both the public and the fish and wildlife of the river and surrounding watershed?
11. We fully support the additional questions asked by Mr. Clay Hash, President of Gold County Fly Fishers in Nevada City. Our concern is that the full value of the location and surrounding watershed are not being determined or estimated prior to the project being considered by the county. A watershed like this is valuable to Yuba County as it is, without further development due to its river and water quality, as well as the income received from tax revenues collected at businesses that fishermen visit when coming to the river.

We estimate that as many as 50,000-75,000 fishing hours are spent on the Lower Yuba River by visiting fishermen each year. They come only to experience the beauty and quality of the river and its fish. Some of our fly fishers actually moved here to enjoy this river and fishery. One of TU's strong supporters, Gold Country Fly Fishers, calls the Lower Yuba their home river and many moved here to enjoy what it has to offer. Developments like this are what drive people away, not bring them here. Please think twice before moving forward with this project. Remember, you are the steward of this watershed, and as such carry the responsibility of caring for it. Watersheds once lost rarely recover.

Sincerely,

Trevor S. Fagerskog
Trout Unlimited
California State Council, Chair

Fisher, Ciara

From: Richard Tortosa <rich.tortosa@gmail.com>
Sent: Wednesday, January 25, 2023 9:46 PM
To: Fisher, Ciara; Clay Hash
Subject: Proposal Campground

Dear Miss Fisher:

I have the privilege of living adjacent to the Yuba river for 19 years. I lived off of Monument, 2 miles west of the parks bar bridge on the north side of the river. During that time we heard countless episodes of motocross vehicles traveling on the other side of the river at high speeds throughout the night even as late as 2 to 5 in the dark. We heard many many individuals, yelling, and screaming, and shooting rifles and shotguns after dark. In fact, there were some cartridges dislodged into our property. One nearly missing my wife when she was outside in her chicken coop. Another lodged in our neighbors garage He lives on Two Handy Rd. We called the sheriffs office and a deputy came to our property He told us that they only had one deputy to cover , the area from Loma Rica to Brownsville, Bullards Bar to the Nevada county line. We were so concerned with our security with the gunshots on the other side of the river we decided to sell our property move to Nevada county. I understand there's a proposed campground east of the parks bar bridge on the south side of the river. We have been involved with SYSCL Yuba River clean up project over the years picking up debris on the Yuba River below Parks Bar bridge South side and have collected tons of debris. This proposed campground will have a very negative affect on our environment. This has been demonstrated by the unmanaged camping on the Bureau of Land Management area below Parks Bar bridge on the north side over the recent years. We have witnessed innumerable episodes of individuals under the influence of alcohol and other drugs, demonstrating irresponsible behavior burning cars, driving, off-road vehicles in a dangerous fashion and find rifles at night. This behavior marked increases the risk of wildfires and other bad consequences. We strongly recommend that you do an environmental impact report on proposed campground east of Parks Bar bridge . This is based on my 19 years of experience witnessing these episodes which caused us to leave Yuba Country and my 40 years of experience of fishing on the Yuba River The Yuba river is one of the very best assets of Yuba County. It is a natural spawning area for rainbow trout, salmon, and steelhead. People come to fish it from all over northern California, because of the high quality of its environment. Not to say, the camping should not be developed, but it should be done in a responsible fashion with appropriate environmental impact study and consider the historical behavior of those individuals who have degraded the south side of the side of the river below Parks Bar bridge over the years. Thank you for consideration

Richard Tortosa MD

Sent from my iPhone



SOUTH YUBA RIVER CITIZENS LEAGUE

January 24, 2023

Ciara Fisher, Planner III
County of Yuba, CSDA
915 8th Street, Suite 123
Marysville, CA 95948

Submitted via email: cfisher@co.yuba.ca.us

**Re: INITIAL STUDY/MITIGATED NEGATIVE DECLARATION LUSE-22-0001
(Yuba River Campground)**

Dear Ciara Fisher:

The South Yuba River Citizens League (SYRCL) writes to respectfully submit comments in response to the Initial Study/Mitigated Negative Declaration (IS/MND) for the Yuba River Campground Project (Project). In compliance with the California Environmental Quality Act (CEQA) process, we seek to provide valuable considerations on the initial environmental review documents for the County's consideration as the County considers the preparation of an MND and issuance of a conditional use permit for this Project.

Introduction

SYRCL, founded in 1983 by grassroots activists, who ultimately won permanent protection for 39 miles of the South Yuba River under California's Wild and Scenic Rivers Act, is a community based non-profit organization with 3,500 members and 1,300 active volunteers. SYRCL continues to be the leading advocate for the protection of water quality, river health and watershed restoration within the Yuba watershed.

We greatly appreciate the Project proponent's vision for creating access and recreational opportunities along the Yuba River for the community as a whole. In fact, SYRCL strives to create recreation opportunities and improve public access to the Yuba River, with the goal in mind of educating the public about the importance of key river issues in the community. We are participating in the environmental review process for the Yuba River Campground project to continue the commitment to our mission. Below we will outline our specific comments and recommendations with respect to the proposed Project for the County's thoughtful consideration.

Infrastructure/Development

We would like to raise a significant concern with respect to the lack of detail on future plans for permanent infrastructure and development alluded to in the project IS/MND. Pursuant to

California regulations governing Initial Studies, all phases of a Project, including project planning, implementation and operation, must be considered in the initial study.¹

In the draft IS, the applicants claim there will be no permanent structures as part of the project development, and do not include the construction of permanent structures in the IS/MSD. However, in the first paragraph of the project description they state: “The proposed project will also involve improvements to existing roads and camp areas, *creation of a septic system, installation of restroom facilities*, and other minor improvements (emphasis added).”² Later in the application, the applicant references the construction of a camp store and describes the rental of kayaks and other small crafts³ which would presumably need to be stored within a structure. The camp store, and facilities necessary for boat rental are not described in the plan. SYRCL appreciates that the phased development of a commercial enterprise can be important to ensure the economic viability of the business. However, septic systems, restroom facilities, campground stores, and rental facilities all qualify as permanent structures and must be included and considered as part of the CEQA determination. Failing to do so runs the risk of not considering cumulative impacts for all phases of the project because any given phase is considered separately. Project proponents state that permanent improvements will be constructed as soon as two years after operations begin. This must be included in the current environmental review.

In the discussion about river access, Project proponents state that access to the Yuba River will be provided using an adjacent parcel (APN 5550003000; Exhibit A, page 6), however, there is no mention of development or modification of APN 5550003000 in the IS/MND. Additionally, the applicants fail to address other parcels that sit between the proposed campground site and the river (APN 5550021000 and APN 5550015000) and must be crossed to access the river APN 555003000. From aerial imagery, river access at APN 5550003000 through APN 5550021000 consists of a roughly developed boat ramp with limited turnaround space and no parking. Based on the anticipated uses as outlined by the applicant, and the steep, rocky nature of the bank in the vicinity of the project, there is not sufficient road and river access infrastructure for the launching of drift boats, kayaks, and wading/swimming simultaneously. To safely facilitate the multiple uses planned by the applicant, development of additional facilities, likely including in-stream work for an enhanced boat ramp, would presumably be required. These likely eventual improvements are not included in the draft IS/MND, nor is the property they would occur on. In addition, the applicant does not address the near certainty of trespass across other properties to the river, especially APN 5550021000 located between proposed Project and the Yuba River. We acknowledge that the creation of unofficial trails trespassing across other property cannot be included as part of the CEQA review; however, the applicant’s failure to address likely impacts on adjacent parcels suggests the deliberate omission of pertinent and predictable uses and the resulting environmental impacts which are likely to occur. Given the reliance on river access for fishing, kayaking, and swimming as the commercial draw to the campground as described in the application, it is crucial that we better understand the impacts including reasonably anticipated future development needs of those activities on *all* properties which will be impacted.

¹ Cal. Code Regs. tit. 14 § 15063. Also see *Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337

² IS/MD Yuba River Campground, Page 1

³ IS/MD Yuba River Campground, Page 3

Another significant concern of the Project is the potential development of a septic system in support of restroom facilities. We particularly have concern with 1) the inconsistency in how the project proponents describe development of the septic system(s) and 2) the feasibility of septic system compliance with necessary wastewater treatment and environmental regulations. The project description states that the proposal includes the creation of a septic system and installation of restroom facilities. Elsewhere, they claim that Porta-Potties will be used, and septic will be developed within two years. These inconsistencies in the project scope must be remedied. Should porta-potties prove financially or practically unsustainable – given the anticipated use they could require as many as 12 porta-potties requiring weekly service – the County could find themselves in a scenario where they are forced to either shut down the campground or approve wastewater treatment facilities which cannot meet environmental requirements, which we will describe more below.

Water Quality

Water quality is a significant concern to SYRCL. The targeted “first flush” storm sampling that we have conducted as part of our 23-year old River Monitoring program suggests that faulty or poorly maintained septic systems can contribute a significant amount of E. coli to the Yuba River system.⁴ According to the US Department of Agriculture’s Soil Survey of the project area, the soils in the area are almost exclusively well drained gravelly loams with slopes of 15 – 30 percent and lithic bedrock at a depth of 20 – 40 inches. What this means is that bedrock is between 20 and 40 inches deep and that water, including wastewater from the septic leach field, will rapidly flow through the gravelly loam soils directly into the Yuba River. Given the thin soil within the project area we are concerned that a septic system is not a viable means of wastewater disposal. California Plumbing Code⁵ states that the estimated sewage rate for a campground with flush toilets and no showers is approximately 25 gallons per person per day. Based on the maximum anticipated occupancy of 120 adults, that would require a minimum septic tank capacity of 3,000 gallons with a leach field of 600 sq. ft. If showers are offered, the requirements for a septic system increase. The complicated and unmapped network of legacy mining tunnels on this, and adjacent properties further suggests that should a septic system be installed there is a high degree of likelihood that wastewater would enter the Yuba River.

From the draft IS/MND it is also unclear where the water necessary for campground operation, including drinking water and wastewater will originate. In the Hydrology and Water Quality section of the draft IS/MND the applicant indicates that there will be a less than significant impact to groundwater supplies. However, they also indicate that the project will rely on ground water wells for water supply for sanitation and firefighting. Without understanding the depth of the aquifer and its recharge rate relative to sanitation and other water uses it is not possible to indicate whether or not there will be a significant impact to the aquifer. Approving the draft IS/MND without understanding whether there is sufficient water to sustain all planned and future activities with the project as proposed may result in negative environmental impacts.

Recreation

⁴ <https://yubariver.org/posts/first-flush-water-quality-monitoring-results-are-in/>

⁵ California Plumbing Code (Part 5, Title 24, Table K-3)

The applicant's IS/MND claims that recreation as a result of the proposed project is not an environmental factor which would be potentially affected by the project and therefore does not warrant consideration as part of the IS/MND. However, the stated purpose of a campground and facilities focused on river use contradict this claim. The applicant states that a notable change to the amount of use occurring at a regional recreation area is not anticipated. However, the applicant plans to provide a shuttle service to two public river access points, Parks Bar and Sycamore Ranch. This assumes that the use of these recreation areas by campers will be frequent enough to offer a shuttle service. Given the location of the Project in a previously inaccessible reach of the Yuba River, it is likely that there will be significant public interest in accessing the river from this location. Restroom facilities are not available at Parks Bar and are often overwhelmed by recreators at Sycamore Ranch. The additional usage of public parks and areas by campers will almost certainly increase traffic to a degree that will have an impact on existing facilities and recreational areas. The consideration of recreation as an environmental impact must be considered as part of an IS/MND to develop a recreation facility.

Fisheries

We appreciate the project proponent's consideration of impacts to threatened salmonid species in the Yuba River. However, the true impact to threatened and endangered species will likely be more significant than described in the IS/MND. This is further exacerbated by the lack of detail on future project phases, as mentioned above. While the proposed limitation of five rods on foot from the campground, and the requirement of a fishing pass from the Camp Host is admirable, the project proponent's ability to enforce this regulation is legally and practically questionable. No fishing can physically occur from the parcel included in the project proposal because it is not adjacent to the river (Exhibit A). Instead, all fishing will take place from the proposed easement parcel and the banks of adjacent parcels not owned by the project proponent. Additionally, once a person is within the legally defined ordinary high-water, regardless of where they access the river, they are free to engage in any and all legal activity including fishing. The result of this is that the project proponents and their staff do not have the practical or legal ability to enforce limitations on the number of people fishing this reach which increase fishing pressures in crucial spawning and rearing habitat that currently does not experience significant fishing pressure.

Further, due to the project area's seclusion and the assumed inability of campground management to enforce fishing regulations, we are concerned about the possibility of poaching. Fishing passes will not be offered from September 1 to November 30 per California Department Fish and Wildlife (CDFW) regulations⁶, but that does not necessarily mean campers will not walk the short distance to the river access and poach during this time intentionally or unintentionally. Because this reach of the river has historically been inaccessible from land, recreators may be unaware of fishing regulations, and authorities may be unable to enforce them in this area. There is also a notable risk of non-fishing impacts to these fisheries. The areas adjacent to the project represent some of the furthest upstream anadromous spawning habitat in the lower Yuba River. Non-fishing activities such as wading in spawning habitat could lead to egg fatality.

⁶ CDFW Supplemental Sport Fishing Regulations 7.40(b)(123)

The Subject Property does not include any Essential Fish Habitat. However, the Subject Property is reliant on the adjacent parcel (APN 5550003000) for access to the river which is necessary for the Project and anticipated recreational activities. All adjacent parcels which will be legally (through a presumed easement) or illegally accessed from the Subject Property are included as having Essential Fish Habitat for threatened chinook and steelhead. The project proponents must include all properties explicitly impacted by the proposed project, including the potential for future phases requiring the modification of the bed or banks of the river to support additional demand. Because the proposed project explicitly states that fishing and river access will occur through an adjacent property, their analysis of environmental impacts must include the required federal fisheries consultation.

Conclusion

In closing, SYRCL is committed to supporting increased access to nature and recreational opportunities for our community. We are not opposed to the Project as a whole, and feel that camping and regulated recreation opportunities in the lower Yuba River could be of benefit to the community. However, we are concerned with the adequacy of the initial study and with several potentially significant impacts as described in our comments above. Specifically, 1) the reliance on adjacent properties not included draft IS/MND and therefore missing analysis of fisheries impacts, 2) inconsistency in when additional phases of development may occur, and their lack of consideration in the draft IS/MND, and 3) an insufficient analysis of water quality and groundwater impacts. As such, we wish to see these issues addressed before the County moves forward with the project proposal.

Thank you for the opportunity to comment. We welcome the opportunity to collaborate during the environmental review period. For coordination, clarification or discussion of any matters raised in this letter, please do not hesitate to contact us.

Sincerely,



Aaron Zettler-Mann
Watershed Science Director
South Yuba River Citizens League



Danielle Conway
Fish Biologist
South Yuba River Citizens League



Gianna Setoudeh
Policy Director
South Yuba River Citizens League

Exhibit A



Subject Property and adjacent parcels and their relation to the Subject Property. Note the limited access to the river without trespass across parcel 555001500. Additionally, note the limited safe access to the river through the affiliated parcel 5550003000. Historic imagery shows that the boat ramp in its current state is periodically washed away during high water events. It is present in Google Earth imagery in July 2010, is not present in June 2011, is rebuilt May 2013, is gone again in May 2017, and rebuilt May 2021. The status of required permits to modify the bed or banks of the Yuba River for this boat ramp are unknown.

