

LAKE COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

July 13, 2017

Commission Members

P John Hess, District I
P Bob Malley, District II
P Eddie Crandall, District III
P Matt Levesque, District IV
P Daniel Suenram, District V

Staff Members

P Robert Massarelli, CDD Director
P Michalyn DelValle, Principal Planner
P Byron Turner, Principal Planner
P Shanda Harry, Deputy County Counsel
P Danae Bowen, Office Assistant III

9:04 a.m. CALL TO ORDER

Pledge of Allegiance was led by Bob Malley.

Comm. Hess moved, 2nd by Comm. Crandell to approve the minutes from May 25, 2017.
Comm. Hess moved, 2nd by Comm. Levesque to approve the minutes from June 8, 2017.
Comm. Levesque moved, 2nd by Comm. Hess to approve the minutes from June 22, 2017.

9:04 a.m. CITIZEN'S INPUT – None

9:05 a.m. Public Hearing on consideration of a General Plan Conformity Report (GPC 17-04). The project applicant is JENNIE ROSSOTTI proposing the vacation of a portion of Summer Drive, historically used as a driveway to APNs 050-394-15 & 16. The project is located at 11410, 11440 Anderson Springs Road & 19750 Summer Drive, Middletown and further described as 050-393-05; 050-394-15 & 16. (Mireya Turner)

Mireya Turner, Associate Planner provided background information and a power point presentation on the project application. She said staff recommends that the Planning Commission find this project is in conformance with the General Plan and that the road vacation of a portion of Summer Drive is exempt from CEQA, because it falls within a Class 5 Categorical Exemption.

9:11 a.m. Open Public Hearing

Corrine Cronin, Ms. Rossotti's sister, spoke in support of this application and asked that the vacation of Summer Drive be allowed.

9:12 a.m. Closed Public Hearing

Comm. Hess moved, 2nd by Comm. Crandell that the Planning Commission find that this road vacation is exempt from CEQA because it falls within Categorical Exemption Class 5.

CATEGORICAL EXEMPTION APPROVAL 5 Ayes 0 Noes

Comm. Hess moved, 2nd by Comm. Crandell that the Planning Commission report the vacation of a portion of Summer Drive as proposed by Jennie Rossotti is in conformity with the Lake County General Plan.

GENERAL PLAN CONFORMITY REPORT 5 Ayes 0 Noes

Comm. Malley noted that there is a seven (7) calendar day appeal period provided by the Lake County Zoning Ordinance.

9:15 a.m. Public Hearing on consideration of a General Plan Conformity Report (GPC 17-03). The project applicant is DAVID WIGNALL proposing to vacate a portion of Forest Lake Drive in order to prevent public access to the parcels he owns. The project is located at 16645, 16671, 16795 Forest Lake Drive, Cobb and further described as 013-056-08, 11 & 13. (Mireya Turner)

Mireya Turner, Associate Planner, provided background information on the project application. She explained that Mr. Wignall is now proposing a Lot Line Adjustment and if completed, it will change staffs position from what was presented in the staff report. She requested that this item be continued until December of 2017.

9:17 a.m. Opened Public Hearing

No one present wished to speak.

9:17 a.m. Closed Public Hearing

Comm. Malley confirmed the continuance of this project application to future date.

OFFICE NEWS

Michalyn DelValle, Principal Planner, said that there will be a new Senior Planner starting on Monday, July 17, 2017 and staff is currently interviewing for an Assistant Planner. She also noted that the Chief Building Official position has not been filled as of this date.

9:20 a.m. Public Hearing on consideration of a General Plan Conformity Report (GPC 17-02). The project applicant is LAKE COUNTY WATERSHED PROTECTION DISTRICT proposing to modify the primary spillway on Highland Creek Dam to allow more water storage recharge in spring and fall months and to supplement spring flow to create an improved spawning and rearing condition for Clear Lake hitch in Adobe Creek. The project is located at 3600 E. Highland Springs Road, Kelseyville and further described as 007-043-01. (Peggy Barthel)

Peggy Barthel, Resource Planner, provided background information on the project application. She said staff has been working with the California Department of Fish and Wildlife and State Water Resources Control Board, and there are some things in the CEQA document that needed to be changed. She said the document has been resubmitted to the Clearing House, which is a thirty-day review period, and ends on August 7th. She requested a continuance of this project to August 24, 2017 at 9:05 a.m.

9:22 a.m. Opened Public Hearing

Michael Shaver, Robinson Rancheria Environmental Director, spoke to the CEQA document and the proposed mitigation monitoring plan with having a licensed credentialed professional present during ground disturbing activities or to have tribal representatives present.

Sarah Ryan, Environmental Director for Big Valley Rancheria, spoke to changes that need to be made to the mitigation monitoring plan and to the Initial Study, in terms of contracting the tribes and having an archeologist identify sensitive areas. She addressed the lack of water in Adobe Creek and stranded Hitch each year, because of the demand on the creek.

John Parker, Project Review Coordinator for the Lake County Historical Society, spoke in support of this project for the benefit of Adobe Creek and the Hitch. He said the new construction at the spillway area is only part of the possibility of damage to cultural resources. He said as that level of the dam raises there is a new shoreline area that will be subject to erosion, which could be potential damage to archeological sites. He said the before the project is done, that potential impact area needs to be examined by a cultural resources professional and a report needs to be done.

