

The Gold Rush's toxic legacy: A local example

The California Gold Rush changed the course of California history and future development throughout the west. During the Gold Rush boom years, hordes of Forty-Niners prospected at hundreds of sites in Amador and Calaveras counties. Amador County's rich Mother Lode later attracted a number of large underground mining enterprises, which built well-known, deep-rock mines including the Keystone, Central Eureka, Kennedy, and Argonaut.

Gold mining left our area with social, cultural, economic, and historical legacies. While the Argonaut Mine



produced more than \$25 million in gold by the time it was closed in 1942, the mine is also infamous for the devastating 1922 fire that trapped and killed 47 miners.

The Argonaut Mine is also one of thousands of sites in California that left an environmental legacy of contaminated water and soils. In spring 2015 the U.S. Environmental Protection Agency removed about 2,000 cubic feet of contaminated soil from part of the 65-acre Argonaut Mine tailing site on Argonaut Lane in Jackson. Some slopes on the site

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Fire safety a major issue in foothill general plans

After a massive disaster like the 2015 Butte Fire, it's easy to see the immediate need for planning to avoid or to lessen the harm of a future fire. An even better strategy is to use a general plan to respond to issues before they rise to the level of a disaster.

A good county or city general plan addresses critical land use issues including traffic circulation, workforce housing, natural resource conservation, open space protection, public safety, and noise. A good plan is a first step toward properly protecting property values, personal health and safety, beautiful and productive landscapes, economic vitality, and natural and cultural resources.

Fire safety and prevention are therefore an essential aspect of a good general plan in our rural, fire-prone counties.

El Dorado, Amador, and Calaveras have responded differently to fire safety planning in the wake of local fires and the recommendations of fire safety officials. County general plans are required to address fire prevention and fire-safety measures in their safety element, one of the seven required mandatory general plan elements.

Along those lines, the California Board of Forestry and Fire Protection and various staff at CalFire review the draft general plan safety elements and make recommendations for fire safety improvements. The local government in turn is supposed to adopt those recommendations, or provide some good explanation of why they can't. Currently the state Board of Forestry and Fire Protection reviews a safety element on nine grounds:

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In Memoriam **A. Jane Duncombe,** **Conservancy founding member**

Foothill Conservancy founding member Amelia Jane Duncombe of Amador City died November 24, 2015, after a long battle with Alzheimer's Disease. Jane was born in Ontario, Canada, on July 22, 1925. She attended public schools in Chicago and graduated with a degree in architecture from the Art Institute of Chicago's School of Industrial Design.



Jane Duncombe

Jane apprenticed with Frank Lloyd Wright in Wisconsin and Arizona. In 1951, she moved to California, where she practiced architecture for more than 50 years. She founded Duncombe, Rowland and Miller in Santa Rosa in the 1960s, then opened her own office in Marin County. Jane designed a variety of buildings, including private homes, institutions, and commercial structures.

In the 1980s, Jane purchased Amador City property with Susan Bragstad, another Conservancy founder who has been one of our directors since 1990. She designed a number of local buildings, including Andrae's Bakery in Amador City. She also performed architectural services

for remodels of historic buildings, including the Imperial Hotel, and donated architectural drawings for the remodel of Amador City's Amador Hotel.

Jane was the recipient of a *Sunset* Western Home Award. Her architectural drawings are collected in Virginia Polytechnic University's International Archive of Women in Architecture.

As a founding member of the Conservancy, Jane contributed her passion for well-planned development and her architectural and building expertise to our land use planning efforts. She was a loyal, active and contributing member until her health no longer allowed it.

Jane's survivors would like to thank the Amador Residential Care staff for all they did for her in recent years. In lieu of a memorial service or flowers, Jane asked that donations in her memory be made to the Foothill Conservancy.

We appreciate Jane's generous final gesture of support for our organization and extend our sincere condolences to all of her family and friends.

