



Commissioner Don Jones	District 1
Commissioner Linda Walker – Chairperson	District 2
Commissioner Kim Tipton	District 3
Commissioner William Turri	District 4
Commissioner Delbert David – Vice Chair	District 5

TEHAMA COUNTY PLANNING COMMISSION MINUTES

MINUTES FOR THE MEETING HELD ON: July 17, 2008

LOCATION: Administration Building
Board of Supervisors Chambers
727 Oak Street
Red Bluff, CA 96080

COMMISSIONERS PRESENT: Commissioners Walker, Jones, Tipton, David

COMMISSIONER ABSENT: Commissioner Turri

PLANNING STAFF PRESENT: George W. Robson, Director of Planning
Kellee A. Taresh, Recording Clerk

OTHER COUNTY DEPARTMENTS PRESENT: Arthur Wylene, Assistant Deputy County Counsel

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance was led by Chairperson Walker.

Chairperson Walker temporarily adjourned the Planning Commission meeting at 9:02 a.m. to open the Airport Land Use Commission meeting.

Chairperson Walker reconvened the Planning Commission meeting at 9:04 a.m.

CITIZEN'S CONCERNS:

Chairperson Walker asked for any Citizens wishing to comment on anything not on today's agenda to come forward. No comments were received.

Mr. Robson announced that there will be an agenda item scheduled for August 21, 2008 to review the Development Standards for the City of Corning, City of Red Bluff and County of Tehama on properties adjacent to the County.

MINUTES OF MEETING:

Chairperson Walker stated the minutes from the June 19, 2008 meeting will be held over for approval at the August 21, 2008 meeting.

PUBLIC HEARING:

USE PERMIT #08-07, PIONEER EXPLORATION, LTD. (WAYNE J. LAMSON JR., SURFACE OWNER). TO ESTABLISH A NATURAL GAS WELL (GEORGE REID #16) ON AN EXISTING WELL SITE ESTABLISHED FOR GEORGE REID #14, IN AN EA-B:871; EXCLUSIVE AGRICULTURAL- SPECIAL BUILDING SITE COMBINING (871,000 SQ. FT.; 20 ACRE MINIMUM) ZONING DISTRICT. THE PROJECT SITE IS LOCATED SOUTHEAST OF KIRKWOOD ON THE EAST SIDE OF CAPAY ROAD, APPROXIMATELY 2,675 FEET SOUTH AND 915 FEET WEST OF THE NE CORNER OF SECTION 13, T23N, R3W, M.D.B.&M.. APN: 89-140-67. APPROXIMATELY 29.78 ACRES.

Chairperson Walker opened the public hearing.

Mr. Robson explained the project, location and explained that Use Permit #08-07 and #08-08 are both located on the drilling pad. Mr. Robson also explained there is a correction to Subfinding #3 as there is actually a residence within 1,000 feet of the well site and occupied by the property owner.

Chairperson Walker opened the meeting to public testimony. None was received.

Chairperson Walker closed the public hearing.

Subfinding #1

U.P. # 08-07 is statutorily exempt pursuant to Title 14, California Code of Regulations Section 15162(a) and (b); because a negative declaration has been previously adopted for the project (U.P. #04-17) and no substantial changes are proposed which would require major revisions of the negative declaration.

Finding #1

U.P. # 08-07 proposal to establish an additional natural gas well for production purposes at an existing well site has been analyzed under the CEQA Guidelines and a negative declaration has been previously adopted for the project and no substantial

changes are proposed which would require major revisions of the negative declaration. Therefore, U.P. # 08-07 is exempt from CEQA pursuant to Title 14, California Code of Regulations Section 15162(a) and (b).

Subfinding #2

The applicant proposes to establish a natural gas well George Reid #16, for production purposes in a EA-B:871; Exclusive Agricultural- Special Building Site Combining (871,000 sq. ft.; 20 acre minimum) Zoning District, in an area primarily used for grazing and is surrounded by parcels varying in size from 10.0 to 119 acres.

Subfinding #3

There is one residence within one thousand feet of the proposed well site.
(Subfinding Amended at PC 7-17-08)

Finding #2

That the location; size, design and operating characteristics of the natural gas well will be compatible with, and will not adversely affect or be materially detrimental to adjacent uses, buildings or structures, with consideration given to harmony in scale, bulk, coverage and density to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic, and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.

Subfinding #4

The Tehama County General Plan designates the site as Cropland. Upon the application and approval of a use permit a natural gas well is permitted in said designation.

Finding #3

That the impacts as described in Finding #1, and the location of the proposed use are consistent with the Tehama County General Plan.

Subfinding #5

The applicant intends to establish a natural gas well at the site. Hence, the natural gas well will contribute to the production of natural gas thereby reducing the nations reliance on foreign fuel sources.

Finding #4

That the natural gas well, at its proposed location, will provide a service to the community and the nation.

It was moved by Commissioner Tipton, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission make the above noted, or similar, findings and approve Use Permit #08-07 subject to the following conditions recommended by the Technical Advisory Committee on July 2, 2008:

Condition #1

Tehama County Planning Department

COMPLIANCE WITH AGENCY REQUIREMENTS. Applicant shall meet the requirements of all Federal, State and local agencies, especially the Tehama County Building Department and the Department of Environmental Health.

Condition #2

Tehama County Planning Dept.

DEVELOPMENT PLAN. Project shall be developed as shown on the Plot Plan submitted with application dated May 15, 2008.

Condition #3

Tehama County Planning Dept.

LUBRICATION OIL CONTAINMENT. The compressor, lubrication storage tank and associated equipment shall have containment with sufficient volume to contain the entire volume of the storage tank and be placed under permanent cover.

Condition #4

Tehama County Planning Dept.

VEGETATION REHABILITATION FENCING. The applicant shall use Best Management Practices for the re-vegetation of the disturbed portions of the project site including erecting a fence (minimum 3 wire electric fence or a 4 wire barb wire fence to prevent cattle from entering the rehabilitation area for as long as necessary to promote vegetative growth.

Condition #5

Tehama County Planning Dept.

TEMPORARY FENCING. During the drilling phase of the project, the applicant shall provide temporary fencing of a minimum 3 wire electric fence or a 4 wire barb wire fence around the project site to prevent cattle from entering.

Condition #6

Tehama County Planning Dept.

FUEL CONTAINMENT. Fuel storage tanks for gas or diesel engines shall include appropriate containment and shall be placed under permanent cover.

Condition #7

Tehama County Air Pollution Control District

AUTHORITY TO CONSTRUCT. An Authority to Construct **prior** to operation of a drilling rig for each of the stationary internal combustion engines used; or a Portable Equipment Registration Program Permit issued by the California Air Resources Board must accompany each emission device and the District shall be notified of the operation no later than three (3) days after commencement of drilling activities.

Condition # 8

Tehama County Air Pollution Control District

AUTHORITY TO CONSTRUCT POST DRILLING. After Drilling the well, if natural gas is found and will be processed at the site, the applicant must apply for and receive an Authority to Construct from the TCAPCD **prior to actual installation and operation** of a Glycol Dehydrator, Heater/Separator or any compressor unit driven by a stationary internal combustion engine.