Co-signed by the following organizations:



Keiko Mertz
Policy Director
Friends of the River



Chris Shutes
Executive Director
California Sportfishing Protection Alliance



Mark Rockwell
President & VP Conservation
Northern California Council, Fly Fishers International

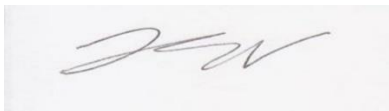


A handwritten signature in black ink, appearing to read "Amy Merrill".

Amy Merrill
California Conservation Director
American Rivers



FOOTHILLS WATER NETWORK



Traci Sheehan Van Thull
Coordinator
Foothills Water Network

Fisher, Ciara

From: Larry Strauss <strauss.larry@gmail.com>
Sent: Tuesday, January 24, 2023 1:56 PM
To: Fisher, Ciara
Subject: LUSE-22-0001 Yuba River Campground

January 24, 2023
Yuba County Planning Commission
Community Development and Services Agency
915 8th Street
Suite 123
Marysville, CA 95901
Attention: Clara Fisher

RE: LUSE-22-0001 Yuba River Campground

I am a past president, secretary, and current treasurer of Gold Country Fly Fishers (GCFF) and a member of Yuba River Drifters which provides me access to the section of the Yuba River above the Parks Bar Bridge (a.k.a. Hwy 20 Bridge) in Eastern Yuba County. This letter reflects my personal views and opinions. My fly fishing club has recently learned that a property owner has submitted a Conditional Use Permit to construct a campground on a private parcel in close proximity to the Yuba River upstream of Parks Bar Bridge. (LUSE-22-0001 Yuba River Campground) GCFF currently has about 150 members that fish this part of the Yuba River as well as work to conserve and protect the Lower Yuba River.

The Yuba County Planning Department staff has taken the position that the proposed development will have a less-than-significant impact to the fish and wildlife habitat in and along the Yuba River. I believe that the impact needs additional consideration to provide answers to important questions. The Yuba River upstream of Parks Bar Bridge is relatively undeveloped and pristine compared to the section of river below the bridge to a large part because of limited access to throngs of people. The area currently has wilderness and tranquil qualities to it. Given my familiarity and experience in this area, it is my belief that the construction and continued operation of a campground has significant potential for negative effects.

The county's assessment seems to minimize the impacts on the Yuba River salmonid, steelhead, and rainbow trout spawning habitat and seems to fail to assess impacts on other environmental factors such as geology, soils, noise, recreation, increased traffic, and cumulative effects.

- The section of river above the Parks Bar Bridge provides an important spawning area for wild anadromous salmon, steelhead, and local rainbow trout on the Yuba River. This section of the river is closed to fishing by California Department of Fish and Wildlife regulations from September 1st to November 30th under section 7.40(b) special fishing regulations. These regulations demonstrate the importance of protecting the river. It seems quite likely that recreational activities such as wading, kayaking, etc. will damage the fish spawning areas and disturb spawning fish. On any weekend, one can observe people West of the Parks Bar Bridge driving their quad vehicles in and out of the water with no regard for the damage they are causing to the river. What mitigation efforts are being proposed consistent with the management objectives of the California Department of Fish and Wildlife and to protect the river from human abuse?
- The applicants propose kayak and drift boat rentals, hiking trails, and guided horse rides. Campers would be allowed to bring their own watercraft for use in the Yuba River. What mitigation efforts will be made to protect the river and the fish that spawn there?

- The existing private fishing clubs with access to this stretch of the river upstream of the Hwy 20 bridge have club rules which do not allow instream activities during the closure period from September 1st to November 30th. What mitigation efforts will be in place to protect the river during these months?
- The Yuba River salmon and steelhead fishery is a major river in the Sacramento River watershed that does not have a fish hatchery. The preservation of wild salmon, steelhead, and rainbow trout is a key component in the State's wild fishery program. How does this proposed campground support the wild fishery program?
- Visitors to the proposed campground will have unbridled access to large sections of the surrounding properties and to the river outside the limits of the proposed campground property. What mitigation efforts will be in place to enforce trespassing on other owner's property?
- With the proposed expansion of the wastewater facilities from porta-potties to more permanent pit toilets or septic leach fields for toilets and showers, what mitigation efforts address ground water contamination and sewage seepage into the river?
- The vehicle traffic between Hwy 20, along Timbuctoo Road and to the proposed campground will increase significantly as visitors to the proposed campground come and go all year long. What mitigation efforts are proposed to maintain the quality of the access roads and provide access to law enforcement and emergency vehicles, e.g. ambulances or fire trucks?
- There is currently a primitive boat launch on the proposed campground property. What regulators have given approval to improve the boat launch to handle the significant increase in launch traffic?

These are all questions and concerns that should be addressed prior to approval of the project.

Thanks for considering these issues.



Larry Strauss
415.851.1978

Catch & release, artificial bait, single barbless hooks.

Fisher, Ciara

From: Natalie Stauffer-Olsen <Natalie.Stauffer-Olsen@tu.org>
Sent: Tuesday, January 17, 2023 10:41 AM
To: Fisher, Ciara
Subject: Conditional Use Permit to construct a campground on the lower Yuba...

Dear Ciara,

I am writing to express concern over the recent decision that a conditional use permit to construct a campground and associated facilities on the lower Yuba River will cause a less-than-significant impact on the fish and wildlife habitat in and along the Yuba River.

The Yuba River upstream of Parks Bar Bridge is rare and important because it is a relatively undeveloped and pristine compared to the river reaches below the bridge and other rivers in the Central Valley. This isolated enclave currently has a wilderness quality to it. In my judgment, as a scientist and recreationalist who uses and loves the Yuba River and its iconic salmonid species, the construction of a campground has significant potential for negative effects.

This area is especially important and worthy of protection and attention to development because the Yuba River salmon fishery is the only major river in the Sacramento Valley that does not have a fish hatchery. The production of wild hatchery salmon and steelhead is a key component in the State's wild fishery program. How does this proposal support that responsibility?

In addition, this particular area encompasses the primary spawning area for the wild salmon fishery on the Yuba River. From 1 September to 1 December the river is closed to fishing to protect the spawning habitat. How will campground activities such as wading, kayaking, etc. be managed to protect the fish redds and spawning fish?

I encourage you re-examine the less-than-significant-impact finding for this project.

Thank you for your time and consideration,

Natalie Stauffer-Olsen, Ph.D.



Natalie Stauffer-Olsen, PhD
California Staff Scientist
(she, her) [Why this matters](#)
707.696.9839 (mb) | www.tu.org

Fisher, Ciara

From: Kathleen S <kmbock4@gmail.com>
Sent: Saturday, February 4, 2023 5:26 PM
To: planning
Subject: Proposed Camping Site in Smartsville

Hello Mr. Perkins,

My name is Kathleen Slater. My husband, Ron and I moved here 15 years ago to get away from the annoyances of city life in Woodland, California.

The idea of a camp site with 30 fire pits 1 mile away from our home is terrifying! It is especially so since the Smartsville Fire Department is 2 miles away from us in the other direction. The fact that the fire department is not manned 24/7 needs to be factored in when considering a 30 fire pit camp site. Fire insurance coverage is not easy to get and it gets more expensive every year. We are in danger of losing our coverage if the camp site goes in. If we can't get insurance, we will have to sell the house. Who will buy a house that cannot be insured? We would lose all.

Another negative aspect of the proposed camp site is the environmental impact people will create. There will be garbage left, land disturbed and peace disrupted by the campers. A Bald Eagle mating pair has been seen exactly where the camp site is proposed. The Salmon is teeters on the endangered species list. They make their epic run down the very river the campers will urinate in, wear toxic sunscreen in, pollute in and worse. Deer, foxes, coyotes, bobcats, fish, frogs and other wildlife will suffer from the damage humans inflict.

We have 1 sheriff patrol that does not protect us between 2 AM to 6 AM and has a territory from here to Camptonville-a very large area. Vagrants are already a huge problem. They cause vandalism, leave garbage, thieves, trespass and cause fires. So much that is harmful to our environment and our lives.

The road through Timbuktoo is an almost one lane road that is not paved properly. We have a bridge that's weight capacity is 13 tons and an average recreational vehicle weighs that and more. It has grass land and brush that runs the length of the road which is primed for fires from dragging chains of trailers and rigs. Not safe for the kind of traffic a camp site would bring. And the noise of it would bring misery and more fear of fire to those of us who live here.

This is where we live. We do not need a camp site 1 mile away from our home. Especially when the camp site hosts 30 fire pits and the capacity to hold 100+ campers, their dogs, their garbage, noise and irresponsibility and mishap sure to occur. Please do not allow this camp site proposal to pass. It will literally destroy our way of life.

The men that are proposing the camp site do not live here. They won't be the ones who will be impacted by the camp site. They will not have to rebuild a burned out home. They won't have to tolerate, noise, garbage, the environmental impact or the displacement of wildlife.

We are the ones who will pay the consequences of the decision here. I am begging you to vote NO on the camp site proposal.

Sincerely,

Kathleen Slater

8726 Riverview Terrace
Smartsville, CA

Fisher, Ciara

From: Kevin Shyne <kshyne53@gmail.com>
Sent: Sunday, January 15, 2023 6:27 PM
To: Fisher, Ciara
Subject: Proposed Campground on the Yuba

Hello Ciara,

My name is Kevin Shyne. I live in NevadaCity, and fish the Yuba River. Why should this concern you? There are multiple reasons, but I will list a few.

The Yuba to many of us is a Godsend. It produces several species of fish in Her spawning grounds, as it flows south. It is the only major River in the Sacramento Valley that does not have a fish hatchery. It has a wild fish hatchery located in the area, where this new campground is proposed. How will this campground and its focus on the river, affect this ages old natural resource? This area has always been a limited access area, to protect this resource. Putting a campground there with all its "amenities", will only cause harm.

I ask you to reject the application for this new campground, and all the issues of civilization, that it would bring to this pristine and valuable ecosystem of the Yuba River.

Respectfully submitted,
Kevin J. Shyne

Kevin Shyne
Nevada City, CA
603-986-3628

Fisher, Ciara

From: Mark Seufert <maseucon@att.net>
Sent: Monday, January 16, 2023 8:45 AM
To: Fisher, Ciara
Subject: LUSE-22-0001 Yuba River Campground

Hello Ciara , as a member of the Gold Country Fly Fishing Club, I have had the oppotunity to help clean up the lower Yuba River from the Hwy 20 Bridge downstream for the past several years from the current public use and illegal camping and dumping . This proposed camp ground not only will create the same problem upstream but will create even more of an impact on the salmon and steelhead trying to spawn in the protected waters upstream. **On page 21 of the mitigated declaration documents,** The rationale as to the affect on spawning salmon and steelhead shows it " **May affect , Not likely to Adversely affect** " the fish , because of the 20' set back of the campground from the waters edge. This will not stop the negative impact of the already struggling salmon and Steelhead population. This project has not proven that there will be **No adverse affect on the fish and wildlife habitat** in this pristene area and should not be allowed . Respectfully , Mark C. Seufert

Mark C. Seufert

Fisher, Ciara

From: Trevor Segelke <trevor-segelke@sbcglobal.net>
Sent: Monday, January 16, 2023 6:53 AM
To: Fisher, Ciara
Subject: Campground on Yuba

Hello,

As a person that visits the Yuba River often for fishing and recreation I am concerned of additional development along the Yuba river.

Salmon and Steelhead spawning habitat is vital to the health of the river and there is clearly too little of it to expose what little is left to additional traffic.

The proposed campground will expose the last bit of spawning habitat to undue stresses of traffic, litter, trampling silt and other obstruction this population can not sustain.

Please don't grant the permit for the campground.

Thank you

Fisher, Ciara

From: A R <tightline94912@gmail.com>
Sent: Thursday, January 19, 2023 8:55 AM
To: Fisher, Ciara
Subject: Proposed Camp ground on the upper Yuba

Good morning, I have been informed that the county is considering an application for this project. It is located in a ecological sensitive area impacting riparian and aquatic life (Trout)

While the state has had PGE take down hydo dams in our rivers your committe is considering placing a project that will cause unknown stress on a prestine area of the Yuba.

The environment is at a crossroad and I doubt this project will impact the warming of our earth. Iy certainly will have an undesired ripple effect on this body of water.

Thank you,

A.Ross

I and others request you do the right thing.we

Fisher, Ciara

From: sierraguide <sierraguide@sbcglobal.net>
Sent: Monday, January 23, 2023 8:31 PM
To: Fisher, Ciara
Subject: Yuba River Campground LUSE-22-0001 APN 005-550-012-000

Ciara Fisher, Planner III
Ms. Fisher

When I first heard about a proposed campground on the lower Yuba river above the the Hwy. 20 Bridge I thought there must be a mistake about the location. I have been fisherman and professional Fly Fishing guide on the river for over 20 years. The Lower Yuba River is a very special spawning ground for Wild Chinook salmon and Wild steelhead trout. The California Department of Fish and Wildlife has special regulations and closures on the river above the Hwy 20 Bridge to protect our wild spawning fish. Just for this reason alone this area should not be the site of a proposed campground.

This area is also not suitable as a campground for many reasons, poor roads for RVs and 2WD vehicles, poor access for CDF or local fire departments in case of fire or an emergency, potential sewage seepage in to the ground water and the river, fire danger from campers, launching watercraft from an unimproved road that ends at the shoreline, trash, ect.

Many of us that have a history of protecting and keeping the river clean refer to this upper section as the Holy Water, because of its wild spawning area and its limited public access. I hope you will consider protecting this special area for its wildlife, wild salmon and our children.

Regards
Frank Rinella
Sierraguide Service
Fly Fishing

Sent from my Galaxy

Fisher, Ciara

From: lstparker@cs.com
Sent: Monday, February 6, 2023 3:45 PM
To: Fisher, Ciara; Planning@co.yuba.ca.com; planning
Subject: Conditional Use Permit LUSE-22-0001 (Yuba River Campground)

Attn: Ciara Fisher, Yuba County Planning Department, et. al.,

Regarding the proposed Conditional Use Permit LUSE-22-0001 (Yuba River Campground).

My name is Lane Parker, and I have been researching and writing about Timbuctoo, California, since 2005. I am co-editor of the book "Smartsville and Timbuctoo" (Arcadia Publishing, 2008), and two of my articles about Timbuctoo have appeared in "Wild West" Magazine. I also own and curate the website [Timbuctoo California \(timbuctoocalifornia.com\)](http://timbuctoocalifornia.com).

I must voice my strong concern about the Yuba River Campground project, which as currently proposed could negatively impact the historic Wells Fargo Building site at Timbuctoo.

The Wells Fargo Building at Timbuctoo was built in 1855. The iron doors were brought by ship from the East Coast, and the main structure was built with a brick façade and native fieldstone. The Timbuctoo site became a California State Historic Landmark (Number 320) on July 12, 1939.

After a successful restoration effort by the Native Daughters of the Golden West in the mid 1920s, the Wells Fargo Building ultimately declined again, until it reached its present state. Even so, the building remains a California State Historic Landmark. And the current Initial Study/Mitigated Negative Declaration seems to recognize this: In every reference to the Timbuctoo townsite, the Declaration describes the location as "the historic community of Timbuctoo."

I am concerned about the current proposed campground for one main reason: Currently, there is no fence or any other barrier between the proposed access road through the "Timbuctoo Gate" and the Wells Fargo Building historic site. And, under the current proposal, there doesn't seem to be a plan to install such a protective fence or barrier.

Up until now, only a select few people have been granted access to this site. The members of the sporting club, who can access the site through the "Timbuctoo Gate," are on record, and pay a membership fee to join the club and to gain access through that gate.

