



This article was printed from the Local Stories section of the *Chico News & Review*, originally published January 28, 2010.

This article may be read online at:

<http://www.newsreview.com/chico/content?oid=1362001>

Copyright ©2010 Chico Community Publishing, Inc.

Printed on 2010-02-25.

Settlement halts Sutter Buttes land split

Landowner agrees not to create smaller parcels

By [Meredith J. Cooper](#)

Daniel Barth grew up in Live Oak and made his first visit to the Sutter Buttes—the “smallest mountain range in the world”—when he was 4 years old. He’s been in love ever since.

“That’s one of the reasons I decided to stay around here was the mountain,” he said by phone.

These days, Barth serves as president of the Yuba Historical Society, the organization that spearheaded a lawsuit against Sutter County, the Board of Supervisors and a landowner at the Buttes to protect the area from further development. They settled out of court last week, with the landowner agreeing not to split his parcels and the Board of Supervisors withdrawing an earlier vote approving the split.

The dispute goes back to December 2007, when the Sutter County Board of Supervisors voted by a slim margin to allow landowner Pramod Kumar and his wife, Lucy, to split up 897 acres near the Southridge Golf Course—which is on their property—into 13 separate lots. They did this despite the fact that the Planning Commission recommended against approving the split. The two main items of contention: 11 of the 13 lots lacked access to a major road, and an environmental impact report had not been completed. That’s when the YHS stepped in.



The Sutter Buttes are known as the “smallest mountain range in the world” and, though they’re largely privately owned, they’re much revered as a local treasure.

PHOTO courtesy of daniel barth

“We believe the county wrongly determined that they didn’t need to do an EIR, saying they could just address issues in a piecemeal way, rather than looking at the project as a whole,” Barth said.

The YHS made two complaints: first, that the supervisors failed to look at the frontage-road issue adequately; and second, they didn’t take into consideration the environmental—or historical—impact developing the land would have. The society, which is based in Marysville, also contended that the county violated its own general plan, which includes preserving the Buttes.

The area is known to have remnants of both historical homes as well as campsites used by Native Americans.

According to the Planning Commission’s recommendation to turn down the proposal, “Currently the 896.94-acre project site, consisting of two parcels, is undeveloped and utilized for cattle grazing. The property also contains gas wells, a gas collection piping system and multiple historic sites and historic rock walls.”

Kumar, owner of Sutter Buttes Ranch, did not respond to a phone call for comment but has been quoted in the Marysville Appeal-Democrat as saying he did not plan to build on the parcels. Neither he nor his wife has commented to the media since the lawsuit was settled.

The mountain range, located just south of Yuba City, is a magical place. Though most of it is privately owned (the state bought a chunk of it in 2003 for a park but has yet to open it to the public), organizations like the Yuba Historical Society and Middle Mountain Foundation together lead upwards of 100 hikes into the Buttes each year.

The area is not only physically beautiful but also spiritually sacred to nearly all the Native American tribes in the region, Barth said. For the Maidu, for example, their creation story starts there.

“Thousands and thousands of years ago, there were bears and all types of wildlife that migrated toward that mountain range at the same time the tribes did,” said Mike DeSpain, environmental director for the Mechoopda Indian Tribe of Chico Rancheria. “Any tribe that could have seen the Buttes probably has some sort of connection to them in one way or another.”

In fact, the Buttes got the attention of Toby McLeod, who heads up the Sacred Lands Film Project. The range won’t be featured in a film, he said, but it is the subject of an upcoming “Sacred Site Report” on the organization’s Web site, www.sacredland.org.

Because much of the range is privately owned—by no more than 20 landowners altogether—development has long been an issue. In 1989, when Kumar bought his property, he continued previously approved plans to build a golf course there. He also proposed a 650-unit housing project and requested the zoning be changed to decrease the lot size from one lot per acre to three lots per acre. It went before the voters in June 1990.

“That was one of the biggest [voter] turnouts in Sutter County,” Barth recalled. He was one of

many people who opposed the project and worked against it. The zoning change was ultimately voted down.

In 2001, Kumar came back with another proposal, similar to the one that spurred the recent lawsuit. He wanted to split the land into 12 parcels. He got the green light from the Planning Commission, but on the condition that “an adequate analysis of the potential impacts was provided,” according to a Planning Commission document. Kumar appealed the decision “for relief of mitigation measures” to the Board of Supervisors, which overturned the commission’s green light, killing the proposal.

Other landowners have been successful in building private residences at the base of the Buttes, so this issue likely will not go away anytime soon.

“They’re just so out of place,” Barth said. “You have these McMansions at the base of a really dramatic peak.”

The Mechoopda’s DeSpain agreed.

“I think it’s completely inappropriate to develop it,” he said. “They’re not taking into consideration the tribes’ traditional and cultural history.”