

## MEMORANDUM

**To:** Stewardship Council Board

**From:** Watershed Planning Committee

**Date:** April 26, 2017

**Re:** Recommendations for Finding of No Significant Public Interest Value at the Lower Drum Planning Unit

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### EXECUTIVE SUMMARY

The Lower Drum planning unit, located in Placer County, consists of 54 legal parcels and totals approximately 1,106 acres of land. The Watershed Planning Committee has recommended that the Stewardship Council Board endorse a finding of no significant public interest value (NSPIV) for 17 parcels (877, 878, 880, 898- 900, 905-907, 908-911, 912 –915) within the Lower Drum planning unit that total approximately 25.5 acres. After considering the characteristics of these parcels, the NSPIV Work Group and the Watershed Planning Committee have concluded that there is no significant public interest value existing on these parcels.

### BACKGROUND

The subject 17 parcels at the Lower Drum planning unit were initially designated as candidate parcels for a NSPIV finding by Stewardship Council staff in 2015, during staff's review of candidate parcels for the entire watershed portfolio. Site visits were made by members of the Stewardship Council Board and staff in July, October, and November, 2016. Stewardship Council staff then began the process of formally evaluating the 17 parcels following the board approved process that is described in the attachment to this memo.

Staff presented the results of its evaluation to the NSPIV Work Group on January 12, 2016. At that meeting, the Work Group recommended the NSPIV findings for the 17 parcels be brought to the Planning Committee for approval. The Planning Committee conditionally approved a NSPIV finding for the 17 parcels at its February 14, 2017 meeting, and the finding was released for a 30 day public review and comment period on February 17th.

Notice of the comment period for the proposed NSPIV finding was sent to a wide variety of stakeholders, including landowners within a mile radius of each site, local water agencies, the City of Auburn, the Placer County board of supervisors, and Native American tribes including tribes located in the vicinity of the sites and those identified by the Native American Heritage Commission (NAHC), and were noticed in local newspapers. Multiple questions were received during the public comment period and staff supplied answers to all inquiries. However, no substantive comments were submitted pertaining to the NSPIV finding.

## RECOMMENDATIONS AND RATIONALE

The Watershed Planning Committee recommends the Board approve a NSPIV finding for parcels 877, 878, 880, 898- 900, 905-907, 908-911, 912-915 at the Lower Drum planning unit. This recommendation is based on the considerations and rationale described below.

### **Parcels 877, 878, 880 near Rollins Reservoir**

Parcels 877, 878, and 880 are small in size (1 acre each) and are significantly dispersed from the rest of the lands included in the Lower Drum planning unit. The parcels do not contain, nor do they have the potential for significant habitat, forestry resources, or open space value. The California Historical Resources Information System (CHRIS) database indicates the Drum-Spaulding hydroelectric Historic District lies within the boundaries of parcel 877, 878, and 880, however this infrastructure falls within PG&E's Hydro Operation Zone and will continue to be managed by PG&E.

Parcels 877 and 878 are primarily encumbered by Bear River Canal hydro facilities and lie directly below the Rollins Reservoir dam and dam facilities owned and operated by the Nevada Irrigation District. The Bear River runs through a small portion of the western-most part of parcel 877, however this area is very small (less than 1 acre), is highly impacted by the adjacent dam facilities, and is surrounded by private property not accessible to the public. Parcel 878 is a thin strip of land almost entirely encumbered by Bear River canal hydro facilities, bordered on either side by the Bear River and an open canal. The California Natural Diversity Database (CNDDB) indicated one special status species within ¼ mile of parcel 877 and 878, Brandegee's clarkia, however there is low potential habitat to support this species existing on the two parcels. Parcels 877 and 878 are not accessible to the public and can only be accessed through multiple locked gates and fences. The parcels contain headwork facilities of the Bear River Canal, and are located within a hazardous inundation zone. As a result, there are no recreational, enhancement, or development opportunities.