It seems that, under the proposed plan, future access will be granted to anyone paying a minimal camping fee. Consequently, most of the people gaining entry through the "Timbuctoo Gate" would essentially be transient, having no intention of staying beyond a day or two, and having no stake in the surrounding community. This situation could lend itself to cases of vandalism and theft.

Day campers who have no commitment to the surrounding community, and little respect for the history of the region, might find it too tempting to vandalize or otherwise take "souvenirs" from the state-recognized historic Wells Fargo Building ruins.

Additionally, because there appears to be a growing effort to restore the historic Wells Fargo Building itself, the existence of temporary campers having access to the historical site could become a future safety concern, if or once restoration construction actually occurs at the location.

In conclusion: While I have no strong opinion one way or another about a campground along the Yuba River, I do believe that, under the current proposed plan, the historic site of Timbuctoo, represented by its most famous structure, the Wells Fargo Building, would be severely compromised by the unfettered access of transient campers to the area.

Therefore, I strongly oppose the Campground as currently proposed.

Respectfully submitted,

- Lane Parker
415-680-0323
timbuctoocalifornia.com

Kevin Perkins, Planning Director
Ciara Fisher, Planner III
County of Yuba, CSDA
915 8th Street, Suite 123
Marysville, CA 95948

Dear Kevin and Ciara,

I writing to you to provide comments and relay some concerns I have regarding the INITIAL STUDY/MITIGATED NEGATIVE DECLARATION LUSE-22-0001 (Yuba River Campground) (IS/MND). I am a trained wildlife biologist, with a Master's Degree in biology from Chico State University and live in Smartsville, CA, very near the proposed campground site. I am also an avid outdoor enthusiast, who enjoys camping, hiking, fishing, and birding.

After reading the IS/MND, I am left with several concerns. The first that comes to mind is the presence of inconsistencies and lack of detail in some of the project plans and future development. There are references to the claim that there are no permanent structures and that fact was used in the fire hazard analysis, and yet there are reported plans to add a septic system, and a camp store. It is not clear that the true scope of the project was considered for the analysis. It also brings into question, what other plans did the proponent omit or perhaps mischaracterize? If port-a-potties are to be used for two years or more, while a septic system is developed, was the increased traffic in the community considered for maintenance of the facilities? What other impacts might they have to those living nearby?

Speaking of traffic, this project has the potential to increase the number and type of vehicles traveling in the Timbuctoo area, which already struggles with the maintenance of the roads. I've heard that the capacity of the bridge has been questioned and may not be able to support consistent traffic from multiple RVs and maintenance vehicles on a regular basis, let alone fire or emergency vehicles, which brings to mind another concern. It has been reported that the condition of the bridge is a primary reason why the post office will not deliver beyond it.

The proposed campground is somewhat isolated, behind a locked gate and set on the edge of a rural community, with small poorly maintained roads in and out. The proposal states that roads within the parcel will be improved, but there is no mention of the burden it will place on the community roads and the risks to campers if a fire were to break out in the area. This area is considered a high fire hazard area, and I have personally watched from my backyard several fires in the Loma Rica and Brownsville areas every year, with fear that any one of them could be the one that takes out my home or worse. Allowing campfires in an area that is prone to growing flashy fuels that significantly dry out every year is a dangerous prospect. The fact that the campground will be behind a locked gate means that it will be much harder to monitor and ensure that they are adhering to safety protocols and fire restrictions. Once the fire rings are there, it may be difficult to enforce, and it only takes one little spark to start a devastating blaze in these foothills.

Law enforcement response time in this area is also something to consider. There is no Sheriff service available after 2 a.m. in this area and they have to be dispatched from Plumas Lake or other areas. It

takes, sometimes, hours for law enforcement to respond to calls, if they can at all. Enforcement of personal safety issues will be very difficult. Most campgrounds I'm aware of are not located so close to other people's home and I don't feel that was adequately considered in the IS/MND.

I also question the adequacy of the biological studies that were done for this project. Conducting botanical surveys in August in these foothills can be very difficult because most plants have senesced and are extremely difficult to identify. There did not appear to be any anadromous fish (like salmon) surveys conducted for this survey either, though it is well documented that they use this stretch of the river. What would increased recreational use of the river do to potentially spawning Chinook salmon? What about sturgeon? There was also no mention of Bald Eagle which are known to use the Yuba River and may even nest near it. I have personally observed them from my residence, approaching my house from near the river. Additionally, I have witnessed nesting Prairie Falcon in the near vicinity. August is a terrible time to conduct bird surveys in California. I believe more studies should be done to determine the effects of increased usage of this area to the wildlife around.

Now that we're talking about the Yuba (river), I am not clear on how the proponent intends to allow access to the river without trespassing on other properties. At a minimum, I believe an easement should be sought from the adjoining parcel owners. If that cannot be done, I believe further assessment of impacts to neighboring properties from usage and potential trespass should be considered.

As an outdoorsperson who enjoys camping, I'm not opposed to the idea of camping by the river, but I am questioning if this is a wise location for such usage. At a minimum, more studies need to be conducted and the impacts to greater community should be more thoroughly considered. I recommend a full Environmental Impact Study be done in support of this. If, however, this is allowed to go forward with a special use permit, I would encourage the Planning department to engage the local residents for input on what types of conditions should be placed on such a permit to ensure the safety of the neighboring residents, minimize disturbance, protect property values and provide safe and reliable access and monitoring of activities. I noted that California Department of Fish and Wildlife were not listed as being provided a key to the gate. How are they expected to enforce the necessary fishing ban?

I thank you for your time and attention. If you have any questions regarding my comments, please feel free to reach out. I know that you are trying to do what's right for the community and I hope that this helps.

Sincerely,

Michelle Ocken

Michelle Ocken
Smartsville, CA
Redtail11@gmail.com

NORTHERN CALIFORNIA COUNCIL



January 16, 2023

Re: Letter of Concern over New proposal for campground on the Lower Yuba River

To: Yuba County Planning Department, Attention Clara Fisher
915 8th Street, Suite 123
Marysville, CA 95901

Dear Ms. Fisher & County Commissioners: I write on behalf of the Northern California Council, Fly Fishers International, our 26 member fly fishing clubs, and over 7,000 members. My organization has been engaged in caring for and watching over the Yuba River for all of the past 23 years, and involved in monitoring and advocating for adequate regulations that are protective of the fish and wildlife of the Yuba River watershed. The Lower Yuba River is the crown jewel of all western Sierra rivers resulting from its consistent cold water flows and protective regulations that support cold water fish like Spring-run Chinook salmon, Fall-run Chinook salmon, Central Valley steelhead, green sturgeon, and rainbow trout, all species with residence time in the Lower Yuba. Three of these five are listed under both the California and Federal Endangered Species Act - Spring-run Chinook salmon, Central Valley Steelhead, Green Sturgeon. We are very concerned about the future of these fish.

Many of our member clubs fish annually in the Lower River, accessing it either by driving to and walking in, or gaining access via the U.C. California Sierra Foothill Research and Extension Center. To be frank, the Lower Yuba is the single most prized fishing river in the Western Sierra for more than 1/2 of our member clubs and their members. It is prized because of the quality of its fishery for both wild rainbow trout and wild steelhead, and the wilderness experience in the river above and below the Parks Bar Bridge. Many of our members are also members of the fishing clubs in this area, and do not want to see exploitation of this watershed by private interests.

We have recently learned that a property owner has submitted a Conditional Use Permit to construct a campground on a private parcel along the Yuba River about a mile upstream of Parks Bar Bridge at Timbuctoo bend. We strongly encourage

TM

FLY FISHERS INTERNATIONAL
Conserving - Restoring - Educating Through Fly Fishing

Yuba County to suspend decision making on this permit until all the issues of concern are adequately addressed, including those of the fishing community. A development like this can reap unexpected and deleterious impacts upon sensitive watersheds and fisheries like those on the Lower Yuba. Here are a few of our concerns:

1. Has the California Dept. of Fish and Wildlife, the U.S. Fish & Wildlife Service, or NOAA Fisheries been consulted about the possible impacts of the facility being proposed?
2. Will there be negative impacts to ESA or CESA listed species as a result of this proposed facility?
3. Has there been a review done to ensure compliance with the California Environmental Quality Act, including a review of the project to ensure that potentially significant environmental impacts are avoided?
4. Is there a water right in place to allow access to water from the Yuba River system to the level needed for the project?
5. Has the Regional Water Quality Control Board been consulted about this project and it's needs for water beyond what may now be available?
6. Has the California Dept. of Conservation been consulted to asses environmental compliance and permitting issues, including CEQA, NEPA, Clean Water Act permits, Stream Alteration Agreements and others?
7. Is there a complete and fully fleshed-put design of the project available for the public to evaluate to determine if it meets local and watershed permitted uses?
8. Has there been a full study of the impacts of this project to the local watershed, including but not limited to, fish, birds, riparian plants, insects, and aquatic life within the river and its surroundings?
9. Is there a complete plan for all levels of the project, beginning to end, including construction materials, costs, degree of appropriate planning, grading, water run-off, flood impacts, procurement and contractor to be used? Will a plan be evaluated by the appropriate agencies within the County &, possibly state?
- 10.If the project includes river access and possible boating, is there a complete plan in place that describes these uses, how they will be controlled, including threats to both the public and the fish and wildlife of the river and surrounding watershed?
- 11.We fully support the additional questions asked by Mr. Clay Hash, President of Gold County Fly Fishers in Nevada City.

Our concern is that the full value of the location and surrounding watershed are not being determined or estimated prior to the project being considered by the county.

A watershed like this is valuable to Yuba County as it is, without further development due to its river and water quality, as well as the income received from tax revenues collected at businesses that fishermen visit when coming to the river.

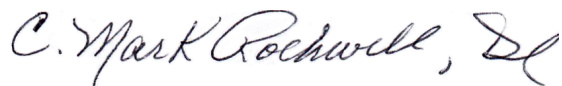
We estimate that as many as 50,000-75,000 fishing hours are spent on the Lower Yuba River by visiting fishermen each year. They come only to experience the beauty and quality of the river and its fish. Some of our fly fishers actually moved here to enjoy this river and fishery. One of our member clubs, Gold Country Fly Fishers, calls the Lower Yuba their home river. and many moved here to enjoy what it has to offer. Developments like this are what drive people away, not bring them here.

Please think twice before moving forward with this project. Remember, you are the steward of this watershed, and as such carry the responsibility of caring for it.

Watersheds once lost virtually never recover.

Sincerely,

Dr. Mark Rockwell



Dr. Mark Rockwell, .President & VP Conservation,
Northern Calif. Council, Fly Fishers International

mrockwell1945@gmail.com

530-559-5759

<https://www.nccffi.org/>

Fisher, Ciara

From: Steve Miller <stvmiller4@gmail.com>
Sent: Tuesday, January 24, 2023 4:58 PM
To: Fisher, Ciara
Subject: Proposed campsite, Yuba river

Dear Ciara Fisher,

I am a fly fisherman, who has fished the Yuba River above and below Parks Bar since 1982. I am very concerned about the proposed campground above Parks Bar bridge. The area above Parks Bar bridge is where salmon and steelhead go to lay their eggs for future generations of the species.

I would urge you and the board to investigate the effects of the proposed campground on the river ecosystem -an essential step in the decision process.

Thank you in advance for your consideration in this matter.

Sincerely,

Steve Miller
Nevada City

Sent from my iPhone

Fisher, Ciara

From: Margaret <majabegr@yahoo.com>
Sent: Monday, February 6, 2023 8:21 AM
To: Fisher, Ciara
Subject: Proposed Timbuctoo Yuba River Campground

Dear Ms. Fisher,

I have read the Mitigated Negative Declaration Report for the proposed Timbuctoo, CA, campground. It is not nearly extensive enough to address the issues that will arise if this project proceeds. This is a section of the Yuba River where there has been no public access to the river on either side. It is a large area, rich in wildlife, which has been safe from human encroachment. It is a jewel. To say that the influx of 40 loud, boisterous, littering, drinking, destructive people setting out onto the river in kayaks, drift boats and floaties every weekend is not going to have an impact is specious.

Reading things like the fact that they found no bird nests within 500 feet of the site in August of 2022 give me no confidence. You can be quite sure that there are bird nests.

This project has not been well thought out. We need a full Environmental Impact Report before this project is even considered.

Respectfully,

Margaret Arnold

Fisher, Ciara

From: Pamela Kline <pamelaskline@gmail.com>
Sent: Wednesday, January 25, 2023 9:47 AM
To: Fisher, Ciara
Subject: Yuba river campground project

To Clara Fisher, I have been fly fishing the yuba river with my mom and dad and the gcff members since I was young . The yuba is our home river and we all work to support the yuba cleanups and the closure of the river for the steelhead and salmon spawning. I love the yuba river and do not want to see anything that would be detrimental to it. The yuba river campground project needs to be stopped.

Thank you. Jake Van Leuven

David Lem

5615 Los Reyes Lane
El Dorado Hills Ca 95762-9486
davidslem@icloud.com

January 20, 2023

Via email: cfisher@co.yuba.ca.us

Clara Fisher
Yuba County Planning Commission
915 8th Street
Suite 123
Marysville, CA 95948

Reference: LUSE-22-0001 Yuba River Campground

Dear Clara Fisher,

The county's assessment minimizes the impacts on the Yuba River salmonid spawning habitat. It fails to assess impacts on other environmental factors such as aesthetics, geology, soils, noise, recreation, increased traffic, and cumulative effects.

- The Yuba River salmon fishery is the only major river in the Sacramento Valley that does not have a fish hatchery. The production of wild hatchery salmon and steelhead is a key component in the State's wild fishery program. How does this proposal support that responsibility?
- This area encompasses the primary spawning area for the wild salmon fishery on the Yuba River. From 1 September to 1 December, the river is closed to fishing to protect the spawning habitat. How will campground activities, such as wading, kayaking, etc., be managed to protect the fish redds and spawning fish?
- Campground visitors can transit large sections of the river outside the limits of the campground property. While the proposal says, no off-road vehicles will be allowed, who will enforce this rule?
- Will the assessment address the use of drift boats during open and closed seasons while traveling downstream to the HWY 20 bridge? This has historically been a limited-access fishing area to protect the Yuba River's

wild trout and salmon fishery.

- The current private fishing clubs in this stretch of the river upstream of the Hwy 20 bridge cease in-stream activities during the closure period (in accordance with CDFW regulations). Is it proposed that DFG Wardens spend time in this area, assuming year-round access at the campground?
- With the proposed expansion of the wastewater facilities from porta-potties to more permanent pit toilets and/or leach fields for showers (and RV holding tanks), how does the assessment deal with groundwater and sewage seepage into the river?
- The significant numbers of people along a small river segment will likely generate large volumes of trash in and along the river. (For reference, each year, SYRCL sponsors, with GCFF participation, a river cleanup that hauls tons of trash, including abandoned vehicles, from the stretch below the HWY 20 bridge.) How will the river be protected from this?
- The site is typically steep -- app 20 degrees. How will the roads and sites be graded without putting soil and debris in the water in this spawning area?
- The roadway at Timbuctoo is narrow and rugged. What is the plan for evacuations in case of fire or other emergencies?
- How will the final document address assumptions about gold panning effects on the spawning areas?

