

MINUTES
LAKEPORT PLANNING COMMISSION
REGULAR MEETING Wednesday, July 25, 2012

- I. **CALL TO ORDER:** Chairman Taylor called the regular meeting of the Lakeport Planning Commission to order at 5:00 p.m. with Commissioners Russell, Kauper, Wicks, and Gayner present. Also present were Richard Knoll, Community Development Director; and Brian Everhart, Engineering Technician II.
- II. **ROLL CALL:**
- III. **ACCEPTANCE OF AGENDA:** A motion was made by Commissioner Gayner, seconded by Commissioner Kauper, and unanimously carried by voice vote to accept the agenda as presented.
- IV. **COMMUNICATIONS:**
- A. Citizen Input Community Development Director Knoll indicated that there was no citizen input submitted.
- B. Comments from Staff and Commissioners There were no comments from Staff or Commissioners.
- V. **CONSENT AGENDA:**
- A. Minutes A motion was made by Commissioner Russell, seconded by Commissioner Gayner, and unanimously carried by voice vote to approve the Special Planning Commission meeting minutes of June 13, 2012.
- VI. **REGULAR AGENDA:**
- A. McAtee Marine A motion was made by Commissioner Wicks, seconded by Commissioner Russell, and unanimously carried by voice vote to approve the Use Permit to allow outdoor storage display and sales display of boats, boat trailers and related watercraft.

B. City of Lakeport-
Water & Wastewater
Projects Environmental Review

Earlier this year a decision was made by the Lakeport City Council to proceed with a grant and low interest loan funding request to the United States Department of Agriculture (USDA) in order to construct or implement ten (10) City water and waste water system improvement projects.

The City Council directed City staff to prepare and submit an application for USDA rural development funds, that a preliminary engineering report be prepared, and that CEQA/NEPA environmental review of the funding project for the 10 components be completed as well.

The water and waste water projects are as follows:

Water System Improvements

- Land acquisition to secure ownership of two City groundwater wells (Green Ranch).
- Replacement of the City's water metering devices throughout its distribution system
- Replacement of the existing Supervisory control and data acquisition (SCADA) system
- Extension to loop the water mains located in South Lakeport

Wastewater System Improvements

- Replacement of the existing Supervisory control and data acquisition (SCADA) system
- Repairs of treatment ponds
- Replacement of the Clear Lake Avenue pump station and controls
- Inflow & Infiltration (I&I) improvements to the collection system
- Replacement and upsizing of sewer collection pipe size on Main Street from Clear Lake Avenue to Sixth Street
- Repair or replacement of a 72 inch culvert running under Highway 29 that serves as a carrier for three sewer main pipes

Planning Partners, Inc. prepared the CEQA/NEPA environmental review for the City in accordance with State and Federal guidelines for USDA funding. The environmental report – Initial Study/Mitigated Negative Declaration (IS/MND) is available on the City website. The Preliminary Engineering Report prepared by PACE Engineering is also available on the City website. See link below.

<http://www.cityoflakeport.com/departments/docs.aspx?deptID=39&catID=200>.

The IS/MND was completed and then circulated for a 30 day public review period for comments through the California Office of Planning and Research (SCH # 2012042048) in April/May 2012.

Comment letters on the IS/MND were submitted by the following County Departments and State Agencies:

1. The Central Valley Regional Water Quality Control Board (**CVWB**)
2. The State Water Resources Control Board (**CWB**)
3. Lake LAFCO (**LAFCO**)
4. Lake County Public Works (**PW**)
5. Lake County Administrator (**CAO**)
6. Lake County Community Development (**CDD**)
7. Lake County Special Districts (**SD**)

The Lakeport Planning Commission acting as an advisory body for the Lakeport City Council was asked to consider the Initial Study/MND, the seven Department and Agency comment letters and make a recommendation to the City Council as to the appropriate level of environmental clearance.

Planning Partners, Inc. has recommended adoption of a CEQA mitigated negative declaration for the water and waste water projects.

The City Council will consider the Planning Commission recommendation and all relevant information at a public hearing and will be asked to make the final determination on the appropriate level of environmental clearance.

The Lakeport City Council may adopt a mitigated negative declaration for the project if it finds on the basis of the whole record before it including the IS/MND, the proposed mitigation measures, the comments received, the staff reports and any other relevant factual data, that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the city's independent judgment and analysis.

The CEQA Guidelines do not require the Planning Commission or City Council to make a specific response to each the 7 comments letters that have been received, only that the comments be considered in the decision making process.

The CEQA Guidelines do not require a specific or exhaustive review or analysis of the points raised in the individual comment letters. Lakeport Community Development staff has however prepared a memorandum which addresses the issues and points raised in the 7 comment letters

While there are a total of ten (10) separate water and waste water improvement components or projects located throughout the City and unincorporated Lake County, the majority of Department and Agency comments were focused on the water main project located in south Lakeport area.

Many of the proposed water and waste water projects such as the SCADA communication system improvements, the replacement of water meters, the Highway 29 sewer main crossing improvement, the financing of the water well site acquisition received no or minimal attention or comment from reviewing agencies and departments.

After considerable discussion between City staff and the Planning Commission, along with additional input from the County's CAO's office, the Planning Commission made the following decision:

A motion was approved to make a recommendation to the Lakeport City Council to adopt a Mitigated Negative Declaration for the City of Lakeport Water and Waste Water Projects as recommended in the Initial Study/Mitigated Negative Declaration dated April 2012 prepared for the City of Lakeport by Planning Partners, Inc.

The Planning Commission finds, based on the facts presented in the Initial Study/Mitigated negative Declaration and the staff memorandum dated July 25,2012 for the project, that the significant environmental effects that have been identified are reduced by the mitigation measures to a less than significant level and therefore recommends that the City Council adopt a Mitigated Negative Declaration for the project as provided for in the California Environmental Quality Act.

The Planning Commission's recommendation is based on the following: the information and documentation contained in the Initial Study/Mitigated Negative Declaration dated April 2012 prepared by Planning Partners, Inc. on the project and the City staff memorandum dated July 25, 2012 in response to comments received during the 30 day Sate Clearinghouse Public comment period.

A motion was made by Commissioner Gaynor, seconded by Commissioner Russell and carried to recommend to the City Council the Initial Study/Mitigated Negative Declaration for the City Water and Wastewater Project with Commissioner Kauper opposing.

**C. P.C. Resolution 73
P.C. Ordinance 833**

A motion by Commissioner Russell, seconded by Commissioner Wicks and unanimously carried to approve the amendment to Resolution 73 and Ordinance 833

D, P. C. Officers

A motion by Commissioner Gayner, seconded by Commissioner Kauper and unanimously carried to approve Commissioner Wicks as Chairperson and Commissioner Russell as Vice Chairperson.

VII. SCHEDULE NEXT MEETING:

Discuss and set the next meeting date for September 19, 2012.

VIII. ADJOURNMENT:

Chairman Gaynor adjourned the meeting at 8:15 p.m.

ATTEST

Richard Knoll, Community Development Director

These are the action Minutes of the Planning Commission regular meeting. A recorded disc of the meeting is available at the Community Development Department at Lakeport City Hall, 225 Park Street, Lakeport, California after approval of these Minutes.