



**DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT  
NOVEMBER 12, 2024**

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**Prepared by:** Amy Wolfson, City Planner

**DATA SUMMARY:**

**Application Number:** 24PLN-29  
**Subject:** Conditional Use Permit and Development Review for a Carbonizer wood debris processing site and senior firewood program  
**Location/APN:** 12270 La Barr Meadows Road / 022-160-038  
**Applicant:** Martin Wood, SCO Planning & Engineering  
**Zoning/General Plan:** General Industrial (M-2), Light Industrial (M-2)/Manufacturing-Industrial (M-1)  
**Entitlement:** Use Permit and Development Review  
**Environmental Status:** Exempt per CEQA Guidelines: Class 1, Class 4, Class 7, Class 8

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**RECOMMENDATION:**

1. That the Development Review Committee recommend that the Planning Commission approve the Use Permit and Development Review applications for the carbonizer wood debris processing site and senior firewood program at 12270 La Barr Meadows Road as presented, or as modified by the Development Review Committee, which includes the following actions:
  - a. Determine the project Categorical Exempt pursuant to Section 15301, 15204, 15307, and 15307, Classes 1, 4, 7, and 8, of the California Environmental Quality Act (CEQA) Guidelines, as detailed in the staff report;
  - b. Adopt Findings of Fact for approval of the Development Review Permit as presented in the Staff Report; and,
  - c. Approve the Use Permit and Development Review Permit for the proposed for the Carbonizer wood debris processing site and senior firewood program at 12270 La Barr Meadows Road at 12270 La Barr Meadows Road in accordance with the Conditions of Approval, attached to the Staff Report.

**BACKGROUND:**

The subject property is one of 15 parcels that were associated with the former Bear River Saw Mill site, previously owned by Sierra Pacific Industries. Portions of the Bear River Saw Mill site were used for processing and storage of hard rock gold mining materials from the 1850s to the 1930s, and for lumber milling from approximately 1956 to 1978. The mill development involved substantial grading and road construction. The site was subsequently operated by Rare Earth Landscape Materials around 2014, who initiated a Voluntary Cleanup Agreement with the State Department of Toxic Substances Control (DTSC) and encapsulated a 2-acre portion as part of that agreement. In 2017, the site was approved by the County to be used as a debris management site to receive and grind trees cleared from utility in high hazard zones

per an executive order. Nevada County took ownership of the property in 2022 and filed a Land Use Covenant pursuant to the terms of the Voluntary Cleanup Agreement.

City staff began conversations with the County about the proposed uses in June 2024. Staff recommended that the County process the project under County regulations due to the number of exceptions and special findings that would be needed to process this project with the city. Pursuant to Government Code section 23004, county jurisdictions are permitted to manage their properties “as the interests of its inhabitants require.” However, the County opted to have the city process this project under city regulations, so several special findings are incorporated for the review body’s consideration.

**PROJECT DESCRIPTION:**

*Carbonizer:* This is a proposed Conditional Use Permit to allow for a carbonizer processing operation, which includes outdoor storage relating to tree logs to be stored prior to carbonizing treatment, as well as outdoor storage and firewood processing relating to the senior firewood program operated by Gold Country Seniors, which is currently operating at the site under a Limited Term Permit issued to the county. The project site is located at 12270 La Barr Meadows Road. In addition to the Use Permit, the county is requesting to amend their Limited Term Permit, 24PLN-24, to allow the storage of the logs and woody debris while the city processes the use permit.

The carbonizer operation will take place in the rear, western half of the property on the M-2 zoned portion, adjacent to SR 49/20. Log collection and storage will occur 7 months of the year (April to October), while the carbonizer will operate the remaining 5 months of the year. During the carbonizer operation period, there will be an on-site porta potty, stored fuel, Operational site components of the carbonizer processing operation include up to two carbonizer machines, fuel storage, shipping container storage, water storage. 500 gal. water trailer, office trailer, an on-site porta potty, stored fuel, and a large log and woody debris storage area; During the carbonizer operational period, machine operators may stay overnight in RVs parked on-site. The carbonizer runs 24/7 Monday through Friday. The carbonizer works by extreme-heating the logs to turn them into biochar, a carbon-rich soil additive. Here is a link to a carbonizer demonstration: <https://www.youtube.com/watch?v=zLbq5WbMedA>.