Sincerely yours,

David Lem

Fisher, Ciara

From: Andy Kramer <ackramermail@gmail.com>
Sent: Monday, January 16, 2023 11:12 AM
To: Fisher, Ciara
Subject: Proposed campground on the Yuba River

Hello Ciara,

I am writing with serious concerns about the proposed campground on the Yuba River above Parks Bar bridge. I am a fisher woman, member of the Gold Country Fly Fishers and amateur environmentalist who fishes the river below the bridge. I am concerned about the effect this campground would have on river.

1) This area is an important spawning ground for steelhead and salmon- most people are not aware of the redds they prepare for laying their eggs and any activity in the river at this precarious during spawning would be very detrimental to the fish survival on the river. Would you close the campground during this period and monitor access to the river?

2) I am also concerned with the environmental impacts of so many people on the river. Wading, getting in and out of kayaks, runoff and dust from exposed ground would all impact water clarity. Would waste be properly handled so that there was no pollution getting into the river? And some of the inevitable trash would certainly end up in the river or on the banks and into the water with the rains.

How will oversight of these issues be handled? Please consider these concerns and see that they are addressed before the plan is improved.

Thank you for your help keeping our wonderful river and its fish healthy and clean.

If you wish, I can be reached at this email address or at 510 910-2352.

Carol Kramer

Fisher, Ciara

From: Pamela Kline <pamelaskline@gmail.com>
Sent: Saturday, January 21, 2023 4:39 PM
To: Fisher, Ciara
Subject: Luse-22-0001 yuba river campground

To Ciara Fisher . I have been fly fishing the yuba river for 30 years. The document luse-22-0001 yuba river campground will have a detrimental effect on the yuba rivers salmon and steelhead spawning habitat. From Sept. 1st. to dec. 1st this area is closed to fishing and activities to protect the spawning habitat. I work hard as do my friends to support the closure and the natural beauty of the yuba river we love. The yuba river campground project needs to be denied.

Thank you Pamela kline.

Erika Jordan & Chris Johnson
7826 Timbuctoo Rd
PO BOX 31
Smartsville, CA 95977

February 5, 2023

To whom it may concern,

We are writing to express our strong opposition of Tom McCay's Campground behind the Timbuctoo gate LUSE-22-0001 as well as cite some of our concerns, most of which are shared amongst the citizens of Smartsville. In no particular order they are as follows.

- **Fire.** Fire is a huge concern no matter what time of year. From our understanding the only fire that has happened in recent history was started on his property by an employee. It is our understanding that the Smartsville and CalFire fire stations lack the resources to support what could be a potential disaster if a wildfire were to start. We are hanging on to our fire insurance by a thread. A fire in this small community would make us ineligible for future fire insurance in this zip code. With Timbuctoo Rd. being so narrow it would be a catastrophe trying to evacuate a campground and the local citizens in the event of a fire. There are no lights and no signs behind gate dangerous for an evacuation plan.
- **Sheriff.** There is only ONE sheriff for this territory they call "up the hill" that goes all the way to Forbestown, La Porte, Camptonville. With a response time of up to an hour it is more than likely whatever situation they were called for it would be too late. We were told this last weekend by the sheriff that past 2am there is no sheriff on duty and the closest sheriff would be dispatched out of Lake Plumas.
- **Safety and Services.** There is no mail service on Timbuctoo Rd. because the post office has deemed this road unsafe. They say the road is a single lane road with too many blind spots and it would be a hazard to their employees to deliver mail. There is also no trash service and it would have to be assumed for the same reasons plus the size of their trucks and other vehicles not being able to pass due to the width of the road.
- **Noise.** The topography of this area is a valley and sound travels. We hear a cow moo from miles away, we hear vehicles on the gravel road, we hear folks honking at the cows to move. 30 campsites means 30+ vehicles and RV's on that same road. From our home we hear the Timbuctoo Gates open and close, also see the headlights of the vehicles at all times of the night currently.
- **Roads and Bridges.** It took the county 60 years to cold pack patch the road two years ago. The bridge in front of our house was out for 10 years before being replaced. The bridge at the beginning of Timbuctoo Rd. (where Google will route you for directions) is old, wooden, and in need of repair. It cannot support the extra traffic and weight of RVs. If that bridge goes out is it going to be another 10 years to replace it? There would then only be one way in and one way out of Timbuctoo Rd. Would the campground still be allowed to operate, putting the locals at an even greater risk trying to evacuate? The weight limit on the current "Rickety ol' Bridge" is 10 tons(single axle), half of trailers and RV's are over this weight limit. 30 campsites means 30+ vehicles and RV's more wear and tear on our underequipped roads and bridges.

- **Litter.** The county does not maintain this rural road, the neighbors do. We are constantly getting people dumping their trash on our road. We take turns painting over the graffiti under the bridge. This would put a stress on local residents to keep our small neighborhood clean.
- **Trespassing.** We already have had to run people off that try going down to Sanford creek via trespassing on our private properties looking for gold. The last group of people passed by four Private Property No Trespassing signs with zero regard, sluice box and mining equipment in tow. It took the Sheriff over an hour to respond. The time before that a group started shouting profanities when asked to leave then showed up later and shot off guns.
- **Preserving History.** Timbuctoo is a piece of California gold rush history. The Wells Fargo Stewart brothers store in Timbuctoo caved in due to people grabbing bricks looking for gold and taking mementos. With the proposed campground being on that side of the fence the public is free to pillage what is left as well as do some more excavating there or other historic sights behind gate. Not to mention the open mines, tunnels and caves behind the gate.
- **Wildlife.** We have seen many bald eagles in the valley and along this corridor of the South Yuba River. The endangered salmon that come up here to spawn. The giant red salamander and red legged frogs, the list goes on for the animals of this ecosystem. Seems like Mr. McCay and Co. and circumventing the system to not get a full Environmental Impact Report under the guise of a condition permit at the expense of the wildlife.

In short, we are neighbors that look directly at the Timbuctoo gate from our bedroom and front porch, we would be directly affected by this venture. The financiers/property owners do not live here and would not have to deal with the daily consequences of what this proposed campground would do to this community just to make a dime. The supposed money and jobs this venture would bring have no effect on those that live here and even if it did it would not outweigh the damage the proposed campground will have. The tax money this venture would bring to the county is less than the harm it would cost this community and tax payers. WE DO NOT NEED IT. Promote Sycamore instead.

Sincerely,

Erika Jordan & Chris Johnson

Attention: Ciara Fisher, Planner III
From: Randall Jarvis

I oppose the proposed Yuba River Campground LUSE-22-0001.

Applicants: Tom McCay and Scott Milener

The lower Yuba River is the most environmentally studied water shed in the Central Valley to date. It isn't just about the salmon. The ecosystem of the area is interconnected, and its overall health needs to be considered. You could spend months on the internet reading the studies related to the Lower Yuba. A campground operation the size of the one being proposed by Mr. McCay and Mr. Milener will be detrimental to the plant and wildlife of the area. Below are the reasons I oppose this project.

From the Project Description Section:

It states the applicants expect 30-40 people most weekends. There are 52 weekends in a year. I'll pick the middle of the projection and use 35 people as the number that will use the campground most weekends. That equates to 1,820 people per year just on the weekends. No number is given for weekdays. Maximum occupancy is listed at 120 adults per CA HCD, (children are not factored in) that number would equal close to 10,000 people per year recreating on one of the most environmentally sensitive parts of the Lower Yuba River. As the campground intends to be open 365 days per year, people would be recreating on the part of the river where almost 50% of the salmon spawn during salmon spawning time.

From the River Access Points Section:

Applicants state that campers can put in and take out under the Parks Bar Bridge. Their only legal access would be under the shadow of the bridge (90 ft. from center line up or downstream). There is no way for campers to load or unload their boat onto a trailer and leave the river without trespassing on private property.

From the Activities Section:

In this section it is stated that "Campers will be able to hike on trails in the property and along the river."

Under the prior section, "River Access Points," it states that campers have permission to access the river on the adjacent parcel co owned by Tom McCay and his family. There is very little river frontage on that property. For campers to "hike along the river" as it also states, they would have to stay within the ordinary high mean as they would otherwise soon be trespassing on neighboring landowners' property. Due to the terrain, they would have to get above the ordinary high to travel which would constitute a trespass.

(Currently, people who Tom McCay has been allowing on his property have been frequently wandering on neighboring properties looking for gold rush artifacts. It has gotten to the point that Mr. McCay has been informed that trespassers will be arrested. The trespassing issue will

v/2

multiply many times if the proposed campground is built as the historic Timbuctoo area, and the artifacts associated with it, are not on Tom McCay's property.)

Other:

Rich in Wildlife:

Along with the species listed on page 30 of the Initial Study/Mitigated Negative Declaration LUSE-22-0001, I have personally seen: Bald Eagles, Golden Eagles, Peregrine Falcons, osprey, Cooper's Hawks, Turkey Vultures, Great Blue Herons, Mourning Doves, turkeys, river otters, deer, Ring Tail Cats, opossums, skunks, bears, Gray Squirrel, sturgeon, various owls, and many more.

If there are close to 10,000 people a year camping in this area, the wildlife and plant life will definitely be affected.

Initial Study/Mitigated Negative Declaration under the heading of
Discussion/Conclusion/Mitigation

Roads- Page 54 paragraph 2 of a, it says that the roads meet fire safety width and gravel requirements. The gravel cannot meet the requirement as it is non-spec AB road base that was designed as a non-packable, removable road base to go under temporary asphalt roads.

Fire- (Fire is not a section on the Initial Study/Mitigated Negative Declaration, but I am including it here due to its critical importance.)

Gunning Park Road does not meet county emergency fire road requirements due to the fact that the material the road is composed of the same gravel previously mentioned in "Roads." In addition, the road does not meet county width, vertical height, and grade requirements. It is also attached to a county road, Timbuctoo Road, that is only a 12 foot wide prescribed easement dating back to the goldrush. It has no turnouts or wide corners as per requirements for an emergency road. (Exhibit A)

In case of fire, no ingress and egress to or from this property goes to a public road. In fact, the only ingress and egress goes to one private gravel road (Gunning Park Rd.) which means there is only 1 road in or out. (The only fire that has been started in the area by human activity was started by a tenant that Tom McCay had living in a 40-foot semi-trailer converted into living quarters on this property, September 1, 2019. He had and used a fire extinguisher on the fire which did little to no good.) (Exhibit B)

Permanent Structures: Page 56

It states there is no intent to build any permanent structures, yet they plan to build bathroom/shower facilities and a camp store.

Page 57 Item d Emergency Access:

The access is stated incorrectly. The access is from Timbuctoo Road to a private gravel road, Gunning Park Road, to the two points of ingress/egress to the campground. There is no direct access to a public road. The only private road which does access Timbuctoo Rd. is not on the campground property.

Page 64 Defensible Spaces:

It says there are no permanent structures are existing or are planned for the campground property. Already existing are a 40 foot semi container remodeled into a living space which has been on the property since 2019. There is also a large pole barn. Neither structure has a permit on file. (Exhibit C)

Mitigation Measure 20.1

Page 65 Vegetation and Fuel Breaks

As shown in exhibit B, grazing was not adequate for fire management in the past as the cattle were pulled off in mid June, 2019, and the fire was started September 1.

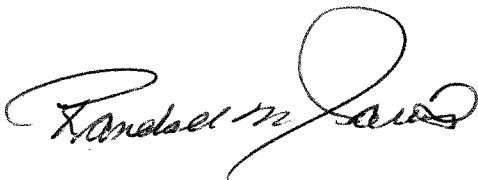
Page 66 Hazard Assessment:

Refer to Yuba County Foothill Fire Protection Plan, July 2014

Page 89 The fire danger for this campground is rated moderate on the Hazard Assessment Map, but is rated more extreme in the Yuba County Foothills Community Wildfire Protection Plan 2014. There it says: Predicted Flame Length – 20+ feet, spread rate 2,640 ft. per hour = one half mile/hour rate of spread. (Yuba River Campground would be completely engulfed in flame in 1 hour.)

Fire Type: 3x10=30. Analysis score is 79.9 and greater. Resistance to control is extreme.

Exhibit D





County of Yuba

Community Development and Services Agency

Building Department

915 8th Street, Suite 123

Marysville, Ca 95901

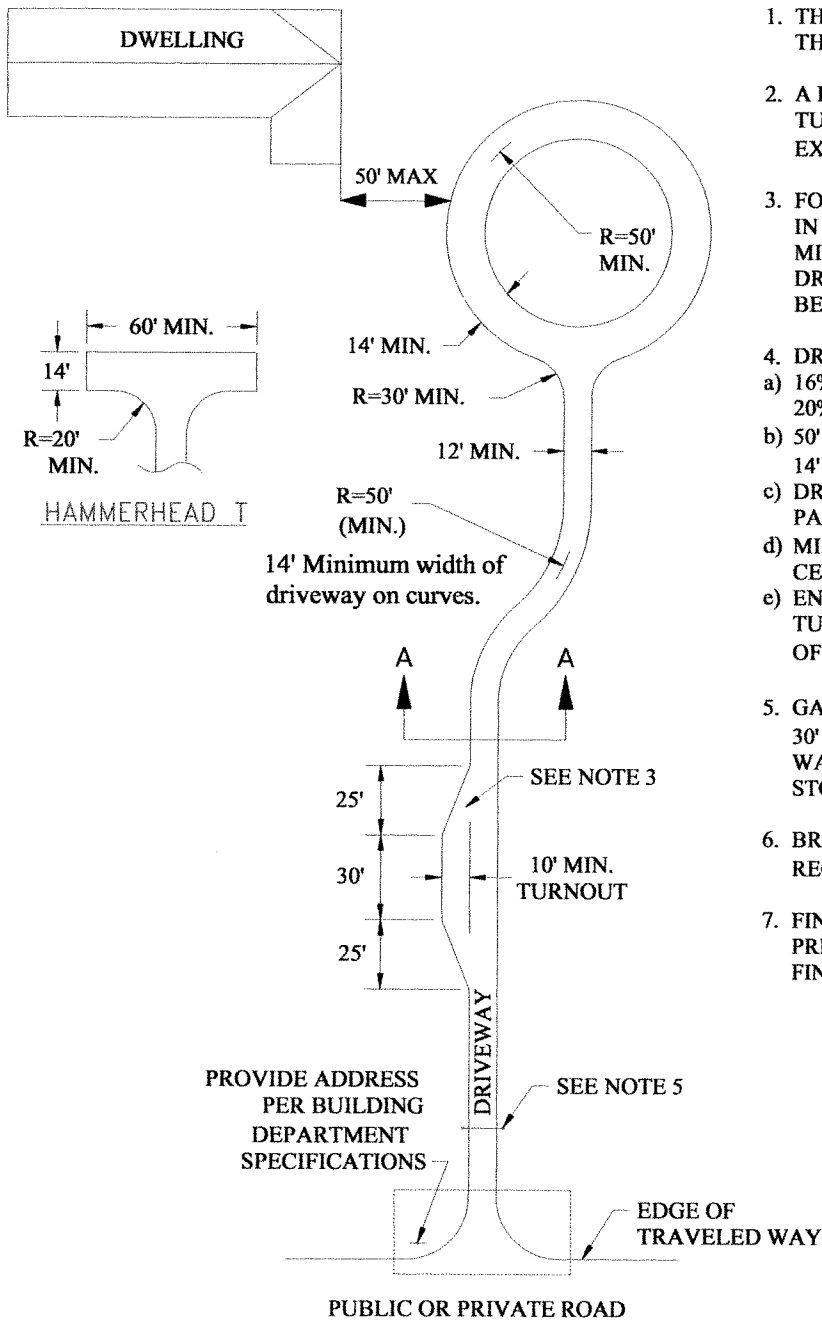
PHONE : (530) 749-5440

FAX: (530) 749-5434

www.co.yuba.ca.us

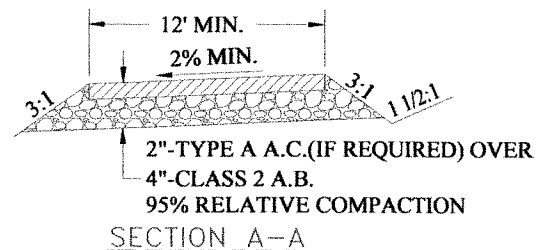
Exhibit A

FIRE SAFE DRIVEWAY



NOTES:

