



County of Placer
Newcastle Ophir Municipal Advisory Council
175 Fulweiler Avenue ▪ Auburn, CA 95603 ▪ (530) 889-4010

5/16/2019 MEETING MINUTES: APPROVED 7/18/2019

7:00 PM, Thursday, May 16, 2019

**Newcastle Elementary School
645 Kentucky Greens Way
Newcastle, CA**

- 1. Call to Order & Pledge of Allegiance** - Time: 7:00 pm
- 2. MAC Members present:** Vice-Chair Dennis Jacinto, Edgar Sander, Sam Moore, Karen Green, and Andy Newby
 - **Absent:** Chair Steve Palmer and Elliott Rose
- 3. Statement of Meeting Procedures** – Read by Vice-Chair Dennis Jacinto
- 4. Approval of May 16, 2019 Agenda**
 - Approved: Karen Green / Edgar Sander / Unanimous
- 5. Approval of March 21, 2019 Minutes**
 - Approved: Sam Moore / Edgar Sander / Unanimous
- 6. Public Comment:**
 - Marilyn Jasper, on behalf of the Sierra Club and Public Interest Coalition, advised that Public Comment is now open on the winery/farm/brewery ordinance. They are in support of agricultural operations which include growing grapes, hops, grains, etc. to produce wine and/or beer. In rural, residential, and farm zones, roadside farm stands are allowed on public roads for tasting and selling both produce and value-added products like jam and whatnot. However, tasting wine and beer along the road isn't a good idea thus wineries and breweries are allowed tasting rooms on-site for their tasting and selling of their value-added products. Usually they don't sell the grapes or hops or the rest of it. As currently proposed, this wine/brewery ordinance will allow non-agricultural and non-conforming commercial events in our rural residential areas.

The Sierra Club objects to the creation of the unacceptable negative impacts both to the environment and to neighbors and communities. If unlimited events like this are wanted, the County, a couple of years ago, adopted an agricultural community event center ordinance. Another aspect of this "right to farm ordinance" only protects customary agricultural practices. But if this ordinance is approved as currently written, it will allow unlimited events such as weddings, reunions, parties, which are



The MAC is composed of appointed community members whose purpose is to advise the Board of Supervisors about activities and problems of the area represented. Residents are encouraged to attend and talk about issues important to them. More info at www.placer.ca.gov/bos/mac. Placer County is committed to ensuring that persons with disabilities are provided the resources to participate fully in public meeting. If you require disability-related modifications or accommodations, including auxiliary aid or services, to attend or participate in this meeting, please contact the Board of Supervisor's Office.



not “customary ag practices.”

Rural neighbors also have a right and that’s the right to their properties. Unlimited commercial events are considered non-conforming land use and they’re incompatible in residential farm or ag zone areas. The events disturb neighbors. Three very recent Grand Jury Reports dealt with exactly what the concerns are (traffic, noise, and so on), and they added the lack of code enforcement. But to be fair, many wineries and breweries that are resisting right now are sensitive and do respect their neighbors. But the proposed ordinance is an invitation to abuse.

The Sierra Club is urging MACs and rural residents to check out the draft environmental impact report. It’s on the County’s website. One section that might be of interest is Appendix C which contains substantial comments that were made. The deadline for comments is June 10th.

7. Reports:

A. Local Government: Placer County District 3 Supervisor: Jim Holmes reports:

- In March, Jennifer Montgomery, the District 5 Supervisor, was appointed by Governor Newsome as the director of the state’s Forest Management Task Force. There were 20 applicants but at the end of the day, Cindy Gustafson was appointed.

It’s been 30 years since Placer County had a representative for District 5 from the Lake Tahoe Basin. Back in 1980 Larry Sevinson was elected for that area and he did a very good job. He’s been on the Planning Commission, he’s also on the Tahoe Regional Planning Agency as well. When he ran for election in 1984, that was when all the supervisors were elected countywide. Larry Sevinson was pretty secure in the Tahoe area, but he lost the election countywide. Eric Henderson was elected and he was shocked because he didn’t think he had a chance. Eric Henderson served from 1984 to 1988.