Condition #9

Tehama County Building & Safety Department

BUILDING CODE REQUIREMENTS

All work shall conform to the requirements of the 2007 California Building Codes and all local county codes.

Condition # 10

Tehama County Environmental Health Agency

STEEL STORAGE TANK. Use of Steel Storage Tank is required to retain all wastewater resulting from the well drilling. The Steel Storage Tank is to be removed upon completion of drilling.

Condition # 11

Tehama County Environmental Health Agency

HAZARDOUS WASTES. The handling or disposal of toxic or hazardous wastes associated with the drilling operation shall be properly disposed of in accordance with California State Law.

Condition # 12

Tehama County Environmental Health Agency

HAZARDOUS MATERIAL STORAGE. All hazardous material storage shall comply with the standards contained in the 1985, or most recently adopted, edition of the Uniform Fire Code, Article 80, titled "Hazardous Materials".

Condition # 13

Tehama County Environmental Health Agency

SOLID WASTE. Solid wastes shall be properly stored and disposed of weekly at a permitted landfill.

Condition # 14

Tehama County Environmental Health Agency

SEPTIC TANK PUMPER. The portable toilet pumper must be registered by the Tehama County Department of Environmental Health. The name of the pumper shall be submitted to the Department of Environmental Health prior to the beginning of drilling operations.

Condition # 15

Tehama County Environmental Health Agency

HAZARDOUS MATERIALS. Applicant must submit a signed Hazardous Materials general information questionnaire to the Department of Environmental health (questionnaire can be obtained from the same).

Condition # 16

Tehama County Environmental Health Agency

HAZARDOUS MATERIALS THRESHOLD. If business handles hazardous materials above threshold quantities, business emergency response plan and inventory shall be submitted to the Department of Environmental Health at least 30 days prior to commencing operations.

Condition # 17

Tehama County Environmental Health Agency

ENVIRONMENTAL HEALTH INSPECTION. The applicant shall contact the Tehama County Department of Environmental Health to have the site inspected by personnel from that Department prior to the commencement of the drilling operation. Once the drilling is completed this Department shall be contacted to re-inspect the site. Natural gas production will not be allowed until this Department has conducted a final inspection of the site.

Condition #18

Tehama County Cooperative Fire Protection

EMERGENCY ACCESS. Fire/emergency road access shall be constructed and kept open to emergency traffic at all times. Construction shall meet or exceed Article II of Tehama County Code, Chapter 9.14, Sections 9.14.020 through 9.14.029 and shall be approved prior to installation of drilling equipment.

Condition #19

Tehama County Cooperative Fire Protection

DISPOSAL. As required by Article V of Tehama County Ordinance 1537, Section 9.14.027: disposal (including chipping, burying, burning, or removal to a landfill site approved by the local jurisdiction) of flammable vegetation and fuels caused by site development and/or construction; road and/or driveway construction; and fuel modification shall be completed prior to Tehama County Fire Department approval of fire road access construction.

Condition #20

Tehama County Cooperative Fire Protection

CLEARING. The drilling site and all vehicle-parking areas shall be cleared of all flammable fuels.

Condition #21

Tehama County Cooperative Fire Protection

FIRE BREAK. During fire season a 20' wide firebreak, free of flammable material, shall be maintained around the perimeter of drilling, parking and storage sites. This may be accomplished by disking.

Condition #22**Tehama County Cooperative Fire Protection**

PUBLIC RESOURCE CODE REQUIREMENTS. All operations and equipment on the job site shall conform to Public Resource Code Sections 4427, 4442, and 4443. *(Compliance with these sections of the California Public Resources Code is required at all times regardless of a parcel's zoning designation.)*

Condition #23**Tehama County Cooperative Fire Protection**

FLARING. Prior to "flaring" a natural gas well, the applicant must notify the Tehama County Fire Department. Weather conditions may require fire department approval prior to "flaring."

Condition #24**Tehama County Cooperative Fire Protection**

PLACARD. Any established well site shall have a permanently posted placard displaying a well site identification number and an emergency contact phone number. Size of letters, numbers and symbols for the placard shall be a minimum 3-inch letter height, 3/8 inch stroke, reflectorized and contrasting with the background color of the placard. The placard must be visible when approaching the well site from the required road access and shall be maintained throughout the productive life of the well.

Condition #25**Tehama County Cooperative Fire Protection**

If construction of a residence or any other qualifying improvement occurs in proximity to an established well site, the applicant must ensure full compliance with the requirements of a "Critical Well" as defined in Section 1720 of Title 14 of the Calif. Code of Regulations.

Condition #26**Northeast Center of the Calif. Historical Resources Information System**

Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Condition #27

Tehama County Public Works Department

ENCROACHMENT PERMIT REQUIREMENTS. The Applicant shall obtain an Encroachment Permit from the Tehama County Public Works Department for all existing and new driveway connections to County maintained roads.

Condition #28

Tehama County Planning Department

NOISE ATTENUATION. If future production at the location requires the use of a compressor the following conditions will be required:

- a. After construction the noise levels created by well operation shall not exceed the desirable maximum as stated in the Tehama County General Plan Noise Element of 60 dB (A) (pg. 34., Land Use Category "A"; Design Noise Level -L₁₀ (Exterior): 60 dB(A))
- b. Verification that the noise level does not exceed Land Use Classification Standards of the Tehama County General Plan Noise Element at the property line shall be prepared by a certified Audiologist and submitted to the Tehama County Planning Department within 30 days of the installation and operation of gas well compressor.
- c. Should the noise level exceed the standards set in the Tehama County General Plan Noise Element, noise attenuation methods shall be implemented to bring noise source into compliance.
- d. Should noise attenuation need to be implemented, verification that the noise level does not exceed Land Use Classification Standards of the Tehama County General Plan Noise Element at the property line shall be prepared by a certified Audiologist and submitted to the Tehama County Planning Department within 30 days of the implementation of noise attenuation method.

USE PERMIT #08-08, PIONEER EXPLORATION, LTD. (WAYNE J. LAMSON JR., SURFACE OWNER). TO ESTABLISH A NATURAL GAS WELL (GEORGE REID #17) ON AN EXISTING WELL SITE ESTABLISHED FOR GEORGE REID #14, IN AN EA-B:871; EXCLUSIVE AGRICULTURAL- SPECIAL BUILDING SITE COMBINING (871,000 SQ. FT.; 20 ACRE MINIMUM) ZONING DISTRICT. THE PROJECT SITE IS LOCATED SOUTHEAST OF KIRKWOOD ON THE EAST SIDE OF CAPAY ROAD, APPROXIMATELY 2,625 FEET SOUTH AND 915 FEET WEST OF THE NE CORNER OF SECTION 13, T23N, R3W, M.D.B.&M.. APN: 89-140-67. APPROXIMATELY 29.78 ACRES.

Chairperson Walker opened the public hearing.

Mr. Robson explained the project and location.

Chairperson Walker opened the meeting to public testimony. None was received

Chairperson Walker closed the public hearing.