Important note about the Focus

After much discussion, we have decided to move to an electronic version of this newsletter, which will save us thousands of dollars a year. If you would like to receive your *Focus* by e-mail, please be sure we have your current e-mail address. If you'd prefer a mailed copy (or printed articles), please let us know that as well. Carolyn Schooley is the one to contact: carolyn@foothillconservancy.org, 209-223-3508.

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Laurie Lewis bluegrass benefit a huge success

Earth Day weekend was blazing in Mokelumne Hill. While the morning's excitement was burning down a Main Street house for training purposes, in the evening, the smoke cleared and bluegrass lovers flocked to hear the fiery fiddle playing of Laurie Lewis and the Right Hands at a sold-out concert in the historic town hall.

Renowned as a world-class bluegrass musician, Laurie last played for us in Moke Hill four years ago. Joining her this year were Tom Rozum on mandolin, Patrick Sauber on banjo, and Chris Simon on bass. All are known for their musical artistry, versatility, and expertise.

The audience was more than ready to settle in and enjoy the music. Half the fun of seeing Laurie and the fellas on stage is hearing the stories behind the songs and about the performers themselves. But when they started to play, the music grabbed our hearts, swept us up to the sky, across the mountains, through the forests, down the rivers, and back again.

Thanks to everyone who came and made this such a special evening — starting with Laurie and the Right Hands. We'd also like to thank Conservancy staff Reuben Childress and Carolyn Schooley, board members Pete Bell (aka "The Sound Guy"), Susan Bragstad, Katherine Evatt, Bob Leitzell, and Laurie Webb and volunteers Cynthia Bee, Sheila Berg, Kevin Brady, Rebecca Brown, Randy Gorsuch, Janet Higgins, Paula Leitzell, Gary Reinoehl, Katherine Venturelli, and Howard Webb for taking such good care of the band and our guests.

Thanks also to Feist, Karmere, Sobon Estates, and Terre Rouge and Easton wineries and Lagunitas Brewing Company for their fine beverage donations. We'd be remiss if we didn't also thank Mokelumne Hill resident Julia Costello, who has allowed the performers to use her Mokelumne Hill home before and during intermission for all of our Moke Hill performances.

Proceeds from the concert will benefit the Conservancy's work to protect, restore and conserve the Mokelumne River and watershed.

Meanwhile, Laurie and Tom, lifelong river lovers, will be the featured performers on at least one multi-day river trip this summer. You can join this great duo on a very special river trip. Check out Laurie's website for details, www.laurielewis.com.



Laurie Lewis performing in Mokelumne Hill for Foothill Conservancy

Thank you to our funders

Foothill Conservancy thanks the following funders for supporting our work to protect and conserve the Mokelumne River and watershed: the Clif Bar Family Foundation, the Patagonia Foundation, and the Rose Foundation for Communities and the Environment.

We compete for grant funds with a number of organizations and appreciate these financial votes of confidence.

Grant funds help pay our three staff (all of whom are local residents), support our program work, and keep the lights on and our office open.

Grants contribute to the local economy

Some in the community have actually criticized us for seeking out funding from outside sources. It's important to note that we spend the vast majority of our grant funds in Amador and Calaveras counties, where they contribute to our local economies.

Although the Conservancy has no formal "buy local" policy, it has long been our practice to spend our money here at home whenever possible. For example, Mother Lode Printing of Jackson has printed this newsletter for the past 26 years.



River heroes in action

We wish everyone reading this article could have been at the State Capitol in Sacramento on Wednesday May 18 —particularly around the noon hour. Why? Because you would have seen river activists and state representatives standing on the steps of the capital, saying “No more dams” for our precious rivers. You would have seen blue capes with the names of our state’s rivers on them —the Mokelumne, Stanislaus, Kern, Russian, and others, and the people wearing these capes declare they were the voices of those rivers. And, best of all, you would have seen those rivers “flowing” through the Capitol building, reminding legislators, agency representatives and their staffs that it’s time to protect our rivers —for now and for the future.