A lot has changed in the last 30 years. A lot of development, King’s Beach Commercial Core Improvement Project, Tahoe City has been improved, Squaw Valley has had issues, etc.

Cindy Gustafson was the executive officer of the North Lake Tahoe Resort Association. She knows all the players and all the environmental groups. The Placer Board is really comfortable and grateful that she signed up. She has to run for office and hit the ground running because the primary is March 3, 2020.

She has a lot of work to do in the Auburn area and she’s already come down to spend a lot of time with the people in Auburn and the rest of the area such as



Foresthill.

- On May 28th, at the Placer County Board of Supervisors' meeting there will be a proposal for a North Auburn - Ophir Fire Safe Council. There haven't been many people from the North so Supervisor Holmes is trying to bring over to North Auburn – Ophir Fire Safe Council. There are a lot of issues in that area. Two of the biggest fires were in that area. Back in the 90s there was the Fawn Hill fire which came up Ophir and came up Fawn Hill and took out several homes. In 2009 there was the 49 Fire which destroyed 62 homes. There is a lot of issues out there, a lot of areas and neighborhoods that need to be looked at once the Fire Safe Council is set up and then work with fire wise communities. Supervisor Holmes will provide more information as it becomes available.
- Supervisor Holmes met with the Office of Emergency Services and was impressed by all the work being done. They had a joint training with Cal Fire and the Sheriff's Office out of Station 180. The Incident Command Mobile Unit was set up. It was great to see everyone working together.

B. Public Safety (5 minutes each):

- Newcastle Fire Protection District:
 - 50 responses
 - "Pig Rig" Fire – fully involved big rig that was loaded with pigs and shut down a portion of the freeway.
 - Still working on the new fire station. The sign is back to "2019".
 - Preparing for RT130 which is a regional training taking place in the south end of Placer County.
 - The City of Rio Vista loaned an engine to Newcastle. The green engine has been decommissioned.
 - Working on all types of grant opportunities to purchase new personal protective equipment.
 - Newcastle is now part of a JOA with Placer Hills and Forest Hills Fire. Employees are shared so they float between the different stations in order to provide better service.
 - *MAC Member Green asked how many employees cover because it's a huge area.*

There are four (4) staffed stations that are open 365 days/ 24 hours between the JOA. There is the Newcastle Station, Station 84 in Meadow Vista, Station 86 in Weimar, and Station 88 in Forest Hill. There is a minimum staffing level of 2-3 employees on at a time. Hopefully the successful tax measures passing in Forest Hills and Placer Hills, the plan is to re-open Station 90 in Forest Hill. That will add another station in the JOA. It has taken a lot of time to get to this point and it will take



a little more time to get the Station 90 back up and running. That will add three (3) more qualified employees to the JOA.

- CAL FIRE – Battalion Chief John Woody
 - Concurred with Supervisor Holmes in that it was a phenomenal training with PCSO, OES and other agencies. The simulations were unified command with all agencies involved. Everything from major fires, one of the scenarios was the 49 Fire, as well as Hazmat, rescues, and active shooter events. It was their first time doing it but a lot of good input. Phenomenal training, common objectives, guidelines, terminology. They're hoping it becomes an annual training or as needed.
 - They're gearing up for fire season.
- CHP – Officer David Martinez
 - A new Area Commander, Scott Parker, has been appointed. He will make his way around here to introduce himself during the next few months.
 - Adding a third car during the graveyard shift. There was only two cars in service during 9pm to 6am. The calls for service during the night are going through the roof so another car was needed.
 - They are tossing around the idea of starting at 6pm at night until 4am. They want to get passed the 2am time frame.
 - Always been allocated for 37 officers. The previous commander, Steve Price, was successful in getting four (4) more officers.
 - They were awarded a grant in the Grass Valley CHP to address the speed corridors such as Highway 49, Highway 65 and some of the big unincorporated roads like Forest Hill and Auburn-Folsom Road. The grant will target speed violators and help reduce traffic collisions as well.
 - Most officers during the day

MAC Member Green asked what kind of statistics are collected. What were the ages for the DUIs?