*Senior firewood program:* The senior firewood program will operate on the front, eastern half of the property on the M-1 portion of the property and may be visible from La Barr Meadows Road. Operational components of the senior firewood program include firewood storage, shipping containers, a shade awning, and a dumpster, along with parking for up to 12 standard vehicles and 3 dump trailers. The operation is proposed on an existing asphalt pad, over a mine-waste encapsulation area, which is encumbered with a land use covenant by the CA Department of Toxic Substance Control (DTSC). The hours of operation for the firewood program are from 8 a.m. to 12 p.m. Monday through Wednesday, whereby Monday and Tuesday activity involves wood delivery and Wednesday activity involves wood processing and splitting.

**PROJECT INFORMATION:**

*Access, Parking & Circulation* – The site has existing gravel and earthen access driveways from previous industrial uses on the site providing internal circulation. The property will be accessed from the County’s corporation yard property located directly south (12350 La Barr Meadows Drive). The access to La Barr Meadows Road includes a center left turn lane and acceleration lane and right in-right out tapers for safe ingress/egress into the site

*Landscaping and Screening*– Section 17.34.020 of the municipal code requires that “all parts of a site not devoted to decks, patios, structures, and similar improvements, driveways and/or parking improvements....” are required to be landscaped. Section 17.30.040(F) requires screening between an industrial land use and a zone that allows single-family dwellings, such as the County residential zoning across the highway. The required screening would include a six-foot solid, decorative wall and plant material.

The County has not proposed landscaping for this project and is asking the review authority to consider the significant distance and existing tree cover on the property as an effective screen. The County plans to construct an animal shelter at this site between the proposed uses and La Barr Meadows Road, which will be developed with traditional landscaping, and is expected to obscure public view of the proposed uses to a large degree. The Planning Commission may make a finding that the intent to visually soften the industrial use from public views is met with the existing tree cover and the future animal shelter project (See finding 9).

*Lighting* – There are no proposed light fixtures for either the carbonizer use or the senior firewood program. There will be lights associated with the excavator, used to load wood material into the carbonizer, and also on forklifts for loading and moving the biochar product during nighttime operations. The city’s outdoor lighting standards do not address equipment lights. The site has a thick canopy of conifer trees between the site and the highway and the nearest residential use is 200-feet away from the use.

Noise – Bollard Acoustical Consultants, Inc prepared an Environmental Noise Assessment. The noise study concludes that sensitive receptors are far enough away from the noise source to satisfy *Nevada County* noise exposure limits at the nearest residences.” The noise specialist determined that because the sensitive receptors across the highway were in the County’s jurisdiction, that the County’s standards were appropriate to use for this analysis. The noise study also appears to measure the ambient noise of the highway to be louder than carbonizer and firewood operations, both for daytime and nighttime operations, which satisfies the City’s standards pursuant to section 8.28.060 of the city municipal code based on Table 1 of the noise study. Staff has requested that the applicant have the noise specialist verify that staff is interpreting the data correctly and verify that ambient noise levels associated with the adjacent highway are louder than those associated with the carbonizer, and firewood processing uses.

*Biological Resources* – Greg Matuzak Consulting LLC prepared a Biological Resources Inventory and Jurisdictional Determination in December 2019, which included the subject property. The report concluded that a nesting bird survey should be conducted prior to tree or vegetation removal if occurring during the bird breeding season. It also concluded that the site contains marginal suitable habitat for the coast horned lizard. The County had Matuzak Consulting prepare a Coast Horned Lizard Pre-Construction Survey dated October 2024 prior to operations associated with the Limited Term Permit. The survey did not result in observations of the lizard and concluded that it was unlikely to occur within the project area.

Lastly, the 2019 report includes recommendations avoiding impacts to the mapped wetlands on the site and the seasonal ponds, which have been made conditions of project approval.

*Shipping Containers* – The County is proposing to place a total of four shipping/cargo containers on the site for both the firewood and the carbonizer operations. Pursuant to section 17.44.170 (F.4), the location and use of cargo containers are prohibited within the city except during limited term construction activities. The County tried using Tuff Sheds for material storage on the site, but experienced break-ins and damage to the buildings. They are proposing to clad the containers with horizontal siding and a faux window to mimic the appearance of a standard shed. The Planning Commission may make a finding that the intent to prohibit shipping containers from properties within the city is satisfied by the cladding treatment as proposed or as may be further conditioned (See finding 10).