May 18 was “California Rivers Day,” hosted by our longtime Mokelumne Wild and Scenic river partner Friends of the River. The purpose of the event is to educate those outside and inside the Capitol about why our rivers matter and what they can do to protect them. Foothill Conservancy’s Katherine Evatt and Pete Bell led a group of interns from the Rose Foundation’s New Voices Are Rising leadership program to lobby key legislators on pending bills (good and bad) that could have a serious impact on our rivers and water supply. We really enjoy joining engaged, caring, young, urban, Mokelumne

water consumers who can share their love of the rivers with legislators and their staffs. In addition to discussing bills with statewide priority, we focused our discussions on the upcoming Mokelumne Wild and Scenic River study brought about by the passage of Assembly Bill 142 last year.

A good bill discussed during the day, Assembly Bill 2594, is authored by Assemblyman Richard Gordon (D-Menlo Park). It would entitle any public entity that captures stormwater under a stormwater plan or permit to use that water. Stormwater reuse provides a needed alternative to drawing water from rivers and aquifers. It is still proceeding through the Legislature.

Another bill, Assembly Bill 1649, by Assemblyman Rudy Salas (D-Bakersfield), is anything but river friendly. Salas’s bill would require the Department of Water Resources to establish policy that supports surface storage (dams) over other water supply solutions. AB 1649 would do this by giving Prop 1 funding priority to develop Joint Power Authorities (JPAs) to “address” surface water storage. AB 1649 recently stalled in committee when none of the Democrats would vote for it.

California Rivers Day ended with a festive reception to present the 2016 Capitol Rivers Awards. This year’s recipients were



Assemblywoman Susan Eggman (D-Stockton) and Senator Ben Allen (D-Santa Monica). Eggman is known for her history of working on river protection. This session she introduced legislation that would give California voters the opportunity to vote on Gov. Jerry Brown’s California Water Fix (the Delta twin tunnels). During his freshman year as a senator last year, Sen. Allen authored and championed Senate Bill 637, which requires evaluating suction dredge mining’s impacts on water quality and human health impacts before the state permits this activity in rivers and streams. The bill became law in October 2015.



Thank you Katherine and Pete for giving the New Voices Are Rising interns a chance to learn from the pros, and to Randy Gorsuch and Carolyn Schooley for manning the Conservancy’s table in the 90-degree heat!



Plymouth's Water Demand Study – so whose water is it?

In May the Plymouth City Council authorized City Manager Jeff Gardner to engage contractors for a water demand study. The impetus for the study began several months ago, when vintners (primarily large wineries) belonging to the Amador County Business Council requested that the council form a Water Committee to address their concern about future water supplies for the Shenandoah Valley.

The resulting Water Committee requested that Plymouth conduct a water study. The study overview presented to Plymouth stated “the purpose of the study is to investigate potential surface water supplies for the agricultural uses in the Shenandoah Valley.” The study overview estimated that a reliable future surface water supply for grape growers in the Valley would be between 1,000-2,000 acre feet a year.

During the January 28, 2016, Plymouth City Council meeting, the council members discussed the request for the water demand study and whether they should act as the lead agency for it. Meeting materials included the Water Committee's Study Overview and a staff report from City Manager Jeff Gardner stating that the business council would request funding for the study from the Amador Board of Supervisors. Testimony at the meeting and council members' questions dealt only with water supplies needed for future agricultural needs.

The City Council voted to request a \$30,000 grant from Amador County to fund the study. The Amador County Board of Supervisors approved the requested amount on February 9. The money will be taken from the Water Development Fund, a revolving fund established in 1958 with \$2 million from the East Bay Municipal Utility District, given in exchange for priority water rights needed for Camanche Reservoir.

As we go to press, the Plymouth City Council has approved moving to contract for the study with Toma and Associates of Jackson, an engineering and surveying firm owned by local developer and business council member *Ciro Toma*. The city chose not to request competitive bids for the project.

Foothill Conservancy requested information from Mr. Gardner regarding the firm's qualifications and expertise for conducting a water demand study, as well as whether Toma and Associates has previously

prepared a water demand study. We have not received a substantive response.