Officer Martinez did not have that information with him, but he could obtain it. A lot of marijuana but there is no way to test for it. There is no presumptive limit for marijuana. If they pull someone over, they will run them through the same field sobriety tests as they do for alcohol. If they feel they are impaired and can't safely operate the vehicle they will take them in. They mainly want to get them off the road.

- Placer County Sheriff's Office – Deputy Toby Williams
 - Be weary of mailboxes and property in and around the streets and whatnot.



- Transient activity near the Ophir Park and Ride and drilling down into this area. They're working with POP (Problem-Oriented Policing) to address the situation and figure out if these are just nomads traveling around of if there's an actual camp somewhere.
- There was a pursuit a few nights ago that ended at Penryn and King. The male was from Newcastle and had a warrant. He was taken into custody.
- Mentioned the mutual aid training and reiterated how important it was and how well it went.

C. MAC Member Reports and Correspondence

- MAC Member Green advised that there is a new chai restaurant, North Fork Chai Co., in Newcastle. They have pastries and Chai drinks. They're located where the chocolate business was. They're open early and make all their own pastries.

8. Information Item:

A. Foothill Raw Water Pipeline Phase 2 Project Presentation – Presented by Heather Knutson, Associate Engineer / PCWA:

PCWA staff and project engineers provided an overview of the purpose of the Foothill Raw Water Pipeline Phase 2 Project. This project will give Placer County Water Agency (PCWA) the ability to deliver raw water from the American River to the Foothill Water Treatment Plant (WTP) independently of the normal supply of raw water from PG&E's South Canal, and will allow the transfer of treated drinking water from the future Ophir WTP to the Foothill WTP. The project is scheduled to begin construction in the summer of 2019 and take approximately 18 months to complete.

- PCWA has eight water treatment plants throughout Placer County.
 - The biggest is the Foothill Water Treatment Plant on Powerhouse Road in Newcastle. It serves over 100,000 customers.
 - For the last few decades they've been trying to get a redundant source of water to this plant because it is the biggest one.
 - It supplies water to Roseville, parts of Lincoln, all of Loomis and Rocklin.
 - In 2011, a pipe along Ophir Road was constructed from the current pump station. They need to continue the pipe to complete the project.
 - Building 1.5 miles of 45 to 33-inch raw water pipe from Hillview Road to Foothill.
 - Another 18-inch treated water pipe is being built for future use at the same time to save money.
 - \$17 million for construction.
 - Some impacts to the road along the pipeline route – especially Indian Hill

- Road but no road closure anticipated.
- Glenville Road may be closed for as much as 10 days.
- Sierra Oaks Court will be impacted.
- PCWA will be meeting with the neighborhood before the construction starts.
 - *Beverly Roberts asked if the neighborhood will be advised of the impacts.*
PCWA advised that they will consider putting that on their website but they have had contact with the residents.
- The project is described in detail and updated on PCWA's website (<https://www.pcwa.net/about-pcwa/projects>).

9. Action Item(s):

A. **Westwood Family Cellars (continued from 3/21/19 meeting) – presented by Kally Keding-Cecil, Associate Planner**

The MAC was asked to make a recommendation to the Planning Commission on a proposed 8-lot subdivision with a winery on a 38.57-acre lot located on Indian Hill Road in Newcastle. The project requires approval of a Tentative Subdivision Map, a Rezone, and an Administrative Review Permit. The project would be constructed in two phases, with Phase I consisting of the subdivision and associated improvements, and Phase II consisting of the winery and associated improvements.