1. THE DRIVEWAY SHALL TERMINATE WITHIN 50' OF THE DWELLING.
2. A HAMMERHEAD T OR TERMINUS BULB TURNAROUND IS REQUIRED WHEN DRIVEWAY EXCEEDS 300'.
3. FOR DRIVEWAYS BETWEEN 150 FEET AND 800 FEET IN LENGTH, PROVIDE A TURNOUT NEAR THE MIDPOINT OF THE DRIVEWAY. WHERE THE DRIVEWAY EXCEEDS 800 FEET, TURNOUTS SHALL BE PROVIDED NO MORE THAN 400 FEET APART.
4. DRIVEWAY REQUIREMENTS:
 - a) 16% MAXIMUM DRIVEWAY GRADE FOR A.B. AND 20% MAXIMUM DRIVEWAY GRADE FOR A.C.
 - b) 50' MINIMUM CENTERLINE RADIUS ON CURVES. 14' MINIMUM DRIVEWAY WIDTH ON CURVES.
 - c) DRIVEWAYS SHALL SERVE NO MORE THAN 2 PARCELS.
 - d) MINIMUM VERTICAL CLEARANCE IS 15' FROM CENTERLINE OF DRIVEWAY ENTIRE LENGTH OF DRIVEWAY.
 - e) ENTIRE DRIVEWAY, INCLUDING TURNAROUND AND TURNOUTS, MUST BE SURFACED WITH A MINIMUM OF 4" COMPACTED CLASS 2 AGGREGATE BASE.
5. GATE OPENING MUST BE A MINIMUM OF 14' WIDE, 30' MINIMUM DISTANCE FROM EDGE OF TRAVELED WAY, AND MUST OPEN TO ALLOW VEHICLE TO STOP WITHOUT OBSTRUCTING ROAD TRAFFIC.
6. BRIDGE CONSTRUCTION MUST MEET H-20 LOADING REQUIREMENTS (80,000 LBS.)
7. FINAL APPROVAL OF THE DRIVEWAY IS REQUIRED PRIOR TO BUILDING DEPARTMENT ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY.



Disposal of Flammable Vegetation and Fuels.

- (a) Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

Additionally.

This handout was created to help understand the minimum requirements that are mandatory with all newly constructed structures that are located within the SRA (State Responsibility Area). The information provided is in compliance with and obtained from:

- (a) California Board of Forestry and Fire Protection SRA Fire Safe Regulations, California Code of Regulations, Title 14 Natural Resources, Division 1.5 Department of Forestry, Chapter 7 - Fire Protection, Subchapter 2 SRA Fire Safe Regulations.
- (b) Public Resources Code §4290.
- (c) Yuba County Development Code, (Chapter 11.22 Fire Safe Regulations).
- (d) Yuba County Fire Chief's Association.

If you have any questions or alternate methods or materials proposals, please contact the Cal-Fire Battalion Chief, "Nevada-Yuba-Placer Unit" for review and possible approval.

Loma Rica / Dobbins Battalion: (530) 743-4477

If you have any additional questions please contact Yuba County Building Department: (530) 749-5440



County of Yuba

Community Development and Services Agency

Building Department

915 8th Street, Suite 123

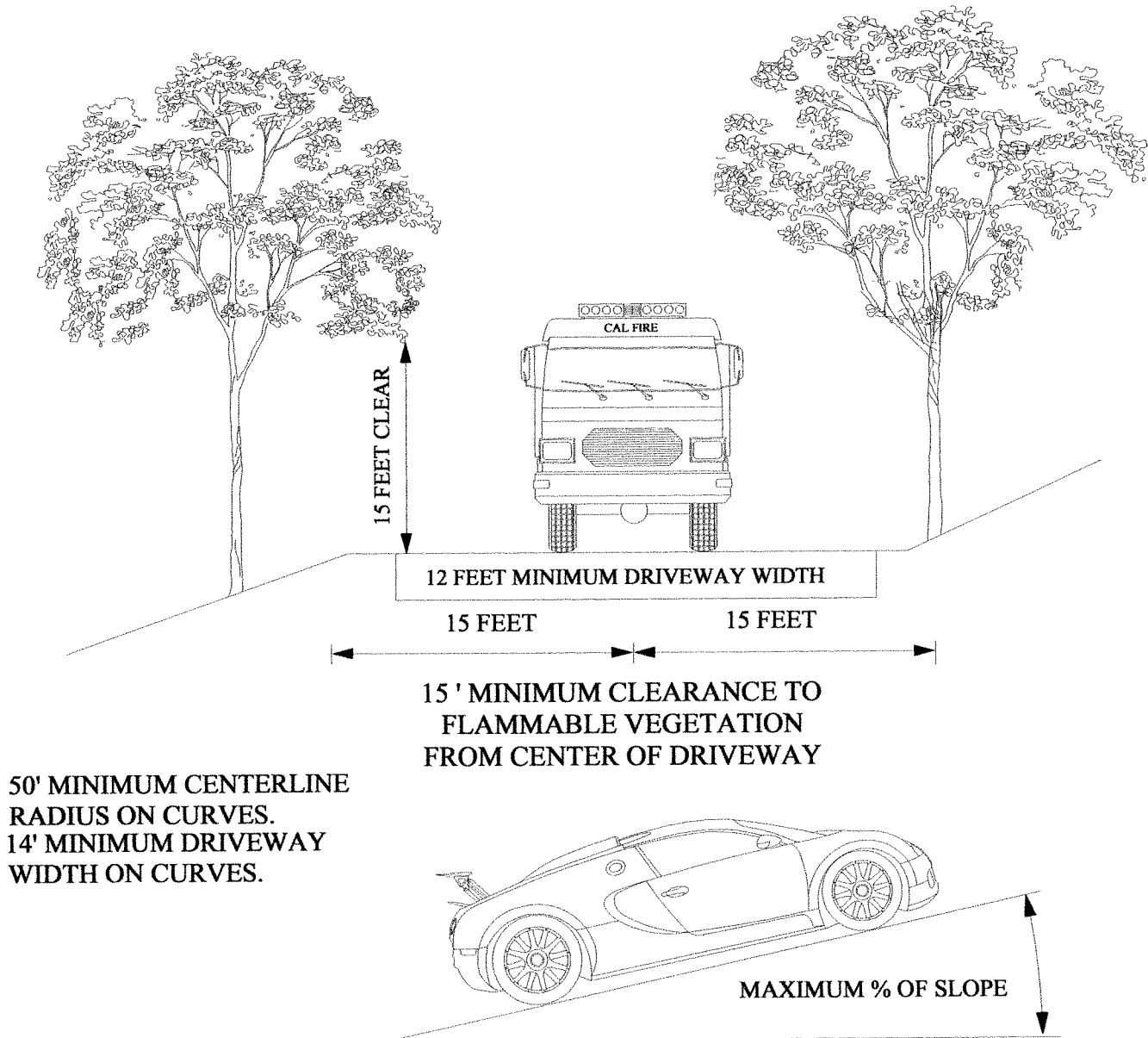
Marysville, Ca 95901

PHONE : (530) 749-5440

FAX: (530) 749-5434

www.co.yuba.ca.us

YUBA COUNTY FIRE SAFE DRIVEWAY 12 FEET MINIMUM DRIVEWAY WIDTH



16% MAX GRADE FOR DRIVEWAYS WITH ONLY A.B. (AGGREGATE BASE / ROCK).
20% MAX GRADE FOR DRIVEWAYS WITH A.C. (ASPHALT).



County of Yuba

Community Development and Services Agency

Building Department

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Marysville, Ca 95901

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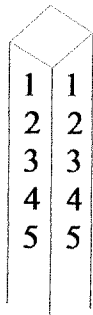
www.co.yuba.ca.us

YUBA COUNTY FIRE SAFE STANDARDS RESIDENTIAL DRIVEWAY ADDRESSING

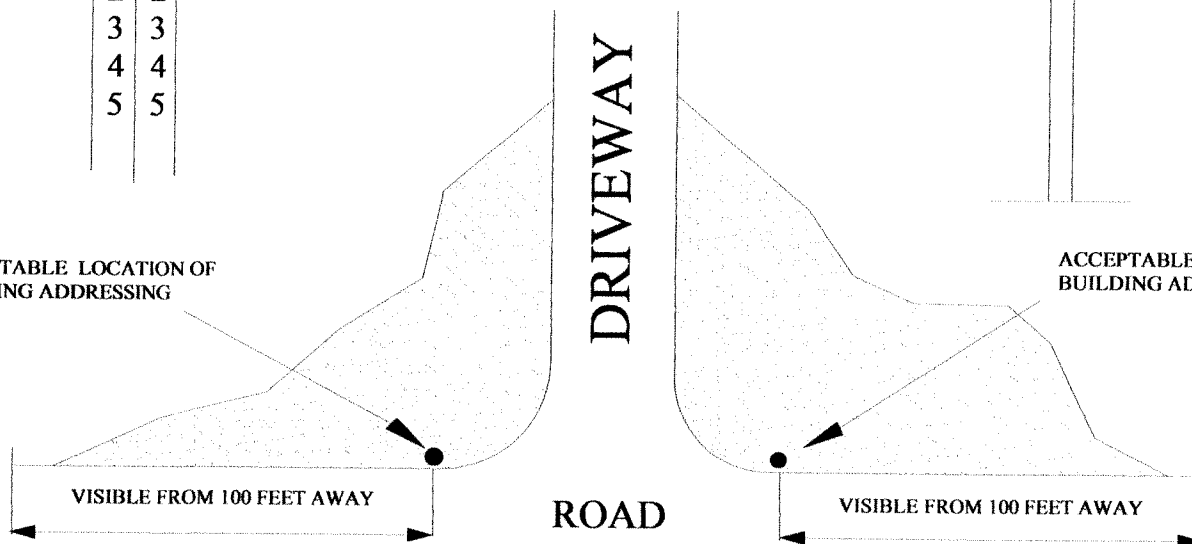
All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel for a minimum distance of 100 feet. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

Size of letters, numbers, and symbols for addresses shall be a minimum 4 inch letter height, 1/2 inch stroke, reflective and contrasting with the background color of the sign. Building addressing SHALL NOT be mounted on trees. Addressing numbers shall be mounted between 3 feet minimum and 5 feet maximum above grade.

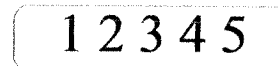
EXAMPLE # 1



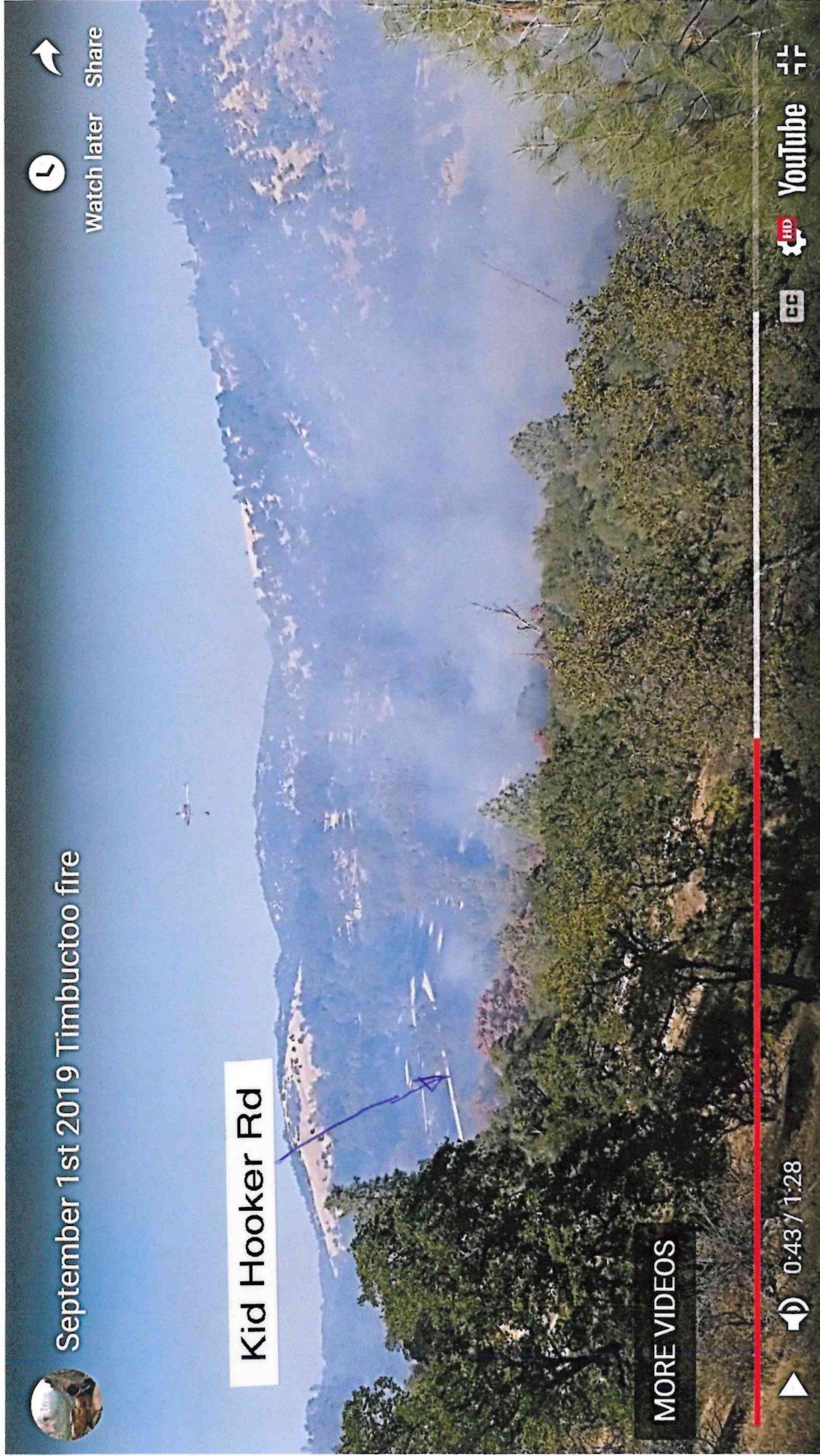
ACCEPTABLE LOCATION OF
BUILDING ADDRESSING



EXAMPLE # 2



ACCEPTABLE LOCATION OF
BUILDING ADDRESSING



McCay property on fire
With Cal Fire call log

Exhibit B

https://www.theunion.com/news/fire/timbuctoo-fire-in-smartsville-quickly-contained/article_880ba4a8-257d-5d91-b7e2-ad13a144d228.html

Timbuctoo fire in Smartsville quickly contained

Sep 2, 2019

A vegetation fire on Timbuctoo Road near Hammonton Road in Smartsville was quickly contained Sunday, Cal Fire said.

The fire was reported around 2:30 p.m. and was handled by Cal Fire firefighters.

The Timbuctoo fire was just under 20 acres and is now 100% contained, Cal Fire spokeswoman Mary Eldridge said Monday.

