

Hansen Bros. Enterprises (HBE) proposes to change the zoning designation of four parcels in rural Nevada County, located adjacent to their existing sand and gravel harvesting operation at Greenhorn Creek. Three of the four parcels, Assessor's Parcel Numbers 38-430-02, 38-380-15, and 38-380-16, are located along the sides of the existing approved sand and gravel mining operation area and are proposed to be rezoned because the slopes of the existing harvesting area extend into the subject adjacent parcels. The fourth parcel, Assessor's Parcel Number 38-370-17, is located upstream of the existing operation and would be used to extend the operation further upstream to provide sustainability of the industry.

All four parcels are currently zoned Forest 40 Acres (FR-40) which is designated for the protection, production, and management of timber, timber support uses, including but not limited to equipment storage and temporary offices, low intensity recreational uses, and open space.

HBE proposes to change the zoning designation of all four parcels to combined Forest/Mineral Extraction 40 Acres (FR-40-ME). The purpose of the ME zoning is to allow for surface mining and to provide for public awareness of the potential surface mining to occur where adequate information indicates that significant mineral deposits are likely present. This zoning is only to be used on those lands that are within any of the compatible Nevada County General Plan designations and which are not in a residential zone. All four parcels, along with the surrounding area, have the General Plan land use designation of FOR-40. Creation of an ME District requires the land to either be designated as Mineral Resource Zone-2 (MRZ-2) or clearly demonstrate that significant mineral deposits are likely present. The land that is proposed to carry the ME designation is both MRZ-2 as shown on the Mineral Resource Map in Appendix A of this application and has significant mineral deposits as shown in the photos in Appendix B.

The four parcels that are proposed to be rezoned from FR-40 to FR-40-ME are part of a steep stream canyon with heavily wooded sides and a large sand and gravel deposit in the stream bed as a result of historic hydraulic mining. The combined zoning would allow for the continuation of the FR zoning in the forested areas while providing the appropriate zoning in the sand and gravel deposit areas where forested land does not exist. Additionally, the proposed operation would allow for the continuation of the removal of the unnatural deposit and return the streambed to a state that is similar to the native condition.

The change of zoning is consistent with surrounding land uses in numerous ways. The land downstream and adjacent to the proposed rezone parcels is currently zoned FR-40-ME with an approved mining permit. Surrounding forested lands are zoned FR or Timberland Production Zone (TPZ). A substantial area around the historic area of You Bet, located immediately east of some portions of the existing mining area, is zoned FR-40-ME. Several other active or former mining operations are located within the general vicinity. Provided that the surrounding land uses include National Forest, zoning and land use densities not less than twenty acres, and no residential designations, densification and increased residential disturbance is not a concern.

Changing of the zoning of the subject parcels would allow for the permitting of additional surface mining area to allow for the expansion of HBE's Greenhorn Plant. The Greenhorn Plant and surface mining operation is a locally owned and operation business that has employed Nevada County residents since it was purchased in 1973. HBE is not planning to increase the scope of their existing operation but to permit additional area with the intent to continue the operation in its current/historic capacities.

HBE's mining and plant operation is a necessary industry that provides aggregate to a wide variety of local and regional users. Products that are processed or manufactured from the sand and gravel deposit are used for: construction projects; roads; trails; residential and commercial landscaping; drainage improvements; septic systems and leach fields; concrete; stucco; mortar; utility trench backfill; and sand for arenas, sandboxes, and icy or snowy roads.

An additional benefit of removing the sand and gravel deposit comes from the nature of the operation. Sand and gravel that was exposed by historic hydraulic mining is transported downstream by the runoff of storms. If the material is not excavated, processed, and sold, the material continues to travel downstream into Rollins Reservoir reducing the water storage capacity in the lake. Rollins Reservoir is a water storage facility utilized by the Nevada Irrigation District and has various beneficial uses. Greenhorn Creek and Rollins Reservoir have been identified by the State of California as beneficial for drinking water supply, municipal and domestic water supply, and irrigation and therefore maintaining the capacity of the reservoir is critical. Nevada Irrigation District has even considered raising the dam height to increase the storage capacity at Rollins Reservoir.

All of the aforementioned information indicates the circumstances that justify rezoning the subject parcels and also meets the Counties objectives of fostering a rural quality of life by providing a local industry that utilizes a local material, sustains a quality environment by removing existing material that is then processed and provided as a product, sustains a local business that is strong and economical, and provides a planned land use that is appropriate to the character of the environment and does not require additional public services.