*Recreational Vehicles* – The carbonizer operation requires operators that have received specialized training. Since the operation is proposed to operate 24/7 during the winter months, the county has requested that the city consider their optional request to allow recreational vehicles onsite only during the months that carbonizer is operating to allow the trained personnel direct access to the equipment all day and night. Residential use is not listed as a permitted use in either M1 or M2 zones. However, the request is similar to allowing trailers or mobile homes during construction projects, which are allowed with a limited term permit. The Planning Commission may make a finding that the intent to prohibit residential uses from industrial-zoned properties is satisfied because the nature of the recreational vehicle occupancy is temporary, only operating during times the carbonizer is in use (See finding 11).

*Porta-potties*- The Nevada County Environmental Health Department is allowing the Couty to use port-a-potties for a duration not to exceed three years. After that time-frame they will be required to install an onsite sewage disposal system.

*Tree Removal* – According to a submitted grading plan, a total of 10 conifer trees, all less than 10-inches DBH, will be removed to accommodate a connecting drive aisle between the carbonizer use and the firewood processing use. Pursuant to section 12.36.035 of the municipal code, trees less than 10 inches DBH are exempt from needing a tree removal permit.

## **GENERAL PLAN AND ZONING:**

*General Plan* - The project area has a land use designation of Manufacturing-Industrial, the intent of which is to accommodate a variety of industrial and service commercial uses. Although occupied by free-standing businesses without any overall internal plan or restrictions, M-I districts benefit from some clustering of compatible industrial or service commercial uses. Typical uses in M-I designated areas are: light manufacturing; automotive services, warehousing/distribution; and wholesale-retail outlets. The potential for adverse impacts from M-I activities heightens the importance of proper location (relative to the surrounding community) and use of perimeter buffering.

*Zoning* - The property is within the M-1 (Light Industrial) zone and the M-2 (General Industrial) zoning designations. The M-1 zone is applied to areas appropriate for a range of

light industrial uses, and the M-2 zone is applied to areas appropriate for a range of heavy industrial activities including manufacturing, assembly and processing, the storage and distribution of raw materials, aggregate plants, and related industrial uses that are generally compatible with and require locations removed from residential and visitor serving uses. The carbonizer use is proposed on the M-2 zoned portion of the property, while “carbonizer” or “biomass treatment” is not specifically listed in the uses allowed within the land use table, “heavy manufacturing /processing” along with “outdoor storage” are allowed uses with a use permit. Heavy manufacturing is defined as having potential for significant impacts on the surrounding land uses due to the intensity or scale of operations. The Planning Commission may make a finding that the intent to allow heavy manufacturing/processing uses includes the proposed carbonizer use through a use permit process (See finding 12).

### **ENVIRONMENTAL DETERMINATION:**

Pursuant to CEQA an Initial Study is required to be prepared in the absence of an applicable exemption pursuant to CEQA Guidelines. In this case, the various components of the project can be considered exempt pursuant to Section 15301, 15204, 15307, and 15307, Classes 1, 4, 7, and 8, of the California Environmental Quality Act (CEQA) Guidelines, further described below:

Section 15301, Class 1 (existing facilities): The project site was previously a portion of the Bear River Mill which began operation in 2015. The mill development involved substantial grading and road construction. In 2017, the site was approved by the County to be used as a debris management site to receive and grind trees cleared from utility in high hazard zones per an executive order. The senior firewood operation will take place on an existing concrete encapsulation area installed to contain contaminated soils. The key consideration of the Class 1 exemption is whether the proposed project involves no or negligible expansion of use. The proposed use for wood debris management is substantially similar to that of the prior operations on the site and is not anticipated to be a substantial expansion of the prior uses. The key consideration of the Class 1 exemption is that the proposed project involves no or negligible expansion of use.

Section 15304, Class 4 (minor alterations to land): The proposed project involves grading up to 7,000 sq ft (0.15 acres) for the expansion of an internal road system serving both the senior firewood program, as well as the carbonizer program. While the grading occurs in a slope that averages 18% the area is small and involves the removal of only a small number of trees that are all under 10 inches DBH. Class 4 exemption may be applied to projects that consist of minor alterations in the condition of land, water, and/or vegetation, which do not involve the removal of healthy, mature trees. Consistent with this class of exemption, the grading area is relatively small and all trees proposed for removal are under 10 inches DBH.

Section 15307 & 8, Class 7 & 8: Class 7 and 8 exemptions apply to agency actions to assure the maintenance, restoration and enhancement of natural resources and the environment, respectively. The overall project objective is to remove unmarketable woody debris from sites throughout the County that are downed by storm, damaged by wildfire, and removed for purposes of reducing vegetative fuel sources. The resulting carbonizer wood product is biochar, which has beneficial uses for soil amendments and also is beneficial in its carbon capture capacity and ability to reduce greenhouse gas emissions when compared to other

wood processing methods such as burning. An operation to efficiently and beneficially reduce the vegetative fuel load throughout the County will aid in the protection of the environment (class 8) by reducing greenhouse gas emissions and will protect natural resources (class 7) by reducing the threat of wildfire risk within the County.