Subfinding #1

U.P. # 08-08 is statutorily exempt pursuant to Title 14, California Code of Regulations Section 15162(a) and (b); because a negative declaration has been previously adopted for the project (U.P. #04-17) and no substantial changes are proposed which would require major revisions of the negative declaration.

Finding #1

U.P. # 08-08 proposal to establish an additional natural gas well for production purposes at an existing well site has been analyzed under the CEQA Guidelines and a negative declaration has been previously adopted for the project and no substantial changes are proposed which would require major revisions of the negative declaration. Therefore, U.P. # 08-08 is exempt from CEQA pursuant to Title 14, California Code of Regulations Section 15162(a) and (b).

Subfinding #2

The applicant proposes to establish a natural gas well George Reid #17, for production purposes in a EA-B:871; Exclusive Agricultural- Special Building Site Combining (871,000 sq. ft.; 20 acre minimum) Zoning District, in an area primarily used for grazing and is surrounded by parcels varying in size from 10.0 to 119 acres.

Subfinding #3

There is one residence within one thousand feet of the proposed well site.
(Subfinding Amended by PC on 7-17-08)

Finding #2

That the location; size, design and operating characteristics of the natural gas well will be compatible with, and will not adversely affect or be materially detrimental to adjacent uses, buildings or structures, with consideration given to harmony in scale, bulk, coverage and density to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic, and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.

Subfinding #4

The Tehama County General Plan designates the site as Cropland. Upon the application and approval of a use permit a natural gas well is permitted in said designation.

Finding #3

That the impacts as described in Finding #1, and the location of the proposed use are consistent with the Tehama County General Plan.

Subfinding #5

The applicant intends to establish a natural gas well at the site. Hence, the natural gas well will contribute to the production of natural gas thereby reducing the nations reliance on foreign fuel sources.

Finding #4

That the natural gas well, at its proposed location, will provide a service to the community and the nation.

It was moved by Commissioner David, seconded by Commissioner Tipton and carried by a vote of 4:0:1 of the Tehama County Planning Commission make the above noted, or similar, findings and approve Use Permit #08-08 subject to the following conditions recommended by the Technical Advisory Committee on July 2, 2008:

Condition #1

Tehama County Planning Department

COMPLIANCE WITH AGENCY REQUIREMENTS. Applicant shall meet the requirements of all Federal, State and local agencies, especially the Tehama County Building Department and the Department of Environmental Health.

Condition #2

Tehama County Planning Dept.

DEVELOPMENT PLAN. Project shall be developed as shown on the Plot Plan submitted with application dated May 15, 2008.

Condition #3

Tehama County Planning Dept.

LUBRICATION OIL CONTAINMENT. The compressor, lubrication storage tank and associated equipment shall have containment with sufficient volume to contain the entire volume of the storage tank and be placed under permanent cover.

Condition #4

Tehama County Planning Dept.

VEGETATION REHABILITATION FENCING. The applicant shall use Best Management Practices for the re-vegetation of the disturbed portions of the project site including erecting a fence (minimum 3 wire electric fence or a 4 wire barb wire fence to prevent cattle from entering the rehabilitation area for as long as necessary to promote vegetative growth.

Condition #5

Tehama County Planning Dept.

TEMPORARY FENCING. During the drilling phase of the project, the applicant shall provide temporary fencing of a minimum 3 wire electric fence or a 4 wire barb wire fence around the project site to prevent cattle from entering.

Condition #6

Tehama County Planning Dept.

FUEL CONTAINMENT. Fuel storage tanks for gas or diesel engines shall include appropriate containment and shall be placed under permanent cover.

Condition #7

Tehama County Air Pollution Control District

AUTHORITY TO CONSTRUCT. An Authority to Construct **prior** to operation of a drilling rig for each of the stationary internal combustion engines used; or a Portable Equipment Registration Program Permit issued by the California Air Resources Board must accompany each emission device and the District shall be notified of the operation no later than three (3) days after commencement of drilling activities.

Condition # 8

Tehama County Air Pollution Control District

AUTHORITY TO CONSTRUCT POST DRILLING. After Drilling the well, if natural gas is found and will be processed at the site, the applicant must apply for and receive an Authority to Construct from the TCAPCD **prior to actual installation and operation** of a Glycol Dehydrator, Heater/Separator or any compressor unit driven by a stationary internal combustion engine.

Condition #9

Tehama County Building & Safety Department

BUILDING CODE REQUIREMENTS

All work shall conform to the requirements of the 2007 California Building Codes and all local county codes.

Condition # 10

Tehama County Environmental Health Agency

STEEL STORAGE TANK. Use of Steel Storage Tank is required to retain all wastewater resulting from the well drilling. The Steel Storage Tank is to be removed upon completion of drilling.

Condition # 11

Tehama County Environmental Health Agency

HAZARDOUS WASTES. The handling or disposal of toxic or hazardous wastes associated with the drilling operation shall be properly disposed of in accordance with California State Law.

Condition # 12

Tehama County Environmental Health Agency

HAZARDOUS MATERIAL STORAGE. All hazardous material storage shall comply with the standards contained in the 1985, or most recently adopted, edition of the Uniform Fire Code, Article 80, titled "Hazardous Materials".

Condition # 13

Tehama County Environmental Health Agency

SOLID WASTE. Solid wastes shall be properly stored and disposed of weekly at a permitted landfill.

Condition # 14

Tehama County Environmental Health Agency

SEPTIC TANK PUMPER. The portable toilet pumper must be registered by the Tehama County Department of Environmental Health. The name of the pumper shall be submitted to the Department of Environmental Health prior to the beginning of drilling operations.

Condition # 15

Tehama County Environmental Health Agency

HAZARDOUS MATERIALS. Applicant must submit a signed Hazardous Materials general information questionnaire to the Department of Environmental health (questionnaire can be obtained from the same).

Condition # 16

Tehama County Environmental Health Agency

HAZARDOUS MATERIALS THRESHOLD. If business handles hazardous materials above threshold quantities, business emergency response plan and inventory shall be submitted to the Department of Environmental Health at least 30 days prior to commencing operations.

Condition # 17

Tehama County Environmental Health Agency

ENVIRONMENTAL HEALTH INSPECTION. The applicant shall contact the Tehama County Department of Environmental Health to have the site inspected by personnel from that Department prior to the commencement of the drilling operation. Once the drilling is completed this Department shall be contacted to re-inspect the site. Natural gas production will not be allowed until this Department has conducted a final inspection of the site.

Condition #18

Tehama County Cooperative Fire Protection

EMERGENCY ACCESS. Fire/emergency road access shall be constructed and kept open to emergency traffic at all times. Construction shall meet or exceed Article II of Tehama County Code, Chapter 9.14, Sections 9.14.020 through 9.14.029 and shall be approved prior to installation of drilling equipment.

Condition #19

Tehama County Cooperative Fire Protection

DISPOSAL. As required by Article V of Tehama County Ordinance 1537, Section 9.14.027: disposal (including chipping, burying, burning, or removal to a landfill site approved by the local jurisdiction) of flammable vegetation and fuels caused by site development and/or construction; road and/or driveway construction; and fuel modification shall be completed prior to Tehama County Fire Department approval of fire road access construction.