Parcel 880 is a 1 acre, narrow strip of land encumbered by the Bear River Canal surrounded by private residential properties. There is no record of public use or recreation on the site and there is no recreational potential. The CNDDB indicates there is one recorded occurrence of a special status species within Parcel 880, the valley elderberry longhorn beetle. However, it also indicates that the habitat existing on the parcel has low potential for supporting valley elderberry longhorn beetle. There is no development potential because of the presence of the Bear River Canal and the parcel's small size and shape.

### **Parcels 898, 899, and 900 at the Rock Creek Yard**

Parcels 898, 899, and 900, totaling 15 acres in size, are primarily encumbered by the Rock Creek Yard and do not contain significant habitat, forest, open space, agriculture, or recreation values. The CNDDB indicates the occurrence of California walnut (*Juglans hindsii*), a special status plant species, on parcel 898, and currently has no recorded occurrences of special status species on or within ¼ mile of parcels 899 and 900. The CHRIS database indicates the parcels contain elements of the Upper Wise Canal and Drum-Spaulding Hydroelectric Project Historic District, however this historic infrastructure falls within PG&E's Hydro Operation Zone and will continue to be managed by PG&E.

Parcel 898, 2 acres in size, contains a forested northern triangular portion and a southern portion that is encumbered by the Wise Canal which continues into parcel 900. The parcel is not open to public use, but PG&E has had management problems with unauthorized camping and dumping of debris on this parcel. While there is some development risk for the northern portion of the parcel, its small size limits the amount of development possible. The southern portion of the parcel is a long thin strip of land encumbered by a canal and is unlikely to be developed. There is no recreation or enhancement potential due to the presence of the canal on the parcel and the associated safety issues.

Parcel 899, 12 acres in size, and parcel 900, 1 acre in size, are entirely encumbered by the Rock Creek Construction Yard which is paved and contains PG&E operations buildings, trailers, storage facilities, and vehicles. The parcels are surrounded by residential and commercial development and the Wise Canal. There are no recreational or enhancement opportunities on these parcels because of the presence of the construction yard and canal.

#### **Parcels 905, 906, 907 South of Wise Forebay**

Parcels 905, 906, and 907 totaling 8 acres in size, are primarily encumbered by the Wise Canal and the Wise Penstock intake structures and do not contain significant habitat, forest, open space, agriculture, or recreation values. The CNDDB indicates the occurrence of California walnut (*Juglans hindsii*), a special status plant species, on parcel 907, and currently has no recorded occurrences of special status species on or within ¼ mile of parcels 905 and 906. The CHRIS database indicates the parcels contain elements of the Drum-Spaulding Hydroelectric Project Historic District, however this historic infrastructure falls within PG&E's Hydro Operation Zone and will continue to be managed by PG&E.

Parcels 905 and 906, both 1 acre in size, are almost entirely encumbered by hydro features including the Wise Canal and Wise Penstock intake structure. As a result, there is no recreation or enhancement opportunity, and no opportunity to extend the recreational access trail on the Wise Forebay parcels through these southern parcels. There is low development potential as these parcels are small, narrow, and contain hazardous hydro features.

Parcel 907 is larger, 6 acres in size, but the majority of the parcel, with exception of a small northern triangular portion, is encumbered by the Wise Penstock, overhead electric distribution lines, a gas regulator station and associated piping that extends along the entire eastern boundary. The hydro, gas, and electric features are accessed through a locked gate at Mount Vernon Road to the north of the parcel. A dirt road runs from this gate through the entire length of the parcel along the gas facilities and pipeline to allow for vehicular access for maintenance purposes. The northern triangular section of the parcel contains some annual grassland and mixed forest but does not contain significant habitat value. It is highly impacted by the hydro, gas, and electrical features located on the parcel, the access necessary for maintenance of these features, as well as its proximity to Mount Vernon road and surrounding private residences.