“We did have one minor firefighter injury to the knee,” she said.

Cal Fire was assisted by Smartsville, Penn Valley, Nevada County Consolidated, Marysville and Rough and Ready fire departments, as well as air support from Tahoe National Forest.

The cause is under investigation, Eldridge said.

September 1, 2019 at 2:46 PM

First unit at scene reports approximately 3 acres in grass burning at a moderate rate of spread.

September 1, 2019 at 2:38 PM

Aircraft assigned to the fire: Air Attack 230, Tankers 88 and 89 and TNF Helicopter 514.

September 1, 2019 at 2:36 PM

Photo courtesy Janet Burton

Now a full wildland dispatch for the reported fire on Timbuctoo Road.

September 1, 2019 at 2:31 PM

Engines en route to a reported vegetation fire on Timbuctoo Road near Hammonton Road in Smartsville.

Pingback:

Happening Now – September 2019 | YubaNet

Comments are closed.

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evacuations.

September 1, 2019 at 3:10 PM

No road closures or evacuations at this time, but watch for fire equipment on Hwy 20 en route to the fire.

September 1, 2019 at 3:08 PM

Timbuctoo Air Attack reports no other smoke seen in the area.

September 1, 2019 at 3:06 PM

Timbuctoo IC is augmenting the resource request, three additional engines and two water tenders to report to the incident.

September 1, 2019 at 3:04 PM

Air Attack is going to take a look around the area, callers are reporting smoke near the shooting ranger and on Mooney Flat – possibly just smoke from this fire.

September 1, 2019 at 3:01 PM

Tankers are starting to box in the fire, helicopter is working small spots. Ground resources are making progress.

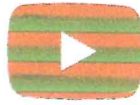
September 1, 2019 at 2:56 PM

One additional tanker to the fire, per Air Attack.

September 1, 2019 at 2:47 PM

Air Attack reports the fire is burning on a steep hill towards the river, all resources to continue in. Estimated at 3 acres.

September 1st 2019 Timbuctoo fire



September 1, 2019 at 3:50 PM

The fire is moving in a northwesterly direction, at a slow rate of spread.

September 1, 2019 at 3:41 PM

No threat to structures at this time, the fire has not jumped any retardant lines.

September 1, 2019 at 3:21 PM

Additional resources have arrived at the incident, retardant and handlines are being extended from the roadway. Air Attack estimates the fire at 15-20 acres, fire behavior has moderated somewhat.

September 1, 2019 at 3:17 PM

Tankers 88 and 89 are working the fire with retardant drops, still no road closures or

Photo courtesy Darin Barry

Forward progress has been stopped, IC reports resources will be committed for several hours. If

there are no spotting issues in the next 10-15 minutes the IC will release some of the engines.

September 1, 2019 at 4:06 PM

Photo courtesy **MOcken**

Firefighters are starting to reinforce the containment lines, no additional growth expected.

September 1, 2019 at 3:56 PM

Washington Ridge Crew 1 has arrived on scene.

September 1, 2019 at 3:54 PM

Timbuctoo Air Attack is releasing Tankers 88 and 89 from the incident.

Video courtesy Dan Kennerson

Timbuctoo, Smartsville

by YubaNet

September 1, 2019 Updated May 6, 2020

Fire at a glance (numbers)

- Incident Name:
- State:
- Lead Agency:
- Size (acres):
- Percent Contained:
- Estimate of Containment:
- Personnel:
- Structures Destroyed:

Timbuctoo, Timbuctoo Road and Kid Hooker Road near Smartsville, Yuba County.

September 1, 2019 at 5:15 PM

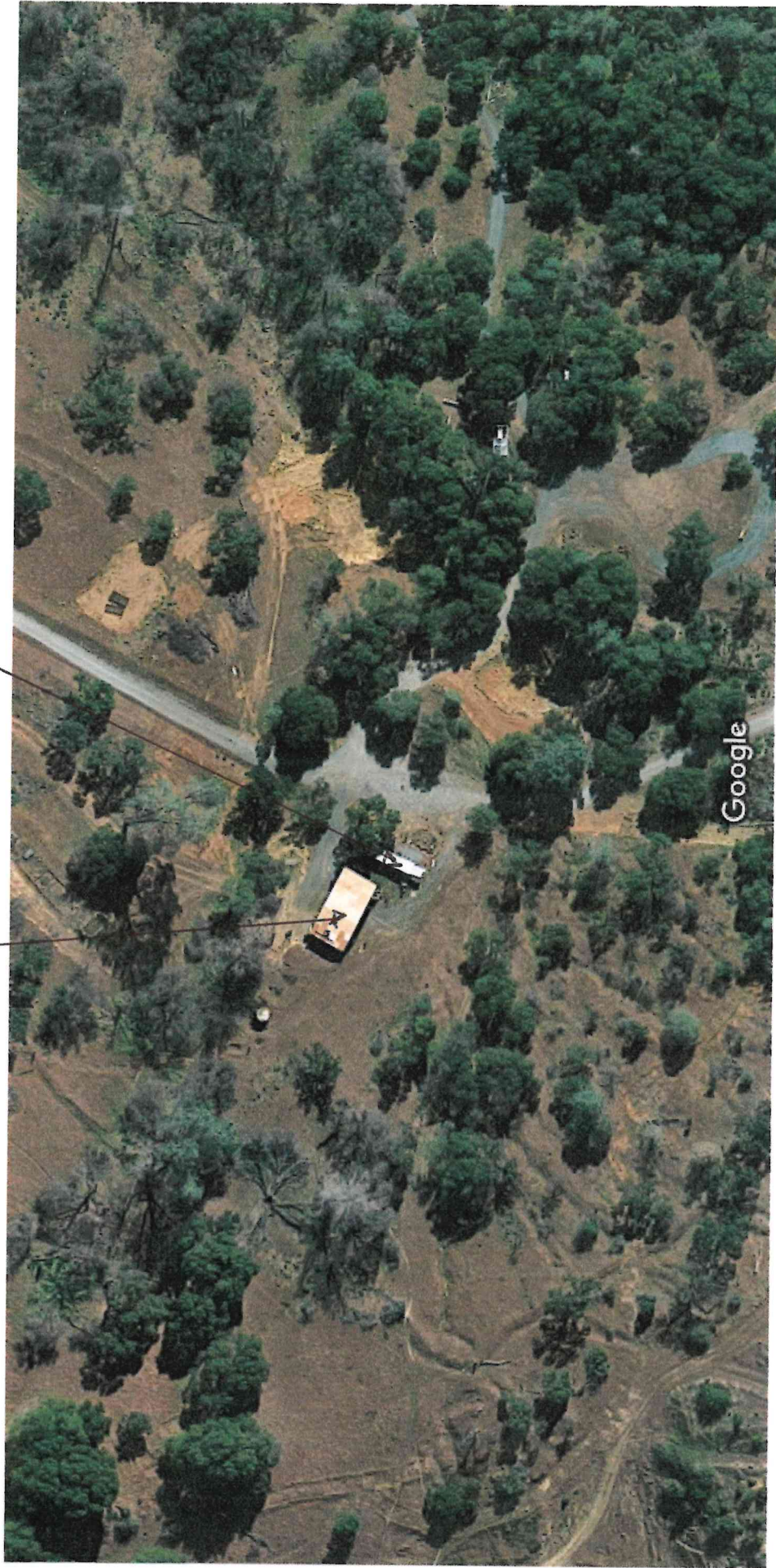
Air Attack 230 is leaving the incident, returning to Grass Valley.

September 1, 2019 at 5:00 PM

Air Attack will remain over the fire for a few more minutes. Good progress being made with mop-up operations.

Pole Barn

Converted to Living
40' Trailer



Imagery ©2023 Google, Imagery ©2023 CNES / Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEQ, Map data ©2023 50 ft

Exhibit C

Yuba County Foothills Community Wildfire Protection Plan

July, 2014



Exhibit D

Additional materials available online@ <http://deercreekgis.com/yubacwpp>

Prepared By: Deer Creek Resources, LLC and WildlandRx, Inc.



DISCLAIMER:

This document analyzes wildfire hazard across the Yuba County Foothills, and makes recommendations on ways that residents in the area can reduce their collective exposure to wildfire-caused losses. Due to limitations in funding for wildfire hazard mitigation, it is necessary to set Countywide priorities for hazard reduction work. Within this document, areas were prioritized for hazard reduction based upon a number of factors including: potential wildfire behavior, density of homes, and proximity to important access roads.

The fact that an area may be mapped as lower hazard in this document does NOT mean that that particular area is safe from wildfires – rather, it just means that there were areas where hazard reduction projects might benefit a greater number of residents. Under typical summer wildfire burning conditions, most of the project area has the potential to support rapid rates of wildfire spread and high intensity burning. There are NO low-priority areas for fire hazard mitigation in the Yuba County Foothills.

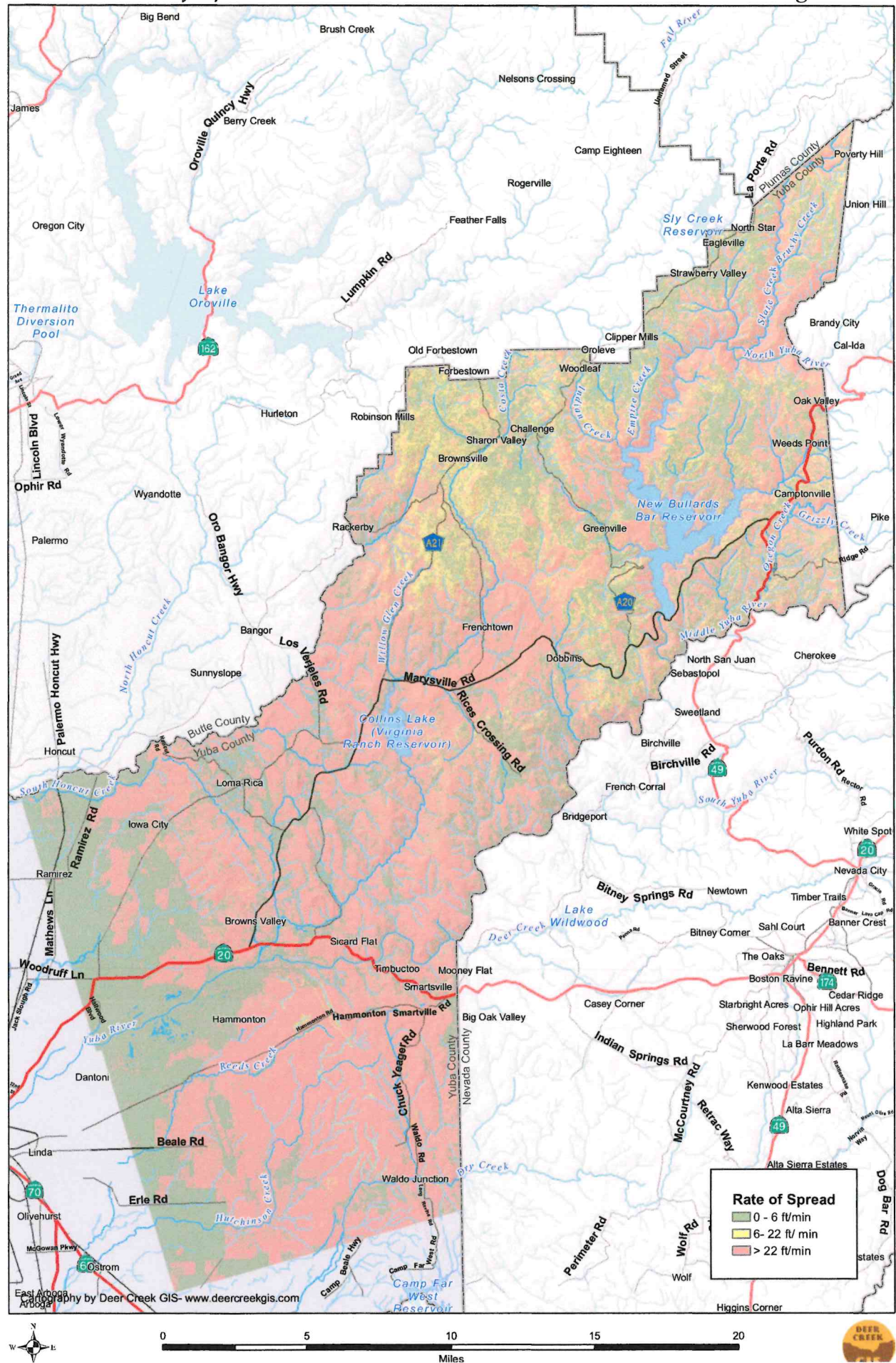
Wildfire behavior is the product of numerous factors, some of which are weather-dependent and difficult or impossible to quantify. The suggestions in this assessment are based upon field surveys, technical analysis, and the professional experience of the authors. Errors may exist in this analysis and could include improper recording of field data due to GPS accuracy or surveyor error, computational errors, data entry mistakes and any other conceivable cause.

This data comprises a simplification of the physical environment intended to allow the authors to make general recommendations about reducing potential fire behavior at the community scale. While this data is useful in assessing relative risk between the many micro-climates and vegetation-types present in the Yuba County Foothills area, site-specific changes in fuel hazard and wildfire risk (such as annual mowing, grazing, and weed clearance, the growth of flammable ornamental plants and native vegetation, and other changes in the physical environment) will quickly render this data inaccurate.

THIS DATA IS DESCRIBES VEGETATION AND WILDFIRE HAZARD CONDITIONS IN THE YUBA COUNTY FOOTHILLS AT A SINGLE POINT OF TIME, SPRING 2014. ANY FUTURE USE OF THIS DATA FOR OTHER PLANNING, CODE ENFORCEMENT, OR HAZARD MITIGATION WORK IS NOT RECOMMENDED WITHOUT FIRST CHECKING PHYSICAL CONDITIONS ON THE GROUND.

Yuba Foothills Community Wildfire Protection Plan Predicted Rate of Spread

Figure A-7



The map in Figure A-5 demonstrates Crown Fire Activity. Fire type or Crown fire activity, is an important output from FlamMap. It considers multiple factors to determine if the fire is, surface, passively crowning (torching) or actively crowning in any particular cell of the fuels grid.

- Fire type 1 is a surface fire; the fire is generally on the ground, high likelihood of initial attack success.
- Fire type 2 is a passive crown fire, (torching and short range spotting).
- Fire type 3 is an active crown fire, (fire actively moving in the crowns of trees with mid to long range spotting).

The other Fire Behavior indicator, Flame Length, is useful in determining resistance to control. Flame lengths greater than 4 feet are very difficult to control. Again, using the same parameters for the weather, and the FLAMMAP model to determine flame length, a fire behavior specialist can develop the area's resistance to control. Flame length and Rate of spread modeling outputs can be found in Figures A-6 and A-7, above. When evaluating the maps you can see that much of the CWPP area rates out to an analysis score of 50 to 80 giving it a resistance to control in many areas of the CWPP as High to Very High

Table: Resistance to control matrix

Flame Length (feet)	Rate of Spread (Chains / hour)*	Fire Type X 10	Analysis Score	Resistance to Control
0 to 3.9	0 to 4.9	1x10=10	Less than 18.8	Low (1)
3.9 to 7.9	4.9 to 9.9	10	18.9 to 27.8	Moderate (2)
7.9 to 10.9	9.9 to 19.9	2x10=20	27.9 to 50.8	High (3)
10.9 to 19.9	19.9 to 39.9	20	50.9 to 79.8	Very High (4)
20 +	40 +	3x10=30	79.9 and greater	Extreme (5)

*One Chain equals 66 feet 40 chains per hour equals ½ mile per hour rate of spread

Fisher, Ciara

From: James Haufler <jbwx@att.net>
Sent: Monday, January 16, 2023 3:51 PM
To: Fisher, Ciara
Subject: Yuba River - Risk of damage from a proposed campground.

