



## PLUMAS COUNTY PLANNING DEPARTMENT

DIRECTOR FERGUSON

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555 Main Street, Quincy, CA 95971

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**DATE:** November 8, 2024

**TIME:** 8:00AM

**TO:** Atlantic Richfield Company (Applicant) and Jonathan Lee (Property Owner)

**CC:** Tim Evans, Plumas County Planning Department, Senior Planner- Extra Help; Debra Lucero, County Administrative Officer; Dwight Ceresola, Plumas County District 1 Board of Supervisor; and Kevin Goss, Plumas County District 2 Board of Supervisor

**FROM:** Tracey Ferguson, AICP, Planning Director

**RE:** Conditions of Decision Building Permit #23-812 to demolish thirteen (13) Walker Mine Mill Site concrete structural remains located at 12000 Walker Mine Road, Genesee, Assessor Parcel Number (APN) 009-100-009-000.

**SENT VIA EMAIL:** [eevans@woodardcurran.com](mailto:eevans@woodardcurran.com); [tim.hilmo@bp.com](mailto:tim.hilmo@bp.com);  
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### **CONDITIONS OF DECISION:**

The property known as "Walker Mine" (Assessor Parcel Number 009-100-009-000) is designated as a SP-HB (Special Plan Historic Building) pursuant to the County General Plan including the Designated Historic Buildings list.

On November 7, 2024, after weighing all the evidence presented, the Planning Director found that while there was evidence presented as to the thirteen (13) Walker Mine Mill Site concrete structural remains contributing some value of the public interest, the compelling weight of the evidence proved the thirteen (13) concrete structural remains proposed for demolition, those being STR-17, STR-26, STR-27, STR-28, STR-31, STR-32, STR-33, STR-34, STR-35, STR-36, STR-37, STR-38, and STR-39 as identified in the Class III Inventory/Phase I Survey and NRHP/CRHR Eligibility Site Evaluation for the Walker Mine Project, updated August 2024, lack individual historical significance and sufficient integrity and no public comment was provided contrary, thus weighing in favor of granting the Applicant, Atlantic Richfield Company, the demolition permit, subject to the following conditions:

### **CONDITION #1**

Prior to the issuance of the demolition permit, a demolition site plan including the thirteen (13) concrete structural remains approved by the Planning Director for demolition, those being STR-17, STR-26, STR-27, STR-28, STR-31, STR-32, STR-33, STR-34, STR-35, STR-36, STR-37, STR-38, and STR-39 as identified in the Class III Inventory/Phase I Survey and NRHP/CRHR

Eligibility Site Evaluation for the Walker Mine Project, updated August 2024, shall be submitted with a note stating the following:

*In the event of an accidental discovery or recognition of any human remains, the Plumas County Sheriff/Coroner shall be notified and demolition activities at the affected work site area shall be halted. If the coroner determines the remains to be Native American: (1) the Plumas County Sheriff/Coroner shall contact the Native American Heritage Commission (NAHC) within 24-hours, and (2) the NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The treatment and disposition of human remains that might be discovered during excavation shall be in accordance with applicable laws and regulations.*

## **CONDITION #2**

Prior to the issuance of the demolition permit, a demolition site plan including the thirteen (13) concrete structural remains approved by the Planning Director for demolition, those being STR-17, STR-26, STR-27, STR-28, STR-31, STR-32, STR-33, STR-34, STR-35, STR-36, STR-37, STR-38, and STR-39, as identified in the Class III Inventory/Phase I Survey and NRHP/CRHR Eligibility Site Evaluation for the Walker Mine Project, updated August 2024, shall be submitted with a note stating the following:

*In the unlikely event of unevaluated cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.) being encountered, all earth-disturbing work shall stop within 50 feet of the find until a qualified archaeologist can make an assessment of the discovery and recommend/implement mitigation measures as necessary. Depending on the type and significance of the find, subsequent monitoring by an archaeologist or Native American may be warranted.*

## **PUBLIC HEARING FINDINGS FOR CONDITIONS OF DECISION:**

Support for the conditions of decision is shown by the following public hearing findings:

1. On November 4, 2024, the Planning Director held the continued public hearing from June 20, 2024; July 22, 2024; August 12, 2024; and September 16, 2024, for the application for the Demolition of Buildings and Building Remains Designated located at 12000 Walker Mine Road, Genesee.
2. The November 4, 2024, staff report recommendation the Project Action include holding the continued public hearing to determine the value of public interest and approve the demolition of the thirteen (13) concrete structural remains subject to the conditions of approval, as follows:
  - a. Prior to the issuance of the demolition permit, a site plan shall be submitted with a note stating the following: In the event of an accidental discovery or recognition of any human remains, the Plumas County Sheriff/Coroner shall be notified and construction activities at the affected work site shall be halted. If the coroner determines the remains to be Native American: (1) the Plumas County Sheriff/Coroner shall contact the Native American Heritage Commission (NAHC) within 24-hours, and (2) the NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The treatment and disposition of human remains that might be discovered during excavation shall be in accordance with applicable laws and regulations.

- b. Prior to the issuance of the demolition permit, a site plan shall be submitted with a note stating the following: In the unlikely event of unevaluated cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.) being encountered, all earth-disturbing work shall stop within 50 feet of the find until a qualified archaeologist can make an assessment of the discovery and recommend/implement mitigation measures as necessary. Depending on the type and significance of the find, subsequent monitoring by an archaeologist or Native American may be warranted.
3. At the September 16, 2024, public hearing Planning staff presented, that, to address the Tribal involvement concern raised by a member of the public during the public hearing on June 20, 2024, and the understanding that Tribes with traditional lands or cultural places located in Plumas County had not received communication of the proposed demolition, and although not required by California statute (California Public Resources Code (PRC) Sec. 21080.3.1(b)), the applicant proactively sent notifications to the following Tribes on July 15, 2024: Washoe Tribe of Nevada and California, Estom Yumeka Maidu Tribe of the Enterprise Rancheria, Greenville Rancheria of Maidu Indians, Honey Lake Maidu, Mooretown Rancheria of Maidu Indians, Pakan'yani Maidu of Strawberry Valley Rancheria, Susanville Indian Rancheria, TSI-AKIM Maidu of Taylorsville Rancheria, and Berry Creek Rancheria of Maidu Indians.
4. Subsequently, on September 3, 2024, Planning staff contacted the applicant, Atlantic Richfield Company, to inquire whether any Tribes to-date had requested consultation and was provided with a letter from Mooretown Rancheria of Maidu Indians dated July 31, 2024, requesting Tribal consultation on the project.
5. On September 9, 2024, Tim Hilmo, Atlantic Richfield Company, provided project information to Mooretown Rancheria of Maidu Indians electronically via email in response to the request for Tribal consultation.
6. As of the date of the public hearing on September 16, 2024, no date, time, or location had been scheduled for the Tribal consultation between the County and Mooretown Rancheria of Maidu Indians. Therefore, the public hearing was continued by the Planning Director to November 4, 2024, to allow additional time for the proactive Tribal consultation between Planning staff and Mooretown Rancheria of Maidu Indians.
7. As of the November 4, 2024, public hearing, Mooretown Rancheria of Maidu Indians, had not been in contact with the applicant or Planning staff to schedule a date, time, or location for the proactive Tribal consultation.
8. The August 2024 updated Class III Inventory/Phase I Survey and NRHP/CRHR Eligibility Site Evaluation for the Walker Mine Project prepared by Peter A. Carey, Principal Investigator, and K. Ross Way, A.A., ASM Affiliates, Section 6, Summary and Recommendations states the following: "No Native American archaeological resources were identified during the Class III inventory/Phase I survey."
9. Therefore, based on the Evaluation's review of Native American archaeological resources, it can be concluded that there would be no impact to Native American archaeological resources.

10. In the unforeseen circumstance that an archaeological resource is discovered during demolition activities and earth-disturbing work, Planning staff recommended two conditions of approval to address the inadvertent discovery of human remains or cultural resources.

**RIGHT TO APPEAL:**

All decisions of the Planning Director may be appealed in writing to the Clerk of the Board of Supervisors within ten (10) calendar days of the date of the decision. If the tenth day lands on the weekend, the end of the appeal period will be the next working day. The appeal will need to be based on relevant information stated or submitted at, or prior to, the November 4, 2024, public hearing by a commenting public member or representative, or certain County department heads as stated by County Code. There is a filing fee for the appeal. Fee information is available at the Planning Department. For more information, refer to Plumas County Code, Title 9 (Planning and Zoning), Chapter 2 (Zoning), Article 10 (Appeals).