- The Public Review process opened March 22nd and closed April 22nd.
 - Public comment letters were received from:
 - Caltrans – mainly to inform the County that Caltrans identified the intersection of Newcastle Road and Indian Hill Road as a potential location for future roundabout. That was not related specifically related to this project.
 - Central Valley Regional Water Quality Control Board – standard letter that they send to advise of the applicable water regulations
 - United Auburn Indian Community – advised of two resources that are located on the project site. As a result of that letter the project is conditional to avoid those two resources.
 - Neighboring property owner – concerned about the traffic issues mainly on Indian Hill Road.
- Going to the Planning Commission May 23rd.
- Ms. Keding-Cecil addressed the question that was brought up at the last MAC meeting regarding the size water line that would be serving the project. There is

a 12-inch treated waterline located Glenview Road and Indian Hill Road intersection. This project would have to enter into a facility-use agreement with PCWA, pay all fees and charges including the water connection charges, and the actual sizing of the pipe that would be serving the project based on the agency's velocity maximum of five feet per second and seven feet per second for fire flow. The actual size of the pipe is to be determined but there is water available.

- *MAC Member Jacinto asked about what keeps the hours of operation limited.*
 - Ms. Keding-Cecil advised that extending the operation hours would create significant traffic impacts for peak hours. The project would've been required to do greater improvements and potentially go through an environmental impact report. So in order to ensure that the project did not have as many impacts, the applicant chose to have limited hours of operation. If the applicant ever wanted to change the business hours, they would have to modify the permit and go through the current process again.
- *Mac Member Moore asked what the Administrative Review Permit does.*
 - Ms. Keding-Cecil explained that it allows for the construction and operation of the winery and also allows for six promotional events. This project has chosen to have six catered wine dinners as their promotional events (and to operate the winery).
- *MAC Member Green voiced concern for the left-hand turn lane being in Phase II and not in Phase I.*
 - Ms. Keding-Cecil explained that the traffic study that was done for the project determined that the level of traffic generated for Phase II is what triggered the left-hand turn lane. The traffic generated from construction in Phase I simply doesn't generate the level of traffic DPW requires for a turn lane.
- *MAC Member Green mentioned the substantial bicycle traffic on Indian Hill Road and asked if that was taken into consideration.*
 - Ms. Keding-Cecil advised that the bicycle traffic was taken into consideration in the traffic study and that the construction would not have an impact on the traffic.
- *Sue Stack inquired on the mitigation measures for the noise.*
 - Ms. Keding-Cecil explained that there was a noise study prepared by GC Burnet & Associates. The study looked at the impacts from the Union Pacific Railroad to the future residents of the subdivision. There are some mitigation measures that are imposed on the project. There is a mitigation measure that all special events (wine dinners) must end by 9:30 and all onsite activities shall be completed by 10pm. Amplified speech and sound



are not allowed to occur outdoors including the patio. Non-amplified speech and sound may occur on the patio. Deliveries will occur during normal business hours between 8am to 5pm. Additionally, the project has a conditional approval that the construction noise has to comply with the County standards for hours of operation for construction.

- Sue Stack commented to the MAC as a resident that she foresees bad traffic and doesn't see it helping Newcastle in any way. If they would put some amenities that help the community, that's a different thing, but it's a gated community and there's no pedestrian accommodations on Indian Hill Road. She doesn't see it benefitting Newcastle.
 - MAC Member Moore thinks it is a good project and recommended approval with the condition of a left turn lane be deployed in Phase I.
 - MAC Member Green thinks it's a very good project. It adds nature to the community. There are similar projects like this in other areas of the County, and they're well maintained, they add to the residential beauty of the neighborhoods. Her only concern is that the left-hand turn is appropriate from the on-set. She has a business on Indian Hill Road and is familiar with the traffic that comes up and down that road, whether it's trucks, cars, bikes, or skateboards. She is concerned that there wouldn't be some needs to slow things down a bit and allow for a left turn lane going into the property that would not impact people coming up and over and around the curves and going speeds beyond what they should be. If you're coming down from Auburn, you come downhill pretty good and she feels most have experienced it and having to break often as you come around those curves, before you know it you could be going 65 mph in the 45-50 mph zone. She would move with the recommendation of this project with the stipulation that the addition of a left turn lane be moved from Phase II to Phase I.
- ***Approved recommendation of this project to the Planning Commission with the stipulation that the addition of a left-turn lane be moved from Phase II to Phase I of the Project: Karen Green / Sam Moore / Unanimous***

10. Adjourned at 8:06 pm until the next regular meeting on July 18, 2019.