**FINDINGS:**

In accordance with Sections 17.72.30 J (Development Review Permit) and 17.72.60 F (Use Permit) of the Development Code, the Planning Commission is required to make the following specific findings before it approves the Development Review permit.

1. The City received a complete application for the carbonizer, woody debris management, and firewood processing development review and use permit (22PLN-37).
2. The Development Review Committee reviewed the project in compliance with the California Environmental Quality Act and recommends that the Planning Commission find the project qualifies for a Class 1,4,7& 8, Categorical Exemptions in accordance with the California Environmental Quality Act and CEQA Guidelines.
3. The 2020 General Plan designates the project site as Manufacturing-Industrial (M-I). The carbonizer, wood debris management, and firewood processing development review and use permit Project is consistent with the General Plan or any applicable Specific Plan.
4. The proposed project is allowed within the applicable zone and complies with all other applicable provisions of the Development Code and the City Municipal Code.
5. The design, location, size, and characteristics of the proposed project is in compliance with any project-specific design standards in effect and any standards and guidelines for Development Review Permits.
6. The project complies with all applicable provisions of the City's Design Guidelines.
7. The project can be adequately, conveniently, and reasonably served by public facilities, services, and utilities.
8. That as conditioned, the Use Permit will not adversely affect the health or safety of persons residing or working in the neighborhood or the property and will not be materially detrimental to the public welfare or injurious to property or improvements of the environment in the neighborhood.
9. That the intent to visually soften the industrial use from public views and meet screening and landscaping requirements is met with the existing tree cover and the landscaping that will be required with the future animal shelter project.
10. That the intent to prohibit shipping containers from properties within the city pursuant to section 17.44.170 (F.4), of the city municipal code, is satisfied by the cladding treatment as proposed or as may be further conditioned.
11. That the intent to prohibit residential uses from industrial-zoned properties is satisfied because the nature of the recreational vehicle occupancy is temporary, only operating during times the carbonizer is in use and will not be located permanently on the site.

- 12. That the intent of the M-2 zoning designation to allow heavy manufacturing/processing uses includes the proposed carbonizer use with a use permit.

**RECOMMENDED CONDITIONS OF APPROVAL:**

PLANNING

- 1. The approval date for Development Review is \_\_\_\_\_ with an effective date of \_\_\_\_\_ pursuant to Section 17.74.020 GVMC. This project is approved for a period of one year and shall expire on \_\_\_\_\_ unless the project has been effectuated or the applicant requests a time extension that is approved by the Development Review Committee pursuant to the Development Code.
- 2. Due to the number of special findings needed to find this project in compliance with the city’s development code, any part of the operation proposed as part of this use permit that ceases for a duration of a minimum of 12 months shall be null and void unless another use permit is approved for that operation, and may require a new pre-construction survey for the coast horned lizard pursuant to the Biological Resource Inventory prepared by Greg Matuzak Consulting, LLC dated December 2019.
- 3. All utility hookups for the recreational vehicles, if used, are to be permitted by the city building official.
- 4. All recreational vehicles, if used, are to be removed from the site during the time period that the carbonizer equipment is not in operation.
- 5. The final design shall be consistent with the Development Review application and plans provided by the applicant and approved by the Development Review Committee (24PLN-29). The project is approved subject to plans on file with the Community Development Department. The Community Development Director may approve minor changes as determined appropriate.
- 6. The dates and hours of the carbonizer, wood management processing, and the senior firewood program operations shall be as described in the application.
- 7. All activity associated with this Use Permit shall at all times be in compliance with the Land Use Covenant on file with the application and recorded with the Nevada County Recorder as document no. 20240011026.
- 8. Removal of trees and blackberry bushes shall be conducted outside of the bird breeding season, between March 1 through August 31. If proposed to occur within the bird breeding season, a pre-construction survey shall be conducted by a qualified biologist within 250 feet of the disturbance area. If any nesting raptors or migratory birds are identified during surveys, active nests should be avoided and a no-disturbance buffer should be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a wildlife biologist determines that the young have fledged. The extent of these buffers would be determined by a wildlife biologist and would depend on the special-status species present, the level of noise or construction disturbance, line of

sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors should be analyzed to make an appropriate decision on buffer distances.