Condition #20

Tehama County Cooperative Fire Protection

CLEARING. The drilling site and all vehicle-parking areas shall be cleared of all flammable fuels.

Condition #21

Tehama County Cooperative Fire Protection

FIRE BREAK. During fire season a 20' wide firebreak, free of flammable material, shall be maintained around the perimeter of drilling, parking and storage sites. This may be accomplished by disking.

Condition #22

Tehama County Cooperative Fire Protection

PUBLIC RESOURCE CODE REQUIREMENTS. All operations and equipment on the job site shall conform to Public Resource Code Sections 4427, 4442, and 4443. *(Compliance with these sections of the California Public Resources Code is required at all times regardless of a parcel's zoning designation.)*

Condition #23

Tehama County Cooperative Fire Protection

FLARING. Prior to "flaring" a natural gas well, the applicant must notify the Tehama County Fire Department. Weather conditions may require fire department approval prior to "flaring."

Condition #24

Tehama County Cooperative Fire Protection

PLACARD. Any established well site shall have a permanently posted placard displaying a well site identification number and an emergency contact phone number. Size of letters, numbers and symbols for the placard shall be a minimum 3-inch letter height, 3/8 inch stroke, reflectorized and contrasting with the background color of the placard. The placard must be visible when approaching the well site from the required road access and shall be maintained throughout the productive life of the well.

Condition #25

Tehama County Cooperative Fire Protection

If construction of a residence or any other qualifying improvement occurs in proximity to an established well site, the applicant must ensure full compliance with the requirements of a "Critical Well" as defined in Section 1720 of Title 14 of the Calif. Code of Regulations.

Condition #26

Northeast Center of the Calif. Historical Resources Information System

Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but

would not be limited to) researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Condition #27

Tehama County Public Works Department

ENCROACHMENT PERMIT REQUIREMENTS. The Applicant shall obtain an Encroachment Permit from the Tehama County Public Works Department for all existing and new driveway connections to County maintained roads.

Condition #28

Tehama County Planning Department

NOISE ATTENUATION. If future production at the location requires the use of a compressor the following conditions will be required:

- a. After construction the noise levels created by well operation shall not exceed the desirable maximum as stated in the Tehama County General Plan Noise Element of 60 dB (A) (pg. 34., Land Use Category "A"; Design Noise Level -L₁₀ (Exterior): 60 dB(A))
- b. Verification that the noise level does not exceed Land Use Classification Standards of the Tehama County General Plan Noise Element at the property line shall be prepared by a certified Audiologist and submitted to the Tehama County Planning Department within 30 days of the installation and operation of gas well compressor.
- c. Should the noise level exceed the standards set in the Tehama County General Plan Noise Element, noise attenuation methods shall be implemented to bring noise source into compliance.
- d. Should noise attenuation need to be implemented, verification that the noise level does not exceed Land Use Classification Standards of the Tehama County General Plan Noise Element at the property line shall be prepared by a certified Audiologist and submitted to the Tehama County Planning Department within 30 days of the implementation of noise attenuation method.

USE PERMIT #08-06, ATLANTIC OIL COMPANY (EUGENE AND MARIAN GABRYCH, SURFACE OWNER). TO ESTABLISH A NATURAL GAS WELL, HOUGHTON 3-23, FOR PRODUCTION PURPOSES IN A UA-AP; UPLAND AGRICULTURAL – AGRICULTURAL PRESERVE ZONING DISTRICT . THE WELL SITE IS LOCATED SW OF CORNING, APPROXIMATELY 2 1/4 MILES NORTH OF ROSER ROAD , APPROXIMATELY 1,880' NORTH AND 1,389' EAST OF THE SW CORNER OF SECTION 23, TOWNSHIP 23N., RANGE 4W., M.D. B. & M. APN: 85-160-11. APPROXIMATELY 465.0 ACRES.

Chairperson Walker opened the public hearing.

Mr. Robson explained the project, location and noted there are a lot of natural gas wells in the vicinity. Mr. Robson stated no correspondence has been received on the project.

Chairperson Walker opened the meeting to public testimony. None was received.

Chairperson Walker closed the public hearing.

It was moved by Commissioner David, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to find that an Initial Study has been prepared, a Negative Declaration filed and circulated through the CEQA process, and all comments have been responded to and that the Negative Declaration meets the requirements of CEQA and its Guidelines.

It was moved by Commissioner David, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt the following Sub-findings and Findings as presented in the U.P. #08-06 Planning Commission Staff Report:

Subfinding #1

The applicant proposes to establish a natural gas well, Houghton 3-23, for production purposes in a UA-AP; Upland Agricultural – Agricultural Preserve Zoning District, in an area primarily used for grazing and is surrounded by parcels varying in size from 15.0 to 640 acres.

Subfinding #2

There are no units within one thousand feet of the proposed well site.

Finding #1

That the location; size, design and operating characteristics of the natural gas well will be compatible with, and will not adversely affect or be materially detrimental to adjacent uses, buildings or structures, with consideration given to harmony in scale, bulk, coverage and density to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic, and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.

Subfinding #3

The Tehama County General Plan designates the site as Grazing. Upon the application and approval of a use permit a natural gas well is permitted in said designation.

Finding #2

That the impacts as described in Finding #1, and the location of the proposed use are consistent with the Tehama County General Plan.

Subfinding #4

The applicant intends to establish a natural gas well at the site. Hence, the natural gas well will contribute to the production of natural gas thereby reducing the nations reliance on foreign fuel sources.

Finding #3

That the natural gas well, at its proposed location, will provide a service to the community and the nation.

It was moved by Commissioner David, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission approve Use Permit #08-06 subject to the following conditions recommended for approval by the Technical Advisory Committee on July 2, 2008:

Condition #1

Tehama County Planning Department

COMPLIANCE WITH AGENCY REQUIREMENTS. Applicant shall meet the requirements of all Federal, State and local agencies, especially the Tehama County Building Department and the Department of Environmental Health.

Condition #2

Tehama County Planning Dept.

DEVELOPMENT PLAN. Project shall be developed as shown on the Plot Plan submitted with application dated April 4, 2008.

Condition #3

Tehama County Planning Dept.

LUBRICATION OIL CONTAINMENT. The compressor, lubrication storage tank and associated equipment shall have containment with sufficient volume to contain the entire volume of the storage tank and be placed under permanent cover.

Condition #4

Tehama County Planning Dept.

VEGETATION REHABILITATION FENCING. The applicant shall use Best Management Practices for the re-vegetation of the disturbed portions of the project site including erecting a fence (minimum 3 wire electric fence or a 4 wire barb wire fence to prevent cattle from entering the rehabilitation area for as long as necessary to promote vegetative growth.

Condition #5

Tehama County Planning Dept.

TEMPORARY FENCING. During the drilling phase of the project, the applicant shall provide temporary fencing of a minimum 3 wire electric fence or a 4 wire barb wire fence around the project site to prevent cattle from entering.