We will closely track the progress of this study. We're concerned it may be intended to “firm up” Plymouth's claimed pre-1914 “right” to divert 22,000 acre feet of water a year from the Cosumnes River.

We have long questioned the nature and extent of that claimed water right. Water claimed in a pre-1914 water right can only be used in the locations and for the purposes intended at the time the water right was established. The city has an appropriative water right recorded on Big Indian Creek (a tributary of the Cosumnes), but has not to our knowledge presented documentation necessary to provide sufficient legal confirmation on the existence and extent of its pre-1914 water rights on the Cosumnes. As far as we know, that water right has never been found valid by a court.

The Cosumnes is the only Sierra river that flows from its headwaters to the valley floor without a major dam or diversion. Conservationists and scientists consider it an important study river, and its flows are critical for salmon and steelhead downstream and the Cosumnes Preserve.

Conservancy watershed staffer goes to Denver

Foothill Conservancy Watershed Conservation Associate *Reuben Childress* traveled to Denver in April to attend a National Forest Foundation Collaborative Restoration Workshop. Four other members of the Amador-Calaveras Consensus group also attended. Together, they collectively represented the ACCG and the Cornerstone Collaborative Forest Landscape Restoration Project, which spans portions of the Amador Ranger District on the Eldorado National Forest and the Calaveras Ranger District on the Stanislaus National Forest.

The purpose of the workshop was to bring together people and groups working on increasing the pace and scale of forest restoration through collaborative processes so they could share what is working and develop strategies to overcome challenges. About 300 collaborative restoration practitioners, including Forest Service staff, partners, and community-based stakeholders attended.

Many attendees are experiencing the same challenges to project planning, implementation, and monitoring. After sharing these, groups were able to share solutions they found to overcome some of these.

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Watershed staffer goes to Denver

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After the workshop, Reuben remarked, “One thing this workshop made very evident was just how much work we need to do maintaining our forested lands across the nation. Fires like the Butte Fire last summer give us harsh reminders of this. However, when you see the challenges we face on a national level it’s a whole new ball game.

“I think these collaborative processes really are our best hope to increase the pace and scale of work managing our forests in a healthy way for all of the resources out there,” he added. “These processes find solutions for the age-old arguments between environmental and industry voices.

There’s a middle ground to be found restoring forests following the more than 100 years of fire suppression that led us to where we are today.”

Reuben received a scholarship for his trip to Denver from the National Forest Foundation. He returned with a fresh perspective on resource management questions as well as an increased understanding of the similar challenges facing collaborative forest groups around the nation.

If you would like to chat with Reuben about issues we work on in the national forests, nearby lands, and resource projects around the Central Sierra, give him a call at 209-223-3508 or send him an e-mail: reuben@foothillconservancy.org

Rivers lose a true friend with the passing of George Wendt

By Foothill Conservancy President Katherine K. Evatt

Calaveras County, Foothill Conservancy, and the world’s rivers, including our own Mokelumne, lost a true friend on July 9 with the passing of O.A.R.S. founder George Wendt of Angels Camp. George died from non-Hodkin’s lymphoma at age 74, surrounded by his family. Our hearts go out to his sons Clavey and Tyler and all of his many friends around the world.

I first met George at a Friends of the River festival at Sacramento State years ago, where my husband Pete Bell and I staffed the Foothill Conservancy Mokelumne River conservation display. He asked if we’d like to take a raft trip on the Tuolumne River, a typically generous offer. I thanked him and said, “What we’d really like to do one day is raft the North Fork Mokelumne from Salt Springs to Tiger Creek, since we have worked so hard to save it.”

George made that happen a couple of years later in a day I will never forget. I started the trip as a fairly terrified rafting newbie, but the trip hooked me on rafting for life and gave me new resolve to work for our wild and scenic river.

Then in 2009, when the East Bay Municipal Utility District proposed to flood miles of the Mokelumne upstream of Pardee Reservoir, George was there by our side. He testified at difficult public hearings, including one only two days after his dear wife Pam’s death. I’ll never forget that, either.