9:32 a.m. Closed Public Hearing

Comm. Malley confirmed the continuance of this item to the Planning Commission Hearing on August 24, 2017 at 9:05 a.m.

9:32 a.m. Public Hearing on the consideration of a General Plan Conformity Report (GPC 17-07) and Mitigated Negative Declaration based on Initial Study (IS 17-23). The project applicant is the COUNTY OF LAKE proposing to install a sewer system that would collect wastewater from the community of Anderson Springs and convey that wastewater to the existing Middletown wastewater treatment plant for treatment. The project is located in the Anderson Springs area, Middletown, and is designed to serve approximately 200 properties. (Byron Turner)

Byron Turner, Principal Planner, provided background information and a power point presentation on the proposed project. He explained that the role of the Planning Commission is for the General Plan Consistency and CEQA Analysis to find that the potential environmental impacts have been mitigated. He said that staff is asking that the Planning Commission find that the proposed project is consistent with the Lake County General Plan Goals and Policies related to public facilities and water resources and the proposed project is consistent with the goals of the Middletown Area Plan.

Comm. Malley noted that he has not seen anything specifically addressing the letter from the Lake County Historical Society as far as what they want.

Mr. Turner pointed out the memo he wrote to the Commission dated July 11, 2017, and Appendix B is the response to the comments from the LC Historical Society.

Comm. Hess asked if any Federal funds were contemplated for this project.

Mr. Turner said that Special Districts can address the funding.

Jan Coppinger, Special Districts Administrator, explained that the USDA and CDBG are working together to fund this much needed project. She said they are complying with all NEPA requirements to satisfy those federal funding agencies.

Ms. Coppinger said that the Sewer system minimizes ground disturbance not only for historical preservation, but for construction costs. She added that each site will have a grinder pump and lift station, that forces the sewage into the system and it will be a forced main.

Dave Coleman, Design Engineer on the project, explained the low pressure system, which employs individual grinder pumps for each property that is connected and served. He said once the sewage gets into the common force mains, the collective pumping of each individual pumping system, forces the sewage all the way to Middletown. He said the piping will be put into trenches 18 inches wide and 3 ½ feet deep.

9:44 a.m. Opened Public Hearing

Joan Clay, Anderson Springs Community Service District, said that they are in support of this project and that it will make or break Anderson Springs. She said there are 12-14 houses being built right now waiting for this system.

Sarah Ryan, Big Valley Band of Pomo Indians, asked if there was feedback about the cultural resources section and has there been an archeological study for this project.

Ms. Coppinger said that there has been an archeological study for this project and they are working with the Middletown Rancheria Tribe, and they have requested as little ground disturbance as possible. She said they will have monitors onsite throughout this project, as well as an archeologist onsite when getting into significant areas.

Sally Peterson, Middletown Rancheria Vice-Chair Woman, said she is here today with the Tribal Historic Preservation Officer, and have been heavily engaged in recovery efforts for all of the fires in Lake County, specifically the Valley Fire in this case. She said they have several contracts with the County and Lead Agencies in the recovery efforts and they are versed on the whole project. She said they are requesting minor changes to that, based on the additional information received.

Stephanie Reyes, Tribal Historic Preservation Officer for Middletown Rancheria, explained that they are working with the County to support recovery and cleanup efforts from the fires within the community. She spoke to the monitoring and cultural resource agreements that address mitigation efforts, if artifacts or human remains are found. She said that the tribe is not in support of data recovery prior to construction, and the first method is avoidance and the second effort is alternative mitigations. She said the tribe promotes that if artifacts or human remains are found onsite, they prefer that they are reburied onsite. If the property owner is uncomfortable with reburying the human remains, then the tribe would prefer to have them reburied elsewhere. She said this is the process they have used for all of the fires. She said they would like an amendment to the agreement that allows for these mitigations.

9:58 a.m. Closed Public Hearing

Comm. Hess agreed with the community that this is a very important project and he respects Dr. Parker's remarks and would like to move this project forward.

Comm. Hess moved, 2nd by Comm. Crandell that the Planning Commission find on the basis of the Initial Study IS 17-23 prepared by the Planning division and the mitigation measures which have been added to the project, that this project will not have a significant effect on the environment and therefore a mitigated negative declaration shall be issued with the findings listed in the staff report dated July 13, 2017.

MITIGATED NEGATIVE DECLARATION 5 Ayes 0 Noes

Comm. Hess moved, 2nd by Comm. Crandell that the Planning Commission report that the construction of a new wastewater treatment system for the Anderson Springs subdivision as proposed by the Lake County Special Districts is in conformity with the Lake County General Plan with the findings listed in the staff report dated July 13, 2017.

GENERAL PLAN OF CONFORMITY 5 Ayes 0 Noes

Comm. noted that there is a seven (7) calendar day appeal period provided by the Lake County Zoning Ordinance.

ADJOURNED 10:00

Bob Malley, Chair
Lake County Planning Commission

Respectfully Submitted,

By: _____
Danae Bowen
Office Assistant III