Condition #6

Tehama County Planning Dept.

FUEL CONTAINMENT. Fuel storage tanks for gas or diesel engines shall include appropriate containment and shall be placed under permanent cover.

Condition #7

Tehama County Air Pollution Control District

AUTHORITY TO CONSTRUCT. An Authority to Construct **prior** to operation of a drilling rig for each of the stationary internal combustion engines used; or a Portable Equipment Registration Program Permit issued by the California Air Resources Board must accompany each emission device and the District shall be notified of the operation no later than three (3) days after commencement of drilling activities.

Condition # 8

Tehama County Air Pollution Control District

AUTHORITY TO CONSTRUCT POST DRILLING. After Drilling the well, if natural gas is found and will be processed at the site, the applicant must apply for and receive an Authority to Construct from the TCAPCD **prior to actual installation and operation** of a Glycol Dehydrator, Heater/Separator or any compressor unit driven by a stationary internal combustion engine.

Condition #9

Tehama County Building & Safety Department

BUILDING CODE REQUIREMENTS

All work shall conform to the requirements of the 2007 California Building Codes and all local county codes.

Condition # 10

Tehama County Environmental Health Agency

STEEL STORAGE TANK. Use of Steel Storage Tank is required to retain all wastewater resulting from the well drilling. The Steel Storage Tank is to be removed upon completion of drilling.

Condition # 11

Tehama County Environmental Health Agency

HAZARDOUS WASTES. The handling or disposal of toxic or hazardous wastes associated with the drilling operation shall be properly disposed of in accordance with California State Law.

Condition # 12

Tehama County Environmental Health Agency

HAZARDOUS MATERIAL STORAGE. All hazardous material storage shall comply with the standards contained in the 1985, or most recently adopted, edition of the Uniform Fire Code, Article 80, titled "Hazardous Materials".

Condition # 13

Tehama County Environmental Health Agency

SOLID WASTE. Solid wastes shall be properly stored and disposed of weekly at a permitted landfill.

Condition # 14

Tehama County Environmental Health Agency

SEPTIC TANK PUMPER. The portable toilet pumper must be registered by the Tehama County Department of Environmental Health. The name of the pumper shall be submitted to the Department of Environmental Health prior to the beginning of drilling operations.

Condition # 15

Tehama County Environmental Health Agency

HAZARDOUS MATERIALS. Applicant must submit a signed Hazardous Materials general information questionnaire to the Department of Environmental health (questionnaire can be obtained from the same).

Condition # 16

Tehama County Environmental Health Agency

HAZARDOUS MATERIALS THRESHOLD. If business handles hazardous materials above threshold quantities, business emergency response plan and inventory shall be submitted to the Department of Environmental Health at least 30 days prior to commencing operations.

Condition # 17

Tehama County Environmental Health Agency

ENVIRONMENTAL HEALTH INSPECTION. The applicant shall contact the Tehama County Department of Environmental Health to have the site inspected by personnel from that Department prior to the commencement of the drilling operation. Once the drilling is completed this Department shall be contacted to re-inspect the site. Natural gas production will not be allowed until this Department has conducted a final inspection of the site.

Condition #18

Tehama County Cooperative Fire Protection

EMERGENCY ACCESS. Fire/emergency road access shall be constructed and kept open to emergency traffic at all times. Construction shall meet or exceed Article II of Tehama County Code, Chapter 9.14, Sections 9.14.020 through 9.14.029 and shall be approved prior to installation of drilling equipment.

Condition #19

Tehama County Cooperative Fire Protection

DISPOSAL. As required by Article V of Tehama County Ordinance 1537, Section 9.14.027: disposal (including chipping, burying, burning, or removal to a landfill site approved by the local jurisdiction) of flammable vegetation and fuels caused by site development and/or construction; road and/or driveway construction; and fuel modification shall be completed prior to Tehama County Fire Department approval of fire road access construction.

Condition #20

Tehama County Cooperative Fire Protection

CLEARING. The drilling site and all vehicle-parking areas shall be cleared of all flammable fuels.

Condition #21

Tehama County Cooperative Fire Protection

FIRE BREAK. During fire season a 20' wide firebreak, free of flammable material, shall be maintained around the perimeter of drilling, parking and storage sites. This may be accomplished by disking.

Condition #22

Tehama County Cooperative Fire Protection

PUBLIC RESOURCE CODE REQUIREMENTS. All operations and equipment on the job site shall conform to Public Resource Code Sections 4427, 4442, and 4443. *(Compliance with these sections of the California Public Resources Code is required at all times regardless of a parcel's zoning designation.)*

Condition #23

Tehama County Cooperative Fire Protection

FLARING. Prior to "flaring" a natural gas well, the applicant must notify the Tehama County Fire Department. Weather conditions may require fire department approval prior to "flaring."

Condition #24

Tehama County Cooperative Fire Protection

PLACARD. Any established well site shall have a permanently posted placard displaying a well site identification number and an emergency contact phone number. Size of letters, numbers and symbols for the placard shall be a minimum 3-inch letter height, 3/8 inch stroke, reflectorized and contrasting with the background color of the placard. The placard must be visible when approaching the well site from the required road access and shall be maintained throughout the productive life of the well.

Condition #25

Tehama County Cooperative Fire Protection

If construction of a residence or any other qualifying improvement occurs in proximity to an established well site, the applicant must ensure full compliance with the requirements of a "Critical Well" as defined in Section 1720 of Title 14 of the California Code of Regulations.

Condition #26

Northeast Center of the Calif. Historical Resources Information System

Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a

less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Condition #27

Tehama County Public Works Department

ENCROACHMENT PERMIT. Developer shall obtain an Encroachment Permit from the Tehama County Public Works Department for all roads which provide ingress and egress to drilling operations that inevitably access a County maintained road. The Developer shall obtain an Encroachment Permit from the Tehama County Public Works Department for private drive access at Roser Road. Encroachment shall be constructed and approved prior to commencement of any exploration drilling.

USE PERMIT #07-09, THOMES CREEK ROCK (DOYLE RANCH, OWNER). TO ESTABLISH A COMMERCIAL GRAVEL EXTRACTION OPERATION WHICH WILL REMOVE 50,000 CUBIC YARDS OF GRAVEL OVER A 30 YEAR PERIOD ON 58.24 ACRES OF LOWER THOMES CREEK FOR A TOTAL EXTRACTION OF 1,500,000 CUBIC YARDS. THE OPERATION WOULD EXTRACT AGGREGATE GRAVEL BETWEEN JUNE TO OCTOBER EACH YEAR FROM THOSE AREAS OF THE STREAM CHANNEL NOT INUNDATED BY WATER AND MOVE THE MATERIAL TO A 5.18 ACRE STOCKPILE SITE NORTH OF THE STREAM CHANNEL. MINING WOULD BE RESTRICTED TO A "BAR SKIMMING" OPERATION WHICH WOULD NOT EXCEED A DEPTH GREATER THAN THE THALWEG OF THE CREEK. LOCATED EAST OF THE COMMUNITY OF RICHFIELD ALONG THE EAST SIDE OF HALL ROAD IN THE LOWER REACHES OF THOMES CREEK, JUST WEST OF THE CONFLUENCE OF THE CREEK AND THE SACRAMENTO RIVER ON PROPERTY KNOWN AS THE DOYLE RANCH. THE EXTRACTION SITE IS APPROXIMATELY 1500 FEET NORTH OF THE HALL RD./RIVER RD. INTERSECTION.