George testified at county hearings, attended legislative hearings, wrote editorials, and lent his ever-calm, kind voice to often-overwrought wild and scenic legislative discussions.



George Wendt

Since 2009 O.A.R.S. has donated river trips on the Mokelumne to the Foothill Conservancy to promote Mokelumne conservation. Those trips have raised more than \$40,000 for our work and brought the beauty of our river to hundreds of river lovers from ages 8 to 80. George and his company also provided a raft and guide whenever needed to share the Mokelumne with funders and VIPs.

In addition to being a wonderful river partner, George was one of the finest people I have ever known. He was very successful, but always humble and respectful to all. He was a loving father and husband, and a supportive mentor to many. He contribute to his community as well as to river causes in California and around the world. Our world is richer for his being in it, and we will miss him terribly.



Gathering around the table produces positive outcome

One of our core values is finding positive solutions by working together with all interested parties. A recent application before the Jackson City Council provided another opportunity for us to work with property owners and elected officials to achieve a winning solution that could maintain 367 acres of grazing land outside Jackson as wildlife habitat and for its historic and scenic values.

Last year, the Jackson Rancheria Development Company filed an application to annex three parcels it owns south of town into the city of Jackson. The Rancheria owns two other, adjacent parcels in the city. The three parcels in the application are within the city's "sphere of influence"—its expected ultimate boundary. If the annexation were approved, all five parcels, totaling 516 acres, would be part of Jackson. Much of this land was the proposed Jackson Hill golf course development, which died in the early days of the Great Recession.

We had a few concerns about the annexation request as presented. First, although the Rancheria's application stated that it didn't intend to develop the property, the application requested the parcel zoning designation be changed from "Urban Reserve" to "Residential Suburban with a Planned Development Overlay." Residential Suburban would allow the land to be developed at a density of one residence per acre, with state law giving the city very little leeway to require a project with fewer homes even if environmental review showed that to be preferable.

Jackson's Development Code states the purpose of the Planned Development Overlay is "to encourage planned developments with a mixture of land uses including different densities of residential units, professional office uses, commercial uses, and public and recreational uses" and "... is applied to lands that are presently largely undeveloped where planned unit developments or neighborhood developments are encouraged." (Jackson City Development Code, Article II, Chapter 17.06, Section 17.20.030).

We believed the proposed pre-zoning was premature, and that zoning the parcels as an "Open Space Zoning District" would better align with the applicant's statement of intended use. "Open space" zoning is for lands "...intended to be undeveloped and left in a natural state. Some landscaped areas, pedestrian pathways and plazas may be allowed." (17.16.020.C).

Another concern related to extension of city water. In its initial letter to the city, the Rancheria stated that it wanted the parcels annexed so the city could extend a pipeline and install a fire hydrant on one of them. The initial letter mentioned fire protection, but in later statements the Rancheria said it needed the pipeline for watering livestock. At City Council meetings, we asked for additional information: What is the current source of water for livestock? Why was an eight-inch pipe required? Were there particular conditions on the parcels that required a hydrant for firefighting when most wildland firefighting doesn't rely on hydrants?

Initial communications with the city weren't providing the information we requested. So we suggested a meeting with city staff and Rancheria representatives. As often happens, face-to-face conversations produce results to satisfy all parties. The Rancheria agreed after the meeting that OS zoning was appropriate for the parcels and amended its request.

Although the Jackson City Council approved the amended rezoning and general plan amendments for the OS zoning, the annexation process was halted when the Amador County Board of Supervisors voted to reject a revenue-sharing agreement negotiated with the city for the affected parcels. This agreement details how future tax receipts for the annexed parcels will be allocated between the two jurisdictions, and the format is pretty standard. An agreement is required before the annexation can be finally approved (by the Local Agency Formation Commission, or LAFCO).

We have never before seen the county reject a negotiated annexation-related revenue sharing agreement. One factor that may have affected the outcome is that adjacent lands to the parcels proposed for annexation are owned by Amador County District 1 Supervisor John Plasse. Plasse's ranch has recently been put on the nonrenewal list for the Williamson Act, which generally signals that future development plans are in the works. Plasse vocally opposed the annexation in front of the city council, but stepped down from the supervisors' vote on the agreement.