9. There shall be no disturbance associated with this permit, within 30-feet of the edges of any wetland or pond feature mapped in Appendix H of the Biological Resource Inventory and Jurisdictional Determination prepared by Greg Matuzak Consulting LLC, dated December 2019
10. Property lines shall be verified prior to tree removal, pursuant to the Biological Resource Analysis prepared by Greg Matuzak, dated September 2023 and prepared for the applicant.
11. Any proposed action that would place fill or dredge material within areas identified as Corps jurisdictional wetlands or waters will require a Department of the Army Section 404 permit and a RWQCB Section 401 Water Quality Certification, or waiver thereof, prior to the placement of fill or dredge material within such features
12. The following Best Management Practices shall be implemented for any disturbance within 30-feet of the edges of any wetland or pond feature mapped in the Biological Inventory Appendix H:
  - a. Limit construction to periods of extended dry weather and the dry summer season, where feasible;
  - b. Establishing the area around the wetlands and seasonal ponds as Environmentally Sensitive Area (ESA) where those areas will not be impacted by construction or thereafter;
  - c. No fill or dredge material will enter or be removed from the wetlands or seasonal ponds during construction and thereafter;
  - d. Placement of soil erosion control devices (such as wattles, etc.) between the disturbances within the Project area and the edges of the wetlands and seasonal ponds to limit potential runoff and sedimentation into those features;
  - e. Use appropriate machinery and equipment to limit disturbance in those areas;
  - f. No dewatering of the drainage will occur during construction or thereafter; and
  - g. Implement Best Management Practices (BMPs) during and following construction
13. If chipping is necessary to process wood debris, it shall be conducted during daytime operations between the hours of 7 a.m. and 8 p.m.
14. The applicant agrees to defend, indemnify, and hold harmless the City of Grass Valley in any action or proceeding brought against the City of Grass Valley to void or annul this discretionary land use approval

### Fire

#### *Senior Firewood Program:*



15. The Senior Firewood Program operations document shall be updated to include the following operational requirements in the section titled "Fire and general safety at the site," and shall include the definitions outlined below:

- a. A 30-foot "fuel modification area" shall be provided around the entire perimeter of the program site.
- b. The interior portion of the site shall be mowed/cleared and maintained so that "flammable vegetation" is no higher than 4" above mineral soil and free of "refuse piles" and/or "combustible materials."
- c. Provide adequate separation between individual firewood stacks to allow for firefighting operations if necessary.
- d. DEFINITIONS:
  - i. Fuel Modification Area: "Fuel Modification Area" shall mean a strip of land in which the following fuel reduction activities are required to occur. – Area is mowed/cleared so that "flammable vegetation" is no higher than 4" above mineral soil, free of "refuse piles" and "combustible materials", and trees shall be free of branches 6' up from the ground. If shrubs are located under tree branches an additional clearance equal to 3 times the height of the shrub shall be required. If the height of the tree does not allow the 6' and/or 3 times the shrub height of clearance, clearance shall not exceed one-third (1/3) of the overall tree height.
  - ii. Flammable Vegetation: Includes, but not limited to, dead/dry tree needles and leaves, dead/dry grasses of over 4" in height, tree limbs, bushes/shrubs, trees less than 6" diameter at breast height (Dbh), manzanita, dense berry thickets, or other invasive or noxious plants, that constitute a fire hazard and/or endanger people or property.
  - iii. Combustible Materials: Heavy fuels, slash, refuse piles, dead trees, or tree branches (either standing or downed), that constitute a fire hazard and/or endanger people or property.
  - iv. Refuse Piles: Accumulations of flammable vegetation and/or combustible materials, rubbish and/or scrap materials, including but not limited to, wastepaper, wood, straw/hay, litter, or other flammable or combustible waste.

*Carbonizer Log Deck Storage:*

16. Provide 1, 5" above ground water supply line with fire department connections from private fire water systems (hydrant) capable of flowing a minimum of 1750 gallons per minute and accessible from access road surrounding logging deck. This shall be to the satisfaction of the Fire Department.