Chairperson Walker opened the public hearing.

Mr. Robson explained this project is a streambed gravel operation on Thomes Creek previously used by Tehama County. He stated they are screening the creek-bed with no removal of surface material and there are annual surveys of the extraction area. Mr. Robson explained there was a minor change to Condition #8. Mr. Robson also explained the Financial Assurance and Reclamation Plan would be coming before the Planning Commission next month.

Chairperson Walker opened the meeting to public testimony.

Travis Deem, Land Designers was present. Mr. Deen explained the siphon located upstream and the reclamation plan and Use Permit Application request.

Chairperson Walker closed the public hearing.

It was moved by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission that an Initial Study has been prepared, a Mitigated Negative Declaration filed and circulated through the CEQA process, and all comments have been responded to and, if necessary, included in the Mitigation Measures, if any, proposed for the project and further move to approve the Mitigated Negative Declaration filed on Use Permit #07-09 as meeting the requirements of CEQA and its Guidelines.

It was moved by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission adopt the Subfindings and Findings presented in the Staff Report on Use Permit #07-09:

Subfinding #1

The applicant is proposing to establish a gravel extraction operation on a portion of the Doyle Ranch that is adjacent to an existing gravel mining operation. The operator must meet the requirements of all local, state and federal agencies that have established regulations for this type of operation.

Finding #1

That the location, size, design and operating characteristics of the gravel extraction operation will be compatible with, and will not adversely affect or be materially detrimental to adjacent uses, buildings or structures, with consideration given to harmony in scale, bulk, coverage and density to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic, and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.

Subfinding #2

The Tehama County General Plan designates the site as Cropland. The in-stream gravel extraction operation will financially benefit the operator and the land owner. Reclamation standards will require the site be returned to its natural state through natural gravel recruitment measures identified in the Streambed Alteration Agreement.

Finding #2

That the impacts as described in Subsection A, and the location of the proposed use are consistent with the Tehama County General Plan. The site will be reclaimed to its natural state as required by the California Department of Fish and Games Streambed Alteration Permit.

Subfinding #3

The applicant has an existing gravel extraction and processing operation located in Richfield that provides material for the construction industry. The establishment of an extraction operation at this site will provide additional material for an existing operation.

Finding #3

That the extraction of gravel at this location will provide a service or facility which will contribute to the general well-being of the surrounding neighborhood or community by providing an additional source of material for the construction industry.

It was also moved by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve Use Permit #07-09 subject to the following conditions recommended by the Technical Advisory Committee on 7/02/08.

Condition #1

Tehama County Planning Department

COMPLIANCE WITH AGENCY REQUIREMENTS. Applicant shall meet the requirements of all Federal, State and local agencies, especially the Tehama County Building Department and the Department of Environmental Health.

Condition #2

State of California, Dept. of Fish & Game

FISH & GAME ENVIRONMENTAL FILING FEE. Pursuant to Fish & Game Code Section 711.4 and California Code of Regulations (CCR) Title 14, Section 753.5, all environmental filing fees shall be paid prior to issuance of the Use Permit.

Condition #3

Tehama County Air Pollution Control District

The Tehama County Air Pollution Control District (District) has reviewed the planned project of Thomes Creek Rock, Use Permit #07-09 and Reclamation Plan #07-02. The District will require Thomes Creek Rock to operate in compliance with the conditions of Permit to Operate #46 issued to Thomes Creek Rock by the District. The Permit is renewable and expires on June 1st of each year.

Condition #4

Tehama County Building & Safety Department

BUILDING CODE REQUIREMENTS

All work shall conform to the requirements of the 2007 California Building Codes and all local county codes.

Condition #5

Tehama County Environmental Health Department

All hazardous material storage shall comply with the standards contained in the 1985, or most recently adopted, edition of the Uniform Fire Code, Article 80, title hazardous materials.

Condition #6

Tehama County Environmental Health Department

Applicant must submit a signed Hazardous Materials general information questionnaire to the Department of Environmental Health (questionnaire can be obtained from the same).

Condition #7

Tehama County Environmental Health Department

If business handles hazardous materials above threshold quantities, business emergency response plan and inventory shall be submitted to the Department of Environmental Health at least 30 days prior to commencing operations.

Condition #8

Tehama County Cooperative Fire Protection

EMERGENCY ACCESS. Fire/emergency road access shall be constructed and kept open to emergency traffic at all times. Construction shall meet or exceed Article II of Tehama County Code, Chapter 9.14, Sections 9.14.020 through 9.14.029.

Condition #9

Tehama County Cooperative Fire Protection

DISPOSAL. As required by Article V of Tehama County Ordinance 1537, Section 9.14.027: disposal (including chipping, burying, burning, or removal to a landfill site approved by the local jurisdiction) of flammable vegetation and fuels caused by site development and/or construction; road and/or driveway construction; and fuel modification shall be completed prior to Tehama County Fire Department approval of fire road access construction.

Condition #10

Tehama County Cooperative Fire Protection

CLEARING. All vehicle parking areas shall be cleared of flammable vegetation.

Condition #11

Tehama County Cooperative Fire Protection

All operations and equipment on the job site shall conform to Public Resource Code Sections 4427, 4442, and 4443.

Condition #12

Mitigation Measure II. 1. (a)

Prior to the commencement of the extraction operation, and per SMARA requirements, the mine operator must obtain an approved Financial Assurance Mechanism that provides funds for reclaiming the site as required by the Reclamation Plan and CA Fish and Game's 1603 Streambed Alteration Permit.

Condition #13

Tehama County Air Pollution Control District

OPERATE IN COMPLIANCE. The District will require Thomas Creek Rock to operate in compliance with the conditions of Permit to Operate #46 issued to Thomas Creek Rock by the District. The Permit is renewable and expires on June 1st of each year.

Condition #14

Mitigation Measure IV. 1 (a)

Prior to commencement of mining activities, the trees of the riparian areas on the north and south side of the project area east to the confluence of the creek and the Sacramento River be checked by a qualified biologist for eagle nesting activity. Should eagles be found nesting within 1/4 mile of the mining activity, appropriate non-disturbance measures should be implemented to facilitate nesting success. Such measures would have to be determined depending on where the nest is but might include a no disturbance zone around the nest tree for the nesting season.