#### **Parcels 908, 909, 910, and 911 at Wise Powerhouse**

Parcels 908 - 911 totaling 7 acres in size, are primarily encumbered by the Wise Canal, South Canal, the Wise Powerhouse and associated structures and do not contain significant habitat, forest, open space, agriculture, or recreation values. The CNDDB currently has no recorded

occurrences of special status species on any of the four parcels. The CHRIS database indicates the parcels contain elements of the Drum-Spaulding Hydroelectric Project Historic District, however this historic infrastructure falls within PG&E's Hydro Operation Zone and will continue to be managed by PG&E.

Parcel 908, 2 acres in size, and parcel 909, 1 acre in size, contain the Wise Powerhouse and associated hydro facilities in the southern portion, and patchy grasslands surrounded by private residences in the northern portion. Because the property is bisected by Wise Road, and contains the power house and associated facilities, locked gates, electric distribution lines, and underground gas lines, there is no recreational value on the property. Parcel 910, 1 acre in size, slopes down to Wise Road and is surrounded by private residences, and contains no recreation or enhancement potential. There is low development concern on these parcels as they are zoned for a minimum building site of 4.6 acres which is much larger than the parcels, and because of the bisected nature and hydro, gas, and electric features on the parcels.

Parcel 911, 3 acres in size, is bisected by Wise Road, contains some grassland to the north of the road surrounded by private residences, and contains both the South Canal and a portion of the Auburn Ravine south of Wise Road. This section of the Auburn Ravine is impacted by the Wise Powerhouse and associated improvements to the ravine that lie within PG&E's Hydro Operating Zone and within the FERC boundary. The current use and associated impact on this section of the Auburn Ravine will continue regardless of a conservation easement being put on the property because of its location within these operating boundaries. Therefore, there are no beneficial public values on this section of the parcel. As a result of the open canal, the presence of Wise Road, and the extremely steep topography of the southern section of the parcel leading into the ravine, there is no recreation or enhancement value on the parcel and little risk of development.

#### **Parcels 912, 913, 914, 915 near Folsom Lake**

Parcels 912- 915, totaling 6 acres in size, are primarily encumbered by the South Canal and the Newcastle Penstock Intake Structure and do not contain significant habitat, forest, open space, agriculture, or recreation value. The CNDB currently has no recorded occurrences of special status species on any of the four parcels. The CHRIS database indicates the parcels contain elements of the Drum-Spaulding Hydroelectric Project Historic District, however this historic infrastructure falls within PG&E's Hydro Operation Zone and will continue to be managed by PG&E.

Parcels 912, 914 and 915, totaling 3 acres, are encumbered by the South Canal and Newcastle Penstock Intake Structure and contain primarily paved or impacted dirt access roads and parking areas that are not accessible to the public. As a result, there is no recreation or enhancement opportunity. The parcels are zoned Residential Agricultural with a minimum building site of 2.3 acres. As a result of the significant hydro features and small size of the parcels there is little development concern.

Parcel 913 is 3 acres in size and is located to the east of parcels 912 and 915 and sits immediately adjacent to a large private residence. The parcel contains annual grassland with scattered trees dominated by foothill pine and live oak, but is heavily impacted by trespass and unauthorized use by adjacent private residences. Due to the small size of the parcel and the fact that the parcel can only be accessed through PG&E maintained gates on parcels 912 and



915 or through the private residence to the east, there is no recreation or enhancement opportunity and there is low development potential for Parcel 913.

### **PROPOSED STEWARDSHIP COUNCIL BOARD ACTION**

At its May 3, 2017 meeting, the Stewardship Council Board of Directors will review the recommendation from the Planning Committee and decide whether to make a finding of No Significant Public Interest Value. All stakeholders, including tribes, also received an opportunity to comment on the proposed finding 30 days in advance of the board meeting where action would be taken on the proposed finding. There will also be opportunity to comment in person at the board meeting.