Ms. Fisher:

I have some concerns about the proposal for a campground along the Yuba River upstream from the Hwy 20 bridge:

1. With the proposed expansion of the wastewater facilities from porta-potties to more permanent pit-toilets and/or septic tanks and/or leach fields, how will seepage into the river be prevented?

Leach fields could be a big problem in that area. Percolation tests would probably show excellent percolation out of the leach fields due to the ancient river cobble that underlies much of that area. But that excellent percolation could mean the wastewater would be very quickly passing downslope and into the river before it had been degraded by natural processes. And even if the leach fields were far enough from the river for those natural process to occur, the leach fields would still be releasing nutrients into the river.

2. Are pit-toilets actually being considered as an option?
3. Significant numbers of people along a small segment of the river will likely generate large volumes of trash in and along the river. How will the river be protected from this?
4. The site is mostly steep, approximately 20 degrees. How will the roads and sites be graded and maintained to prevent soil and debris from getting into the river? Fine sediment can clog spawning gravel and kill fish eggs before they can hatch.
5. Will catchment basis be part the design? As with any housing development, a campground near a river needs to have catchment basins to collect the nasty runoff that flows from all human habitations: oils for cooking and lubrication, soaps and detergents, food waste, cosmetic products, all manner of hydro-carbon fuels, ash from campfires, etc.
6. The roadway at Timbuctoo is narrow and rugged. What is the plan for evacuations in case of fire or other emergencies?
7. Will fireworks be prohibited?
8. Will wading and gold panning in the river be prohibited during spawning season?

9. Will the property owner and/or the campground operator purchase a performance bond to cover the County's costs for site cleanup/restoration if they go bankrupt or simply abandon the site?

Thank you,

Jim

James Haufler
3555 Arden Villa Ct.
Roseville, CA 95747
916-865-4721 (home)
916-801-3669 (cell)

Fisher, Ciara

From: Clay Hash <clayhash.fft@gmail.com>
Sent: Saturday, January 14, 2023 11:22 PM
To: Fisher, Ciara
Subject: Proposed Campground above Parks Bar Bridge on the Lower yuba

To Yuba County Planning Department

January 14th, 2023

Attention Clara Fisher,

As President of the Gold Country Flyfishers (GCFF) I have recently learned that a property owner has submitted a Conditional Use Permit to construct a campground on a private parcel along the Yuba River about a mile upstream of Parks Bar Bridge at Timbuctoo bend. Our Club represents about 150 members that fish and work to conserve and protect the Lower Yuba River.

The Yuba County Planning Department staff has taken the position that the proposed development will have a less-than-significant impact to the fish and wildlife Habitat in and along the Yuba River. I believe that this needs closer consideration.

The Yuba River upstream of Parks Bar Bridge is relatively undeveloped and pristine compared to the river reaches below the bridge. This isolated enclave currently has a wilderness quality to it. In my judgment, as a fisherman that knows the property intimately, the construction of a campground has significant potential for negative effects. I belonged to the fishing club managed by Tom Mackay for many years.

In general, the county's assessment minimizes the impacts on the Yuba River salmonid, steelhead, and rainbow trout spawning habitat and seems to fail to assess impacts on other environmental factors such as geology, soils, noise, recreation, increased traffic, and cumulative effects.

- The area encompasses a large spawning area for the wild salmon fishery, steelhead, and rainbow trout on the Yuba River. From September 1st to December, 1st the river is closed to fishing to protect the spawning habitat. Is it not to be expected that recreational activities such as wading, kayaking, etc. can be expected to damage the fish redds and disturb spawning fish?
- Campground visitors can transit large sections of the river outside the limits of the campground property, who will enforce trespassing off the owners property?
- The applicants propose kayak and drift boat rentals, hiking trails, and guided horse rides. Campers would be allowed to bring their own watercraft for use in the Yuba River. Does this usage provide a potential hazard to the river and the fish that spawn there?
- Will the assessment address the use of drift boats both during the open season, and the closed season. Will the Owner's allow public use for access to the river?
- The current private fishing clubs in this stretch of the river upstream of the Hwy 20 bridge cease instream activities during the closure period from September 1st to November 30th. Will the campground allow river access 365 days of the year?

- With the proposed expansion of the wastewater facilities from porta-potties to more permanent pit toilets and/or leach fields for showers, how does the assessment deal with ground water contamination and sewage seepage into the river?
- The Yuba River salmon fishery is the only major river in the Sacramento Valley that does not have a fish hatchery. The preservation of wild hatchery salmon, steelhead, and rainbow trout is a key component in the State's wild fishery program. How does this proposal propose to support that?
- The vehicle traffic in the Timbuctoo area will increase significantly and be present 24/7. Can the access roads and the internal campground roads support the traffic? Does the road to the property gate need to be improved for the amount of traffic and fire equipment access?
- There is a internal road that accesses the river on the property. This road is steep. Does this road have adequate drainage control. Is the road too steep? How will the road drainage be controlled? Does this portion of the road require pavement or concrete because of the grade?
- There is a primitive boat launch on the property. Has this access been approved by the appropriate agencies?

These are all concerns that should be addressed prior to approval of the project.
Thanks for considering these issues.

Clay Hash

President of the Gold Country Fly Fishers

1st Vice President of the Northern California Council, Fly Fishers International

Fisher, Ciara

From: Thomas Grant <tomkatgrant2@gmail.com>
Sent: Sunday, January 15, 2023 8:11 PM
To: Fisher, Ciara
Subject: Project CEQA - Yuba River - LUSE-22-0001 Campground - Concerns

I have several concerns regarding this Conditional Use permit as it pertains to the environmental impact and extreme fire exposure on and along the lower Yuba River.

I am a fly fishermen, who has fished the portion of the river which adjoins the 20 acre parcel in question.

The fishing community, including me, consider this portion of the river a delicate resource, as it's one of the few wild trout and salmon rivers in our region. The area is home to the primary spawning area for wild salmon, wild trout, and steelhead. From September 1 to December 1 each year the area is closed to fishing and almost all other recreational purposes. The habitat during this period is especially vulnerable to walking, wading and boating due to delicate salmon runs, where salmon lay their eggs. Fishermen know to stay out during this period. This is in accordance with CDFW fishing regulations.

Outside of the September 1 to December 1 period there are other serious concerns. An increased number of people in this area will likely generate large volumes of trash. How will the river be protected from excess trash and waste materials ?

The site next to the river is extremely steep. How will roads and paths be graded without causing soil, rocks and other debris from entering the river and impacting the delicate fishing and spawning areas ? Will increased camps and fires become a fire exposure to the entire area? How can these concerns be efficiently mitigated ?

Please take these concerns seriously.



January 19, 2023

Ciara Fisher, Planner III
Community Development and Services Agency
915 8th Street, Suite 123,
Marysville, CA 95901

RE: Conditional Use Permit LUSE-22-0001 Yuba River Campground

Dear Ms. Fisher

The Gold Country Fly Fishers (GCFF) appreciates the opportunity to comment on the Initial Study and Mitigated Negative Declaration (MND) for the Yuba County Campground. The GCFF Conservation Committee, working with Members and the Board of Directors, has reviewed Conditional Use Permit LUSE-22-0001 Yuba River Campground located within an unincorporated area of eastern Yuba County (County), approximately one mile northwest of Smartsville. The project proposes to develop a 30-site campground on a 20-acre private parcel adjacent to the Yuba River above Parks Bar Bridge.

The applicant proposes to construct a 30-site campground to accommodate 30-40 campers with a maximum capacity of 120 persons. The proposal includes a 10-person group campsite, tent cabin rental, hiking trails, kayak and drift boat rentals, guided horse rides, and plans for the future construction of a 20-more campsites, restroom, store and a septic system. Therefore, the environmental analysis must consider the impacts. In general, the MND minimizes the impacts on the Yuba River salmonid, steelhead, and rainbow trout spawning habitat and seems to fail to assess impacts on other environmental factors such as geology, soils, noise, recreation, increased traffic, and cumulative effects.

After reviewing the MND, the Gold Country Fly Fishers believes the MND does not comply with the California Environmental Quality Act (CEQA) due to its insufficient project description, flawed environmental impact assessments, and inadequate mitigation measures. We respectfully submit these comments to urge Yuba County to conduct further environmental analysis in an environmental impact report (EIR) to ensure the Project's impacts are understood, disclosed, and mitigated to the maximum extent feasible.

More specifically, the MND fails to comply with CEQA on several fronts, including providing an inadequate project description that does not take into account all of the potential uses for the Project. The MND also fails to include impacts on recreation, soils, noise, traffic and land use impacts analyses that underestimate the impacts to wildlife, fish habitat and the nearby community of Smartsville.

The Yuba River upstream of Parks Bar Bridge is relatively undeveloped and pristine, especially compared to the river reaches below the bridge. This reach of the Yuba River is one of the last major natural spawning habitats left in California for both endangered spring-run Chinook Salmon and threatened steelhead. In addition to spawning habitat, the Yuba River between Parks Bar Bridge and Englebright Dam is habitat for all life stages of salmon, steelhead and resident rainbow trout. The Lower Yuba, with its native, wild salmonids, attracts anglers from all over Northern California. This special habitat requires special consideration that the generalities of the Yuba County Zoning Code did not anticipate and does not adequately address.

The Yuba River salmon fishery is the only major river in the Sacramento Valley that does not have a fish hatchery. The preservation of wild salmon, steelhead, and rainbow trout is a key component in the State's wild fishery program. How does this proposed land use support that?

The area encompasses a large spawning area for the wild salmon fishery, steelhead, and rainbow trout on the Yuba River. From September 1st through November 30, the river is closed to fishing to protect the spawning habitat, however, spawning behavior of threatened and endangered species is highly variable and consistently occurs well outside of this timeframe. Is it not to be expected that recreational activities such as wading, kayaking, swimming, etc. will damage the fish redds and disturb spawning fish?

The Reptiles/Amphibians assessment claims that there is no habitat for northwestern pond turtle, California red-legged frog, foothill yellow legged frog and giant garter snake. All of these species occupy riparian areas and there is lots of riparian habitat on the flood plain adjacent to the Yuba River that may well harbor populations of these endangered species.

Additionally, the MND fails to consider the significant increase in daily traffic in and out of the campground. Can the access roads and the internal campground roads support the traffic?

With daily operations the campground's constant traffic will bring disruptive noise levels during all hours of the day to the small Yuba County town of Smartsville. Diesel fueled camper trucks and motorhomes emit a host of pollutants that are known to cause respiratory problems like asthma, bronchitis, lung irritation, and lung cancer and diesel particulate matter, which can lead to cancer, heart disease, respiratory illnesses.

The MND does not adequately address the need to evacuate over 100 campers in over 30 large recreational vehicles in a short amount of time during a predictable wildfire event while multiple fire suppression vehicles are required to enter the same area at the same time. There is a high likelihood of significant loss of life during a wildfire in this area as a result of developing a campground versus a few houses, let alone the baseline condition of near zero occupancy. California roads with a grade of 6% or greater require hazard warning signs; the contour of this site is approximately 20% which is, by any definition, steep. Does the road to the property gate need to be improved for the amount of traffic, evacuation, and fire equipment access?

The MND fails to analyze the impacts on recreation. This amount of new recreational use in a relative undisturbed area is bound to have negative impacts on fish and wildlife habitat and cultural resources. These potential significant impacts have not been adequately analyzed in the MND. People using the

campground will be hiking up and down the river corridor disturbing wildlife, collecting historical artifacts and walking over threatened and endangered (T&E) salmon and steelhead spawning redds. Increased access and activity increase the potential for a camper to accidentally start a wildfire from careless smoking or an unauthorized campfire.

The applicants propose kayak and drift boat rentals, hiking trails, and guided horse rides. Campers would be allowed to bring their own watercraft for use in the Yuba River. Does this usage provide a potential hazard to the river and the fish that spawn there? There is a primitive boat launch on the property. Has this access been approved by the appropriate agencies?

Will the assessment address the use of drift boats both during the open season and the closed season? The current private fishing clubs in this stretch of the river upstream of the Hwy 20 bridge cease instream activities during the closure period from September 1st to November 30th. Will the campground allow river access 365 days of the year?

The existing unimproved Gunning Park Road that provides primary access to the project is badly rutted, full of potholes, and exposed rock. The access roads will need to be upgraded to accommodate standard 2WD passenger cars and recreational vehicles such as campers and large motorhomes and trailer combinations.

Road building, site clearing and campground construction activities will expose bare surface soils that are subject to rain and runoff erosion with high probability that eroded sediment will be transported to the Yuba River in spite of implementing a Storm Water Pollution Prevention (SWPP) plan. Discharge of eroded soil and other deleterious campground contaminants entering the river will have a potential significant impact on T&E salmon and steelhead spawning habitat. The amount of vegetation clearing and site grading required, on a slope of approximately 20%, for campground infrastructure such as motor vehicle travel ways, trails, parking, structures, leveling of tent and RV campsites has potential for significant effects on soil erosion and sediment yield. Other than the SWPP, the MND does not present any best management practices (BMPs) that will mitigate the potential significant impacts of eroded sediment to the extraordinarily sensitive Threatened and Endangered species spawning habitat.

The MND geology assessment fails to consider that the potential discharge of RV toilet chemicals into the Yuba River via the septic leach field could have a high probability to impair water quality and fish habitat. A leach field on an approximate 20% slope that close to the river flood plain will be in direct connectivity to the Yuba's hyporheic zone, where this shallow groundwater will mix and discharge into the Yuba River. how does the assessment deal with ground water contamination and sewage seepage into the river?

And finally – a possible, if not probable, scenario for this development and business is that it becomes financially impossible to continue operation over the long term and eventually closes as a business operation. Without adequate revenue, the various mitigation measures and facilities will not be maintained. If the site is not restored to a stable condition it will result in long term environmental harm to the Yuba River and its delicate, critical, and nationally significant fishery. GCFF strongly recommends that a restoration plan be required along with an adequate bond or other financial instrument with an annual inflation escalator to assure Yuba County and its taxpayers that the extensive disturbance to the site can be restored to a stable long-term condition when operations cease or the CUP is eventually rescinded.

Once again, thank you for the opportunity to provide these comments. The Gold Country Fly Fishers encourages Yuba County to comply with CEQA's requirements and adequately disclose, analyze, and mitigate the predictable environmental impacts of the Yuba River Campground development prior to its approval.

Sincerely,

Rick Weaver, Frank Rinella & Wilton Fryer
Co-Chairmen, Conservation Committee
Gold Country Fly Fishers

Clay Hash
President
Gold Country Fly Fishers

Fisher, Ciara

From: Erik Gabele <egabele@sbcglobal.net>
Sent: Friday, January 20, 2023 11:14 AM
To: Fisher, Ciara
Subject: Concern over proposed campground along Yuba River

Hi Clara,

I'm a fly fisherman who has been fishing the lower Yuba River for over 30 years. I have seen the ups and downs of the struggling salmon and steelhead populations in this river. My concern is that placing a campground upstream of the Highway 20 bridge will negatively impact the spawning waters, and add a whole lot of additional river traffic down the river. The months of September through 1 December are closed to fishing to protect the salmon spawning gravels. How will the campground address this, as I see potential for late summer kayakers and rafters wading through this important resource? There is no hatchery on this river and these wild salmon and steelhead are struggling as it is and adding more impact will certainly make it worse for them

Thank you

Erik Gabele
Sacramento, CA
(916) 893-4138

Fisher, Ciara

From: Wilton Fryer <barwf@hotmail.com>
Sent: Tuesday, January 17, 2023 2:19 PM
To: Fisher, Ciara
Subject: Re: LUSE-22-0001 Yuba River Campground

Ciara,

Thank you for the IS/MND. As I mentioned last Friday this project has stirred much interest with the Gold Country Fly Fishers. While I started the list of comments below and shared them with members of the club conservation committee many others have added to the thoughts. I expect more to be forth coming. These represent my concerns as a local fisherman on the Lower Yuba River.