Condition #15

California Department of Fish and Game

Mitigation Measure IV. 1 (d)

Streambed Alteration Agreement (1603)

GENERAL CONDITIONS FOR WORK WITHIN AND ADJACENT TO CHANNEL

1. Work in the stream channel, defined as the 100-year flood plain, shall be confined to the period July 1 to October 15, of any year in which this agreement is valid. An earlier start date in any year of this Agreement can be authorized if pre-extraction plans including adequate botanical surveys have been completed and approved by the Department, and stream flows and hydrological conditions warrant, as determined by the Department, upon written request to and approval by the Department. No work shall be allowed in the flowing stream unless approved in writing by the Department in advance of proposed work. Between the period October 1 through October 15, the Operator may no longer extract gravel but may use this period to complete the required reclamation of the site. Reclamation activities include removing gravel stockpiles, removing temporary culverts and or bridges, filling in low areas and depressions that may trap fish and reshaping bars to meet the prescribed post-extraction slopes. If Operator

wishes to work outside the dates herein specified, a written request shall be made to the Department at least 10 days in advance of the proposed work period variance. Written approval for the proposed time variance must be received from the Department before work may commence or recommence.

2. A permanent low-flow channel shall be established and maintained throughout the life of the Project involving extraction from the main flow channel. The low-flow channel shall follow the natural gradient and meander from the upper to lower perimeter of the Project. The center line of the low flow channel shall be delineated by the Operator by the placement of stakes. The Department shall approve the location prior to excavation, and may require modification. Extraction shall be preformed so that the depth of excavation will be limited along the upstream property lines to provide a gently sloped transition area, in order to blend the excavated area with existing offsite creek gradients. The excavated area will not exceed one foot in depth for every 25 feet of distance from the property line. No holes or depressions shall be allowed to remain in the extraction area except for any approved pit mining sites. The disturbed portions of the stream channel within the high water mark of the stream shall be restored to as near their original condition as possible.

3. Temporary culverts shall be installed in the low-flow channel to accommodate use of access/haul roads whenever the low-flow channel is flowing. Any such culvert shall be of sufficient size that velocities created will not impede the upstream passage of fish through the project area pursuant to Fish and Game Code Section 5901. Fill will be from clean on-site gravel. Any such culvert shall be removed prior to October 15th. Wet crossings are not authorized.

4. No extraction of the stream banks shall be allowed. Extraction of gravel shall be accomplished by "skimming" or grading of gravel bars. No excavations at any point in the channel shall be deeper than three feet below the thalweg of the low flow water channel and shall conform to the specifications of the approved extraction plan. The width of the channel of Thomes Creek is defined as the 100-year flood plain.

5. Irrespective of the requirement that no excavation occur on the stream banks, in the event stream banks are significantly disturbed by construction activities, the Operator shall submit to the Department for approval a stream bank stabilization plan upon the completion of in-stream extractions. The plan shall include plan view and cross section view drawings of the proposed stream bank stabilization sites. The drawings must show length of stream bank to be treated and materials to be used. The plan shall also identify the planting technique and, on the 1":200' aerial photograph, the location where willow and cottonwood planting

are proposed to occur along the stream bank and the approximate date of the plantings.

6. Channel modifications to facilitate Project construction operations shall be performed in a manner that will not cause negative impacts upstream and downstream in the stream channel, such as increased water velocities, accelerated bank erosion or loss of riparian vegetation.
7. Habitat restoration and off channel site reclamation may be conducted year round provided that all equipment remain 100 feet away from live flow and 10 feet from existing standing water or wetted areas that are isolated from the live flow. No water crossings of any type are allowed during this time frame. Stock piles may be removed and cut banks contoured to a maximum of 3:1 slope.
8. Access to the work site will be via existing roads and access ramps.
9. No equipment or vehicles will be operated in live stream channels. All equipment shall maintain a set back of 10 feet from the edge of the live stream/water, and excavations shall not extend into the subsurface flow. Vehicles shall not be driven or equipment operated in water covered portions of the stream or where riparian vegetation or aquatic organisms may be destroyed, except as otherwise provided for in the Agreement. Any equipment or vehicles driven and/or operated adjacent to the stream will be checked and maintained daily to prevent leaks of materials that if introduced to the stream, banks, or flood plain could be deleterious to wildlife. No equipment maintenance shall be done within or near any stream channel or lake margin where petroleum products or other pollutants from the equipment may enter these areas under any flow regime.
10. Staging, storage, and re-fueling areas for machinery, equipment, and materials shall be located outside of the stream.
11. No equipment or machinery shall be operated within any flowing stream.
12. Any equipment or vehicles driven and/or operated within or adjacent to the stream channel shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life, wildlife, or riparian habitat.
13. The clean-up of all petroleum and/or chemical spills shall begin immediately. The Responsible Party shall comply with all litter and pollution laws. All contractors, subcontractors and employees shall also obey these laws and it shall be the responsibility of the Responsible Party to ensure compliance.

14. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, asphalt, paint or other coating material, oil or petroleum products or other organic or earthen material from any construction, or associated activity of whatever nature shall be allowed to enter into, or placed where it may be washed by rainfall or runoff into, waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream or lake.

15. The project shall at all time feature adequate erosion and sediment control devices to prevent the degradation of water quality.

16. Soils exposed by project operations shall be mulched to prevent sediment runoff and transport. Mulches shall be applied so that not less than 90% of the disturbed areas are covered. All mulches (except hydro-mulch) shall be applied in a layer not less than two inches deep. All mulches shall be kneaded or tracked-in with track marks parallel to the contour, and tackified as necessary to prevent excessive movement. All exposed soils and fills shall be reseeded with a mix of grasses free from seeds of noxious or invasive weed species, and applied at a rate which will ensure establishment.

17. Soils adjacent to the stream channel that are exposed by project operations shall be adequately stabilized when rainfall is reasonably expected during construction, and immediately upon completion of construction, to prevent the mobilization of such sediment into the stream channels or adjacent wetlands. National Weather Service forecasts shall be monitored by the Responsible Party to determine the chance of precipitation.

18. The Responsible Party shall not impact stream channel areas and associated riparian habitat outside the work areas expressly shown on the plans.

19. The project proposes to extract sand and gravel from the bed of Thomes Creek. This activity falls within the jurisdiction of the California Department of Fish and Game and requires a Streambed Alteration Agreement (1602) before any disturbance to the bed or bank of Thomes Creek can occur. The operator is subject to all conditions imposed by the Streambed Alteration Agreement.

20. No direct or indirect impacts shall occur to any threatened or endangered species as a result of implementing the project or the project's activities. If any threatened or endangered species could be impacted by the work proposed, the Responsible Party shall obtain the required state and federal permits.

Conditions Affecting Riparian Vegetation

1. The disturbance or removal of vegetation will not exceed the minimum necessary to complete operations and shall be limited to areas where extraction

has occurred within the past five years unless otherwise stipulated in this Agreement. If new vegetation areas are to be disturbed Operator must obtain approval from the Department prior to disturbance. Precautions will be taken to avoid other damage to vegetation by people or equipment.

2. Trees exceeding 2" DBH shall not be removed, and clumps of smaller trees shall not be removed or damaged except by prior approval of the Department of Fish and Game. Mature willow trees may be transplanted when special approval is granted upon approval of the annual extraction plan. Willow trees shall be transplanted with root-ball intact. Operator shall irrigate transplanted trees until wet weather begins in the late fall to increase survival rate.

