

*Be Happy, Stay Rural!*

Board of Directors:

Brendan McCormack, President  
Judy Lawrence, Vice President  
Cindy Ellsmore, Treasurer  
Linda Frost, Secretary  
Diane Neubert, Member

Stevee Duber, Project Manager  
stevee@highsierrarural.org



*Post Office Box 65  
Sierra City, CA 96125*

*P: 530.862.1571  
F: 775.796.9492*

[www.highsierrarural.org](http://www.highsierrarural.org)

Board of Supervisors  
County of Plumas  
555 Main Street  
Quincy, CA 95971

July 16, 2009

**Re: Thran Tentative Parcel Map Appeal Hearing**

Dear Members of the Board,

The High Sierra Rural Alliance supports staff's recommendation to deny the Thran Tentative Parcel Map. HSRA has submitted comments for the Zoning Administrator's hearing on the Thran subdivision proposal. We reiterate our concerns and add the following:

- The Initial Study/Mitigated Negative Declaration concludes that soil erosion or the loss of topsoil is a less than significant impact. It relies on a letter from James J. Swann, P.E. of Swann Engineering (dated June 9, 2008 and included in Appendix E of the IS/MND). The IS/MND states:

"...there are no current land features that would cause erosion problems. According to Mr. Swann's letter, potential single-family residential development and associated driveways, accessory buildings, and septic systems, would cause no erosion or runoff concerns."

However, a full reading of Mr. Swann's letter includes an important caveat:

"NOTE: This letter does not cover crops or other major development that would seriously alter the features of the land."

Mr. Thran has stated repeatedly during the Zoning Administrator's hearings that he plans to grow a crop of winter wheat and/or hay to satisfy the requirements of the Williamson Act contract. An analysis of how converting the land from grazing to growing crops must be part of an Environmental Impact Report.

- In the lot line adjustment recorded by Mr. Thran on November 19, 2005, it does not appear that the County has proceeded according to Government Code 51257 which specifies procedure for lot line adjustments of Williamson Act contracted lands. The original contract entered into in 1973 does not appear to have been rescinded and a

new contract which enforceably restricts the adjusted boundaries of the parcel for an initial term of at least 10 years does not appear to exist. The County should determine if the omission constitutes a breach of contract and, if so, repair the problem.

- The proposed project does not comply with Government Code 51230 thru 51230.2 pertaining to the subdivision of Agricultural Preserves. The contract entered into in 1973 created Agricultural Preserve No. 49 which the subject property is a part.
- The proposed project is a poster child for the problems of rural sprawl. The public has clearly expressed opposition to this type of development in the Visioning Workshops conducted for the General Plan Update. The project cannot be found to be consistent with the future general plan.

Robert and Justin Thran along with Gene Zieman purchased four parcels consisting of 490 acres in April 2005 for approximately \$600,000. After completing the lot line adjustment in July 2006 two of the resultant 80 acre parcels were sold for approximately \$315,000 and \$280,000 each<sup>1</sup>. The third 80 acre parcel was transferred in repayment of a debt to Mr. Zieman leaving the Thrans in possession of the remaining 250 acre parcel, which is the subject of this tentative parcel map.

The division increased the price of the land from approximately \$1200/acre to almost \$4000/acre in about one year. The American Farmland Trust concludes, "Land price inflation caused by the demand for and, ultimately, the permissibility of, ranchettes and other rural development seem to represent a present danger that is undermining the economic viability of agriculture."<sup>2</sup>

This is an impact which threatens the viability of agriculture in the Sierra Valley; and is inconsistent with numerous statements on the record which favor larger minimum parcel sizes and increased protection of agricultural lands in the future general plan.

To approve the project and satisfy the requirements of CEQA, and the General Plan Extension, the Board would have to find, based on substantial evidence, that price inflation of rangeland would not result in conversion of agricultural land to non-agricultural uses, and price inflation would support agricultural viability in the Sierra Valley. Furthermore, the Williamson Act requires a specific and affirmative determination that each of the resultant parcels is large enough to sustain the agricultural uses to which it is restricted. There is no substantial evidence in the record which would allow conversion of the grazing land to cropland. There is no substantial evidence in the record that supports the notion that 80 acres of winter wheat or anything else for that matter is a viable economic unit on the subject property. We urge you to accept the Zoning Administrator's decision and staff's recommendation. Deny the appeal. Thank you for your consideration of these comments.

Sincerely,



Stevee Duber

---

<sup>1</sup> Plumas County Recorded Documents: 2005-0004450, 2005-0012646, 2006-0006471, 2007-0002346

<sup>2</sup> Ranchette & Other Development Outside City Spheres of Influence, American Farmland Trust  
<http://www.farmland.org/programs/states/futureisnow/ranchettes.asp>