

Circumstances Justifying a Rezone/General Plan Amendment.

This is a petition for the rezoning of 70.35 acres from Ag-10 to TPZ. A proposed Zoning District Map Amendment for one parcel located off Billy Mack Road just North of Interstate 80.

Proposing to amend the existing Ag-10 zoning designation to Timber Production Zone-80 (TPZ-80) zoning designation for one privately owned 70.35-acre parcel. The General Plan Land Use designation is for AG-10, which is consistent with the requested TPZ zoning.

This request is consistent with the General Plan Policy objective 1.5.1 & 1.5.5, also consistent with Land Use and Development Code Sec. L-II 2.3b,c.

Categorical Exemption pursuant to CEQA Guideline, Title 14, Division 6, Chapter 3, Article 18, Sec. 15264.

California Government Code, Title 5, Division 1, Part 1, Chapter 6.7, Article 2, Section 51113

The subject Property known as Donner Property Tree Farm, Owners John J. & Claudia K. McDonagh, with no site address, Nevada County APN 17-020-17-000, Portion of the S1/2, of the SW ¼, Section 12, T17N, R15E, MDB&M, consisting of 70.35 acres.

My wife and I are requesting this rezone of our timber property to be consistent with our objectives. They are as follows:

- 1) A contract with the State of California for a California Cooperative Forest Management Plan. (See plan attached)
- 2) Initiate and implement management objectives outlined in the plan.
- 3) Work with resource professionals to insure compliance and efficacy.
- 4) Rezone farm to be consistent with growing and harvesting timber.
- 5) Completion of Certification with American Tree Farm System registry.

The subject property was last logged 2002-2005, THP # 2-02-242 NEV.

After the completion of the harvest in 2005, to the time of our purchase of the property in May of 2013, no management of the timberland was practiced. We purchased the subject property to establish a working tree farm and reduce the fuel loading that was part of the last harvest and subsequent tree mortality due to drought and disease. As outlined in the Cooperative Management Plan attached, this issue and others, will be mitigated to bring this farm back to productive growing and harvesting of timber products.

The general management objective is to produce marketable crops of forest products and to enhance the other resource values of the area. To accomplish this the following objectives must be adhered to: 1) Management activities must be in compliance with applicable State and Federal laws and regulations; 2) Periodic net

revenues must be obtained from the sale of forest products or other resource uses;
3) Capital investments must increase present net worth, or be needed to protect the forest resources from more costly damage.

The existing zoning designation of Ag-10 would allow subdividing into 10 acre developed agricultural sites. Due to the steep topography, limited access and the lack of utilities (electricity, developed water supply, sewage treatment, gas service, fire hydrants and a communication infrastructure), the cost of developing these lots would be very expensive. Managing of forest products and maintaining open space, will be beneficial to our contiguous neighbors, as well as the general public, and cost effective.


The surrounding neighbors: North, Tahoe Donner P.O.A., Open space, Forest.
East, US Forest Service, Open space, Forest.
South, State of California (I-80), Open space, Highway.
West, TD Land Trust et al, Open space, Forest.

The entire watershed has a great deal of developed land and development continues encroaching into open space with timberland conversions. Development is feasible and cost affective in the areas that have accessibility to utilities and established Property Owner Associations. The subject property has several watercourses, springs and seeps that are part of the watershed and contribute directly into Donner Lake. Our Cooperative Forest Management Plan addresses the protection of those water sources. By maintaining open space, watershed and wildlife protection along with prudent and responsible forest resource management for the production of timber products and compatible uses. We therefore request this rezone to TPZ District and believe this is consistent with relevant policies of Nevada County and the State of California.

This Written Statement of Circumstances undertaken on January 10, 2017 by:



John J. McDonagh, Owner



Claudia K. McDonagh, Owner