We'd like to thank Jackson City Mayor Keith Sweet, City Manager Mike Daly, City Attorney Joshua Nelson, City Planner Susan Peters and Rancheria Development Director Larry White for meeting with us to develop what could have been a win-win solution for the property owners and good local planning.



Fire safety and general plans

Continued from page 1

wildfire planning, land use planning, structures and neighborhoods, conservation and open space, circulation and access, defensible space, emergency services, post-fire recovery, and homeland security.

Calaveras County noted fire safety as a major concern in 2006

In October 2006, a planning consultant's review of the existing Calaveras County General Plan revealed that the safety element of the plan failed to meet four critical fire safety requirements. The report indicated that the plan's safety element failed to include necessary background information and policies related to evacuation routes, peak-load water supply requirements, minimum road widths, and clearance around structures.

Comments during two rounds of 2007 general plan public workshops also noted the importance of the fire safety issue. Residents expressed the need for a countywide fire plan, more firefighters, more community education on fire safety, and brush control. Workshop participants said that new development should be designed for maximum fire protection.

Written comments echoed the public workshop concerns. Community groups in Valley Springs, San Andreas, Copperopolis, Glencoe-Rail Road Flat, Mokelumne Hill, and Mountain Ranch drafted community plans with provisions to enhance fire safety. In addition, the Calaveras

Planning Coalition, of which the Foothill Conservancy is a founding member, encouraged Calaveras County to update the general plan using the state's 2003 fire-hazard planning guide.

State gave 2014 Calaveras Draft General Plan bad marks for fire safety

Calaveras County released a draft general plan update in December 2014. In its review of the plan, CalFire found deficiencies in the draft safety element in every review category. Furthermore, at that time, the planning director did not intend to include in the general plan the community plans that included fire safety provisions.

Butte Fire devastation calls attention to the problem

On September 9, 2015, the Butte Fire began moving through Amador and Calaveras counties. Ultimately it burned over 70,000 acres, destroyed 921 structures (including 549 homes), and caused two deaths. The fire caused an estimated \$450 million of property damage and changed the lives of everyone who lived through it. Suddenly, planning for fire safety changed from an abstract concept to a recognized need.

County governments fail to heed Board of Forestry warnings

El Dorado County's Targeted General Plan Amendment/Zoning Ordinance Update and draft environmental impact report received a critical review from state fire officials in July 2014. In addition to general plan policy amend-



Photo of area along the Upper Standard Canal after the Butte Fire.

photo by Randy Berg



ments, that county also proposed to rezone thousands of acres of land to increase development densities in high- and very-high wildfire hazard severity zones.

The state's letter noted that the overall emphasis on expanded development and more-intense residential uses would put more residents in high- and very high-fire hazard severity zones. The board expressed concern that fire safety was not adequately addressed. It concluded that the proposed plan would expose people or structures to a significant risk of loss, injury, or death from wildland fires.

Then in August 2014, the Sand Fire burned more than 4,000 acres in Amador and El Dorado counties, along the Cosumnes River. The next month, the King Fire burned more than 97,000 acres in El Dorado and Placer counties. Nevertheless, El Dorado County's late 2015 response to the Board of Forestry and Fire Protection was that the county would deal with the fire safety issue through other general plan amendments at some unspecified future time. In January 2016, a citizen group, Rural Communities United, filed a legal challenge against the El Dorado County's proposed plan update, in part because of its failure to meet state fire safety standards.

State fire officials also sent a critical letter to Amador County in January 2015 after reviewing the county's draft general plan update and the draft environmental impact report. That letter expressed concern that the plan would locate high residential densities, essential public facilities, and special needs housing in very high fire hazard severity zones. The letter noted that the environmental impact report did not balance future development with the unique wildland fire protection needs of the county. The letter encouraged the county to consider stricter fire-safety building standards and new development restrictions in the high- and very-high fire hazard severity zones. The county has amended its draft general plan safety element in response, but failed to adopt a number of measures recommended by the state.

