

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Amador, County Clerk
810 Court St.
Jackson, CA 95642

From: (Public Agency): County of Amador
810 Court St.
Jackson, CA 95642

(Address)

Project Title: UP-24;10-2 KMR-Timber Creek Base Area Tent Facility

Project Applicant: Heavenly Valley Limited Partnership dba Kirkwood Mountain Resort

Project Location - Specific:
33611 Kirkwood Meadows Dr. Kirkwood, CA 95646 A.

Project Location - City: Kirkwood, CA Project Location - County: Amador County

Description of Nature, Purpose and Beneficiaries of Project:

Request for a Use Permit Reapplication (UP-24;10-2 KMR-Timber Creek Base Area Tent Facility) for the existing temporary sprung tent structures (±10,000 sq. ft.) at the Timber Creek Village Area which currently house ticket sales, rental, retail, and food services. This application is for the structures to remain for an additional 5 years plus 5 years conditionally (10 years extension, total). The project is proposed to be categorically exempt from CEQA. APN: 028-270-034

Name of Public Agency Approving Project: County of Amador

Name of Person or Agency Carrying Out Project: Planning Department

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number: 15302 Class 2(b), Section 16183, Section 15061 (b)(3)
Statutory Exemptions. State code number:

Reasons why project is exempt:

a. 15302 Class 2(b) for "replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced," including... (b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
b. Section 16183 "Projects Consistent with a Community Plan." CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.
c. Section 15061 (b)(3) "common sense exemption/General Rule." (3) In that the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The application of this exemption requires that the Commission determine that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and that therefore, the activity is not subject to CEQA.

Lead Agency Contact Person: Krista Ruesel, Planner Area Code/Telephone/Extension: (209)223-6380

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Handwritten Signature] Date: 11/12/24 Title: Planning Commission Chair
Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

File No 031132024-029
Posted On 11-13-2024
Posting Removed

ENDORSED FILED

NOV 13 2024

Revised 2011

KIMBERLY L. GRADY, County Clerk
AMADOR COUNTY
By M. MORRIS Deputy

copy



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE  
CASH RECEIPT**  
DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

Print

StartOver

Save

RECEIPT NUMBER:  
03 — 11/13/2024 — 029  
STATE CLEARINGHOUSE NUMBER (If applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY <b>County of Amador -Planning Dept</b>	LEAD AGENCY EMAIL <b>planning@amadorgov.org</b>	DATE <b>11/13/2024</b>
COUNTY/STATE AGENCY OF FILING Amador	DOCUMENT NUMBER <b>0311132024029</b>	

PROJECT TITLE  
**UP-24; 10-2 KMR-Timber Creek Base Area Tent Facility**

PROJECT APPLICANT NAME Heavenly Valley Limited Partnership dba Kirkwood Mountain Resort	PROJECT APPLICANT EMAIL	PHONE NUMBER ( )
PROJECT APPLICANT ADDRESS <b>33611 Kirkwood Meadows Dr.</b>	CITY <b>Kirkwood</b>	STATE <b>CA</b>
		ZIP CODE <b>95646 A.</b>

**PROJECT APPLICANT** (Check appropriate box)

Local Public Agency    
 School District    
 Other Special District    
 State Agency    
 Private Entity

**CHECK APPLICABLE FEES:**

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,051.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	0.00
<input checked="" type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other PAID HANDLING FEE THROUGH PLANNING DEPT.		\$	

**PAYMENT METHOD:**

Cash    
 Credit    
 Check    
 Other

**TOTAL RECEIVED** \$ 50.00

SIGNATURE <b>X</b>	AGENCY OF FILING PRINTED NAME AND TITLE <b>M. Morris, Sr. Deputy Clerk</b>
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State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for **CRP** document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

**Filing Notice of Exemption (NOE)** *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

**Within 30 days after the end of each month in which the environmental filing fees are collected**, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

**The county clerk shall mail the following documents to CDFW on a monthly basis:**

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**

California Department of Fish and Wildlife  
 Accounting Services Branch  
 P.O. Box 944209  
 Sacramento, California 94244-2090