- a. System shall be operational prior to storage of logs or other material and maintained for use for durations of permit
- b. CFC Section 2806, 2806.2 Cold Decks shall not exceed 500ft in length, 200ft in width, or 20ft in height. Cold decks shall be separated by 100' from other decks or other exposures including vegetation
- c. Provide access to corporation yard for use of fire hydrant
- d. Multiple logging decks will require additional private water system or relocation of current supply hydrant after limited term permit expiration

**ENGINEERING:**

*Hazardous Materials*

17. With the proposed existence of hazardous material storage at this location, the applicant and/or facility operator shall adhere to all applicable codes and regulations regarding the storage of hazardous materials and the generation of hazardous wastes set forth in California Health and Safety Code Section 25500 - 25519 and 25100 - 25258.2 including the electronic reporting requirement to the California Environmental Reporting System (CERS). CERS | California Environmental Reporting System
18. Upon approval from local Planning, Fire, and Building Departments, the applicant and/or facility operator must apply for and obtain a permit for the storage of hazardous materials and the generation of hazardous wastes from the Nevada County Department of Environmental Health (NCDEH), the Certified Unified Program Agency (CUPA). In this case, an HMBP (Hazardous Materials Business Plan). The applicant and/or facility operator shall secure and annually renew the permit for this facility within 30 days of becoming subject to applicable regulations.
19. NCDEH shall have full access rights to the facility, including roads across private property, for the purposes of inspecting and or investigating complaints related to the storage and disposal of hazardous materials, 24 hours per day, 7 days per week. If private gates restrict access to the facility, NCDEH shall be provided with keys or combinations of said gates, or be allowed to apply a lock to a chain of locks, should one exist. NCDEH access shall be part of the lease agreement with the private property owner.

*Sewage Disposal:*

20. Provide a service contract to NCDEH detailing which portable toilet rental company would be utilized. NCDEH expects a copy of this contract to be provided to NCDEH.
21. Prior to locating RVs on the site, provide an explanation of where and how the wastewater tanks are anticipated to be dumped. The response provided to NCDEH in the response letter is inadequate September 16, 2024.
22. Applicant shall install an onsite sewage disposal system for use by employees, that is in accordance with the County Codes and the Local Area Management Plan for an on-site

sewage disposal system (septic system) within three-years from the date of permit issuance. When this time comes, a permit for the construction of such a system shall be obtained from NCDEH via the On-site Soils Evaluation process.

*Solid Waste- Local Enforcement Agency (LEA)*

23. The proposed facility is considered a Transformation facility ( PRC 40201, Title 14 CCR Section 18720(a)(77)) and as such the applicant shall obtain a Full Solid Waste Facility Permit (SWFP). Submit a major plan check, along with applicable fees, to begin the permitting process. The plan check submittal shall be approved by Nevada County Department of Environmental Health (NCDEH), with concurrence from CalRecycle, before any construction of the Solid Waste facility can begin. The facility shall pass a final construction inspection with NCDEH, submit for annual Certificate of Operation permit, and pay applicable annual fees prior to opening. Contact the Solid Waste program within Environmental Health to get more information regarding this process.
24. If the applicant is seeking for this operation to be considered as a reduction in organic waste landfill disposal, an SB1383 Article 2 evaluation will need to be submitted to CalRecycle.

CA Department of Toxic Substance Control (DTSC):

25. While the storage of the operational site components listed in the Project Description are an appropriate use of the restricted area, please ensure that this use does not interfere with the annual inspection requirements listed in the Land Use Covenant (LUC) for the subject site. Specifically, Section 4.3c of the LUC which requires access to the cap for inspection and repair not be interfered with. Please note this may require site components to be moved as necessary to ensure the integrity of the cap. In addition, as per the Operation and Maintenance Plan for the subject property, inspections must be conducted routinely and any cap failures (i.e., cracks, divots, cap disturbance, etc.) not repaired within 14 days must be reported to DTSC. At a minimum, the LUC requires an annual inspection of the cap.
26. Applicant is required to notify DTSC of any changes or planned future uses of the subject site as soon as possible. This will help ensure the Department has sufficient time to evaluate the planned use and provide suggestions for remaining compliant with the LUC restrictions

Northern Sierra Air Quality Management District

27. All activities shall adhere to the approved dust mitigation plan outlined on the plans received September 17, 2024.

Nevada Irrigation District

28. Respect all easements. Any work done within easement; road, utility crossing, etc. will require review and permit from NID.
29. The proposed use will require relocation of PRV to east side of Hwy 49, within parcel in question. NID will work with County designer on layout and location.

**ATTACHMENTS:**

1. Aerial and Vicinity Maps
2. Applications
3. Applicant Project Description
4. Aquatic Resource Delineation Exhibit
5. Tigercat Carbonizer Brochure
6. Site Plan
7. Cargo Container Elevations

Special Studies available on the city's website (see attachment for link)