Calaveras County incorporates CalFire's recommendations

In May 2016 Planning Director Peter Maurer proposed six new general plan policies and 15 new implementation measures to address fire safety. The vast majority of these addressed CalFire and local fire district concerns. These policies and implementation measures deal with a broad scope of fire-safety issues including landowner education, new development review, defensible space, upgrading substandard housing for

fire safety, natural resource protection, interagency collaboration, evacuation routes, and post-fire recovery. So far, these measures have survived the Planning Commission's preliminary review. Also, the Calaveras County Board of Supervisors directed the Planning Department to include in the general plan update the community plan updates from San Andreas, Glencoe-Rail Road Flat, Mokelumne Hill, and Mountain Ranch, including their unique fire-safety provisions.

Amador County Planning Commission to discuss general plan again on August 23

Amador County's general plan update is now moving to public hearings and into its final phases. We encourage you to follow the proceedings on our website (check under "Current Issues") and weigh in on the need for good general plans that protect public safety and our wildlands from the real threat of wildland fire.



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Gold Rush's Toxic Legacy

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were excavated and then “capped” (covered) in concrete. In other areas, contaminated soil was removed and replaced with clean soil. The contaminated soil was then taken to another site where it was capped using layers of gravel, geotextile fabric, and clean soil. A chain link fence now surrounds the site.

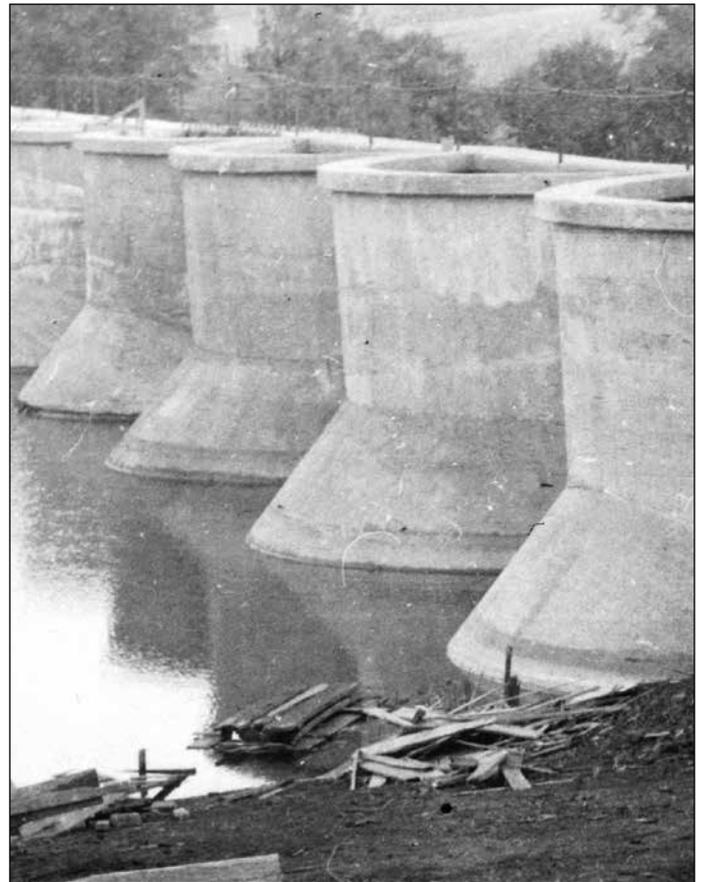
Needing a place to store mine tailings 100 years ago, the Argonaut's owners built the Eastwood Multiple Arch Dam. The Eastwood Dam “stores” 169,000 cubic feet (comparable to a half-mile-long train of standard railcars) of crushed-rock mine tailings that are heavily contaminated with arsenic, lead, and mercury. When it rains, the dam collects water behind it, greatly increasing the weight of the tailings material and pressure on the dam itself.