In general, the county's assessment minimizes the impacts to the Yuba River salmonid spawning habitat and fails to assess impacts to other environmental factors such as aesthetics, geology and soils, noise, recreation, increased traffic, and cumulative effects.

- The Yuba River salmon fishery is the only major river in the Sacramento Valley that does not have a fish hatchery. The production of wild hatchery salmon and steelhead is a key component in the State's wild fishery program. How does this proposal support that responsibility?
- This area encompasses the primary spawning area for the wild salmon fishery on the Yuba River. From 1 September to 31 November this section of the river upstream of the HWY 20 bridge is closed to fishing to protect the spawning habitat during the primary salmon spawning period. Spawning does occur before and after the closure period for salmon and steelhead. The current private fishing clubs in this stretch of the river cease in-stream activities during the closure period (in accordance CDFW regulations).
- How will campground activities such as wading, kayaking, etc. be managed to protect the fish redds and disturbance to spawning fish?
- Campground visitors can transit large sections of the river outside the limits of the campground property. While the proposal says no off-road vehicles will be allowed, who will enforce this rule?
- Will the assessment address the use of drift boats both during the open season -- and the closed season -- traveling downstream to the HWY 20 bridge? This has historically been a limited access fishing area to protect the wild trout and salmon fishery on the Yuba River.
- With the proposed expansion of the wastewater facilities from porta-potties to more permanent pit toilets and/or leach fields for showers (and RV holding tanks), how does the assessment deal with ground water and sewage seepage into the river?

- The significant numbers of people along a small segment of the river will likely generate large volumes of trash in and along the river. (For reference each year SYRCL sponsors, with GCFF participation, a river cleanup that hauls tons of trash including abandoned vehicles, from the stretch below the HWY 20 bridge.) How will the river be protected from this?
- The site is typically steep -- app 20 degrees. Currently the rough roads are only passible by four wheel drive, let alone an RV or fifth wheel trailer. How will the roads and sites be graded without putting soil and debris in the water in this spawning area?
- The roadway at Timbuctoo is narrow and rugged. What is the plan for evacuations in case of fire or other emergency?

Thank you for considering my comments,

Wilton Fryer

10814 Red Ln., Smartsville CA

From: Fisher, Ciara <cfisher@CO.YUBA.CA.US>
Date: Friday, January 13, 2023 at 3:07 PM
To: barwf@hotmail.com <barwf@hotmail.com>
Subject: LUSE-22-0001 Yuba River Campground

Hi Wilton,

Attached is the Draft Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Measures (MMs). Feel free to email me comments, questions, concerns or prepare a formal letter for me to include in the Staff Report package to the Planning Commission.

Thanks,

Ciara Fisher

Planner III
 County of Yuba
 530-749-5470



 Please consider the environment before printing this email

Fisher, Ciara

From: Tyrone Espinoza <ty.espinoza2@gmail.com>
Sent: Monday, January 16, 2023 12:07 PM
To: Fisher, Ciara
Subject: LUSE-22-0001 Yuba River Campground

Dear C. Fisher,

As a long standing Northern CA resident and frequent fly fishing angler of the Lower Yuba River I have witness first hand the many impacts this watershed has endured over the years. My CA Fishing Lic can attest over 25 angling days on the lower Yuba watershed during the 2022 calendar year.

My fear and concern are primarily the following the proposed land use permit could negatively impact the watershed and surrounding environmental area:

1. Further deterioration of the watershed and surrounding environment due to increased pedestrian and motor vehicle use;
2. Increased Trash and waste pollution;
3. Potential for illegal activities;
4. Unmonitored security at the site;
5. Increased potential for wildfire.

I URGE that the proposed land use permit not be allowed and or relocated to a more appropriate location away from the lower Yuba watershed. The lower Yuba River has already endured enough from past fracking and mining activities and has slowly recovered through decades of conservation.

Respectfully,
Tyrone Espinoza
Sacramento, CA

Fisher, Ciara

From: RICHARD DRACE <richard.drace@gmail.com>
Sent: Monday, January 16, 2023 3:17 PM
To: planning
Subject: RE: Yuba River campground proposal

Please forward this email to the appropriate department/commission:

As a local resident supportive of recreational activities yet very concerned about environmental protections, I am deeply concerned about the Yuba River campground proposed above Parks Bar. Although protections may be in the proposal for activities on the land, to my knowledge there are scarce if any protections for the sensitive aspects of the river itself. This part of the river is extremely sensitive spawning habitat. It is closed to fishing for the times of the year that it must be protected for spawning fish, but there appear to be no restrictions in the proposal for other activities in the water — particularly for wading, swimming, tubing, boating, or panning that could disturb the redds.

Please require a careful independent assessment of potential environmental impacts to the riparian habitat, and require restrictions and mitigations on water activities during spawning season.

Thank you for your consideration of my request,

Sincerely,

Richard Drace
richard.drace@gmail.com
(530) 913-9502

Fisher, Ciara

From: Deborah DiSanto <ddd@sbcbglobal.net>
Sent: Tuesday, January 24, 2023 10:29 AM
To: Fisher, Ciara
Subject: Conditional Use Permit to construct a campground on a private parcel along the Yuba River

The county's assessment minimizes the impacts to the Yuba River salmonid spawning habitat and fails to assess impacts to other environmental factors such as aesthetics, geology and soils, noise, recreation, increased traffic, and cumulative effects.

- The Yuba River salmon fishery is the only major river in the Sacramento Valley that does not have a fish hatchery. The production of wild hatchery salmon and steelhead is a key component in the State's wild fishery program. How does this proposal support that responsibility?
- This area encompasses the primary spawning area for the wild salmon fishery on the Yuba River. From 1 September to 1 December the river is closed to fishing to protect the spawning habitat. How will campground activities such as wading, kayaking, etc. be managed to protect the fish redds and spawning fish?
- Campground visitors can transit large sections of the river outside the limits of the campground property. While the proposal says no off-road vehicles will be allowed, who will enforce this rule?
- Will the assessment address the use of drift boats both during the open season -- and the closed season -- traveling downstream to the HWY 20 bridge? This has historically been a limited access fishing area to protect the wild trout and salmon fishery on the Yuba River.
- The current private fishing clubs in this stretch of the river upstream of the Hwy 20 bridge cease in-stream activities during the closure period (in accordance CDFW regulations). Is it proposed that DFG Wardens will spend time in this area, assuming year-round access at the campground?
- With the proposed expansion of the wastewater facilities from porta-potties to more permanent pit toilets and/or leach fields for showers (and RV holding tanks), how does the assessment deal with ground water and sewage seepage into the river?
- The significant numbers of people along a small segment of the river will likely generate large volumes of trash in and along the river. (For reference each year SYRCL sponsors, with GCFF participation, a river cleanup that hauls tons of trash including abandoned vehicles, from the stretch below the HWY 20 bridge.) How will the river be protected from this?
- The site is typically steep -- app 20 degrees. How will the roads and sites be graded without putting soil and debris in the water in this spawning area?

- The roadway at Timbuctoo is narrow and rugged. What is the plan for evacuations in case of fire or other emergency?
- How will the final document address assumptions about gold panning effects on the spawning areas?

Debbie DiSanto
14677 Deerhaven Lane
Nevada City, CA 95959
530-478-1534
dddis@sbcglobal.net

From: Jim Degnan <jd293@comcast.net>
Sent: Tuesday, January 24, 2023 12:54 PM
To: Fisher, Ciara
Subject: Yuba River Campground

RE: Conditional Use Permit LUSE-22-0001 (Yuba River Campground)

Good afternoon,

I have read the LUSE-22-0001 Permit and find it comprehensive and well done. As a long time flyfisherman on the Yuba I do find some things that I have questions about.

1. On pg. 40 c "The project area is located on a slight slope on a hillside adjacent to the Yuba River..." While contour maps can be a bit misleading, it seems that there is significant elevation change in that area. Having hiked that area many years ago in search of fish, I viewed the area as quite steep. It would seem to be in the area of 20%.
..." Is there an elevation map that could be used define as to what the true angle of this "slight slope" is?
2. While the previous section of the LUSE states that there will be a 150-foot setback from the river, it opens the concern about erosion, especially in very heavy downpours. *Is 150 feet sufficient?*
3. In line with this concern, the plan in page 6 is well executed. It shows all of the areas where there will be pads for RVs, tent camps, roads, and other camp areas. *Will these areas need to be dug out of the hillside?* The plan is a very good start but does not show elevation or sections of elevation, so it does not show the amount of excavation required to build the pads and roads. *How much excavation will be required? Is there an elevation/section plan available showing this? If there is not such a plan, will there be a requirement for such a plan before approval of the project?*
4. I have experience with campgrounds and vault toilets in Tehama County (Hole in the Ground on Mill Creek) and Lassen Park. I have seen the campground vaults fill with water and overflow the sewage into the Mill Creek and have seen the parking lot at the trail head for Mt. Lassen covered with sewage. *Granted such overflow is infrequent and while "dilution is the solution to pollution", is there a plan to make sure these vaults are protected against overflow?*
5. In the same vein, *is the proposed sewer system protected from a "blowout"?* Such events have occurred at properties on hillsides in the Mineral area of Tehama County and the results flowed into a small stream adjacent to the properties.
6. The present owners give the impression of good stewardship and a concern for the land they own. However, the campground could deteriorate under different management or owners. *Is there any way to ensure that this same good stewardship will continue in the future if the present owners lose interest or pass ownership to others who may not ensure the same values? Will the project be covered by a bond or some other assurance?*

I fully recognize that the owners of this land have good intentions and a right to use their land as they see fit, but also recognize that they have a responsibility to the Yuba River and its environs. I am opposed to this use of the land.

If you need more information or have further questions, please feel free to contact me via this email address or at (408) 887-7742. (The phone number is a little misleading, I reside in Roseville, CA.)

Respectfully,

John James Degnan

aka...

Jim Degnan

408-887-7742

“You do not cease to fish because you get old, you get old because you cease to fish” (Anon)

Fisher, Ciara

From: David Arnold <davidcarnold@sbcglobal.net>
Sent: Sunday, February 5, 2023 8:07 AM
To: Fisher, Ciara
Subject: Proposed Yba River Campground

Dear Ciara Fisher,

I have recently been made aware of the proposed campground at the Yuba River, near Parks Bar. As a 15-year resident of Smartsville, I am requesting that you require an environmental impact report that will carefully study the impact caused by the proposed campground at the Yuba River at Parks Bar.

Numerous concerns and shortcomings are evident in the current proposal that needs to be thoroughly investigated before this project can be approved.

Sincerely,

David Arnold
Smartsville, CA.

Central Valley Regional Water Quality Control Board

3 February 2023

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COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, LUSE-22-0001 YUBA RIVER CAMPGROUND PROJECT, SCH#2023010052, YUBA COUNTY

Pursuant to the State Clearinghouse's 5 January 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the LUSE-22-0001 Yuba River Campground Project, located in Yuba 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 Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.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 and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-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

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 (USACE). If a Section 404 permit is required by the USACE, 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 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 USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE 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. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE 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 Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

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 *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel
Engineering Geologist

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

Fisher, Ciara

From: ronslater04 <ronslater04@gmail.com>
Sent: Monday, February 6, 2023 9:55 PM
To: Fisher, Ciara
Subject: Proposed campground

To whom it may concern,

As a 14 year resident of Timbuctoo, Yuba County, I am vehemently opposed to the proposed 30 site campground by Tom...

Our property and view faces directly toward the proposed campgrounds. This campground would introduce noise and light and smoke pollution to our perfectly quiet and serene little town. Please please do not approve this campground project!

There so many reasons we are all opposed to this idea by two men who do not even reside in Timbuctoo. We constantly battle with trash and people who do not respect our little town, please don't make it worse.

There is two camping areas just down the road that are almost always open.

Thank you

Ronald Slater

Sent from my Verizon, Samsung Galaxy smartphone

Fisher, Ciara

From: letty_litchfield@att.net
Sent: Monday, February 6, 2023 9:56 PM
To: Fisher, Ciara; planning
Cc: letty_litchfield@att.net
Subject: Submission of Public Comment Re Concerns over Initial Study/Mitigated Negative Declaration LUSE-22-0001 (Yuba River Campground)

Dear Ms. Fisher, Mr. Perkins, Community Development and Services Agency, Yuba County Planning Department and Planning Commission:

I received a written notice from you postmarked January 6, 2023, about this proposed project. As a long-time property and homeowner residing within what I believe is a mile from the proposed campground project, I have a multitude of concerns about the safety of my community, its residents, our homes and properties, should this project be approved. Indeed, my house is historical. It was built in 1856 by James O'Brien who was known for starting the hydraulic gold mining in this area. Later, Mr. O'Brien was the owner of the Excelsior Water Company that provided the extensive ditch system in the area.

There are many other historical features in this community, including in the area of the proposed project and the immediate surrounding area. There is a great potential for damage (from overuse, misuse, abuse, trespass, theft, vandalism, fire, etc.) to priceless historical features including structures, homes, cemeteries, a nearby Native American village site area, and even remnants of gold mining history, as well as one of the last wild Chinook salmon and steelhead runs in our state.

Furthermore, by increasing the number of visitors to the area where the proposed project is, the threat of a wildfire that would devastate this community and its historic features is increased significantly.

I served on the Bear Yuba Land Trust Board of Directors for eight years. During that time, I personally witnessed the importance of protecting and preserving open spaces in their natural state for future generations. It seems to me that perhaps the best use for the area being proposed as a campground would be conserving it, especially based on its close proximity to the Yuba River.

The subject property has value worthy of protection beyond what mere words can cover. The area has important habitat, is a wildlife corridor, a Blue Oak Woodlands corridor, has Bald Eagles, has nesting Peregrine Falcons, Native American sites, wild salmon and steelhead runs (Spring and Fall-run Chinook salmon), fish spawning beds and critical habitat for spawning and eggs. More people brings more poaching of fish, wildlife and bird populations.

Increased vehicle traffic in the area, including the nearly unavoidable introduction of off-road vehicles and quads would most certainly result in irreparable harm to the fish population and the water quality of the river.

This proposed project, with its numbers of people, vehicles, trailers, and the necessary infrastructure to support it, is simply too close to the Yuba River to be safe for the water, the fish, the birds, the land, the plant life, and the wildlife that depend on the Yuba River. We believe that an adequate CEQA Environmental Impact analysis and an Environmental Impact Report (EIR) would reflect this.

The legitimate and weighty concerns and positions of the homeowners and residents of the community surrounding the proposed project warrant an adequate and sufficient environmental impact analysis with the vast number of qualified expert consultants necessary to evaluate whether such a campground is appropriate for this community, especially one

so close to the Yuba River. It is our request that this be done before the County moves forward with the project proposal.

Thank you.

Adelia L. Litchfield

letty_litchfield@att.net

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