U.S. Army Corps of Engineers' inspections during 2015 confirmed structural deficiencies in the Eastwood Dam. With already weakened concrete walls, there is a serious risk that the dam could breach during extended or heavy rains, causing poisoned mud to flow downhill, fill creek beds, bury homes and even parts of Jackson's historic downtown.

The City of Jackson has been working with the federal government and the California Department of Toxic Substances Control on both short- and long-term dam repairs. The first step, completed last fall, was constructing a stormwater diversion system to divert rainwater around the dam. In April the federal EPA announced its proposal to include the Eastwood Dam in the National Priorities List under the Superfund program.

After listing a site, the EPA investigates whether any parties can be held liable for contaminating the site. Under Superfund law, responsible parties must pay for the site cleanup, but such parties no longer exist in the case of Gold Rush-era mines. Instead, federal and state funds will cover the cost of retrofitting the Eastwood Dam. The dam retrofit will be at least a two-year project, costing from \$8 million to \$14 million, according to a state estimate.

Unfortunately, poisoned soil and water from mining is not an issue unique to our area. The Sierra Fund's 2008 report, *Mining's Toxic Legacy*, provides a comprehensive history of mining practices in the Sierra and explains how abandoned mines create “chronic environmental hazards” from contaminated runoff into drainages, rivers, and lakes, as well as seepage into groundwater. The deadly cocktail



Argonaut Dam shortly after its construction ca. 1920

can include a number of toxins, from mercury (used to separate gold from ore) and arsenic to lead and asbestos. Major obstacles to remediating mining's toxic legacy cited in the report include inadequate or underfunded government programs and ineffective communication among state, federal, and local agencies.

We would like to thank the City of Jackson for its continued work with federal and state agencies to identify and remediate the Eastwood Dam and site. At its May 9 meeting, the Jackson City Council voted unanimously to send a letter to the EPA to support adding the dam to the Superfund priority list.

The next step in the Eastwood Dam cleanup will be completing the Retrofit Analysis Plan, which will analyze and recommend one of several retrofit alternatives. The state will likely release the plan during the summer and will provide a 30-day public comment period.

We encourage residents to stay informed as remediation activities continue. Information is available from a link on the City of Jackson's home page www.ci.jackson.ca.us (under News and Announcements, “EPA and DTCS Activities Related to Argonaut Mine Continue”).



Photos from our Annual Dinner

Our annual dinner was a great success, look for more photos in the next issue of *Focus*.



Interested in joining the Foothill Conservancy? We're offering new members a special \$25 membership for our 25th Anniversary. In addition, we have a new \$25 support level for Millennials.



Do You Appreciate This Newsletter? Want To Stay Informed? Join Us or Renew Today!

Yes, I want to help protect and enhance our rural surroundings and quality of life by joining the Foothill Conservancy. Enclosed are my annual dues of:

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About the Foothill Conservancy

Mission

To protect, restore, and sustain the natural and human environment in Amador and Calaveras counties for the benefit of current and future generations.

Our Vision for Amador and Calaveras Counties

- Rural character and scenic quality are protected.
- Agricultural lands, forest lands, and open space are conserved.
- The natural diversity and habitat of native plants and animals are protected and restored.
- Free-flowing rivers and creeks are protected and restored.
- Development is ecologically, economically, and socially sustainable.
- Historic sites, small towns, and community identities are preserved.
- Cities and counties coordinate their land use planning.
- Social, economic, and natural diversity are balanced to strengthen local communities.

Core Values

- Find positive solutions. We work together with everyone to find positive solutions.
- Promote the triple bottom line. We know that community economic prosperity and social well-being go hand in hand with environmental protection, restoration and sustainability.
- Stay grounded in values. We are clear about and true to our values.
- Work transparently. We are transparent in our actions and motives.
- Focus on fact, science and law. We ground our work in research, fact, science, and law.
- Support community-based solutions. We help local residents find solutions to community challenges.

**Learn more about the
Foothill Conservancy at
www.foothillconservancy.org**