3. Extraction adjacent to existing trees less than 2" DBH may occur by starting a minimum of 10' outside the drip line and extracting material away from the tree by maintaining a minimum of 2:1 slope. Trees exceeding 4" DBH shall be protected by starting a minimum 25' outside the drip line and extracting material away from the tree by maintaining a minimum of 3:1 slope.

Condition #16

Mitigation Measure V. 1. (a)

Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the location, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Condition #17

Mitigation Measure VII 1. (a)

All hazardous material storage shall comply with the standards contained in the 1985, or most recently adopted, edition of the Uniform Fire Code, Article 80, title Hazardous materials.

Applicant must submit a signed Hazardous Materials general information questionnaire to the Department of Environmental Health (questionnaire can be obtained from the same).

If site is developed to include equipment using hazardous materials (e.g. generator, compressor, dehydrator), business emergency response plan and

inventory shall be submitted to the Department of Environmental Health at least 30 days prior to commencing operations.

The operator must comply with the State of California Above Ground Petroleum Storage Tank Program should a single petroleum aboveground tank of greater than 660 gallons, or several tanks with a cumulative volume greater than 1,320 gallons.

Condition #18

Mitigation Measure VIII. 1. (a)

Applicant shall meet the requirements of Mitigation IV.1 (d)

Condition #19

Mitigation Measure VIII. 1. (f)

Prior to the commencement of extraction the operation must be covered by a General Permit for Discharges of Storm Water Associated with Industrial Activities.

Condition #20

Mitigation Measure XI. 1. (a)

The hours of operation for the extraction, processing and hauling of aggregate material is limited to 7:00 A.M. to 5:00 P.M., Monday thru Friday and 8:00 A.M. to 12:00 P.M. on Saturday.

Condition #21

The Tehama-Colusa Canal Authority

SIPHON PROTECTION. In order to protect the Corning Canal siphon from loss of its gravel covering, the following measures will be implemented:

1. No excavation will occur below the stream thalweg as identified in yearly pre-extraction cross sections and as approved by the Department of Fish and Game in compliance with the 1600 Streambed Alteration permit for the project.
2. The cross section produced during the 2007 extraction season for Fox Sand and Gravel indicated that the Thalweg elevation was 210 feet msl where it crosses over the Corning Canal siphon. If, subsequent to commencement of operations at the Doyle #17 site there is a degradation of the thalweg at the Corning Canal siphon then an investigation will be made to determine the cause of the change. Should it be determined that the lowering of the thalweg is due to gravel extraction at the site then all operations will cease until a remediation program can be designed which satisfies the requirements of the Lead Agency.

Condition #22

Tehama County Public Works Department

REMOVAL RESTRICTION. Prior to removal of extracted material from site the following conditions shall be meet.

A. ENCROACHMENT PERMIT. Obtain an encroachment permit for the access road from the site to Hall Road. Safety issues, such as adequate site distance, and dust control need to be defined and mitigated by the applicant for the access road encroachment.

B. SIGNAGE. Place signing along Hall Road to advise traffic of the Wells Fargo Street intersection. A blind intersection sign meeting the Manual on Uniform Traffic Control Devices standard is required along with an advisory 35 miles per hour speed sign at the same location.

Condition #23

Tehama County Public Works Department

ROAD IMPROVEMENTS. The following road improvements shall be completed within one year from the date the Planning Commission approves U.P. #07-09:

A. HALL ROAD RECONSTRUCTION. 1100 feet of Hall Road shall be reconstructed between stations 23+00 and 34+00 to improve stopping sight distance.

B. INTERSECTION IMPROVEMENT. Expand right turn radius from eastbound Gyle onto Hall Road sufficiently to ensure that trucks do not leave pavement during a turn.

C. SHOULDER IMPROVEMENT. Widen shoulder on Gyle Road opposite Hall Road.

D. STOP BAR. Install thermo-plastic stop bar and legend at north end of Hall Road.

E. TONNAGE FEE. The operator is required to pay any exaction/impact fees imposed by the Board of Supervisors during the term of the Use Permit.

OTHER MATTERS:

TRACT MAP #05-1018 KENDEL TRENT (TIME EXTENSION). TO SUBDIVIDE APPROXIMATELY 118.50 ACRES INTO 23 PARCELS RANGING FROM 3.0 ACRES TO 10.00 ACRES IN A R1-A-MH-B:217, ONE-FAMILY RESIDENTIAL - SPECIAL ANIMAL COMBINING - SPECIAL MOBILEHOME COMBINING - SPECIAL BUILDING SITE COMBINING 217,000 SQ. FT. (5 ACRE MINIMUM) ZONING DISTRICT. THE PROPERTY IS LOCATED IN THE EL CAMINO AREA ON THE EAST AND WEST SIDES OF TRUCKEE AVE., APPROXIMATELY 1000 FEET NORTH OF THE TRUCKEE AVE./RODEO AVE. INTERSECTION. APN'S 63-130-3, 4, 5, 14, 16, 33

Mr. Robson explained the project, location and request for a two year time extension.

Discussion followed regarding the cul-de-sac and road loops previously discussed on this project.

Chairperson Walker opened the meeting to public comment.

Kendel Trent, the applicant was present and addressed the Commissioners. Mr. Trent stated one condition had been changed at the Board of Supervisors meeting previously, however, nothing else has changed on the project he is just requesting a two year time extension.

It was moved by Commissioner Tipton, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to Adopt Subfinding & Finding #1 as presented in the staff report pursuant to the California Environmental Quality Act (CEQA) and further move that Tract Map #05-1018 is exempt from CEQA pursuant to Section 15162 (a) (b). (Previously adopted Negative Declaration for the project) and therefore adopt the following Subfindings and Findings presented for Time Extension for Tract Map #05-1018:

Finding #1

Tract 05-1018 is located within the boundaries of the El Camino Irrigation District, the 23 proposed parcels do not exceed the densities allowed by the Zoning Code and is consistent with the Composite Cropland classification of the Tehama County General Plan.

Subfinding #2

Tract 05-1018 is subject to conditions that direct the design and improvements of the subdivision to meet the requirements of the Tehama County Land Division Standards.

Finding #2

That the design and improvements of Tract 05-1018 are consistent with the Tehama County General Plan.

Subfinding #3

The site and location of Tract 05-1018 is in an area where building pads can be constructed that will not present any physical difficulties for development.

Finding #3

The site of Tract 05-1018 is physically suitable for the type of development proposed.

Subfinding #4

The site is in an area known to have an adequate source of groundwater for domestic use. The site also exhibits the appropriate soil characteristics to support septic systems.

Finding #4

That the site is physically suitable for the proposed density of development.

Subfinding #5

The site is in an area developed with parcels of similar size and residential uses.

Finding #5

That the design of Tract 05-1018 or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

Subfinding #6

A soil profile has been completed by the applicant=s engineer providing ample evidence that the soils in the area are capable of providing adequate sewage disposal.

Finding #6

The development of Tract 05-1018 is not likely to cause serious public health problems.

Subfinding #7

The proposed parcels will be served by roads constructed by the developer. These roads will not conflict with any existing easements through the parcel.

Finding #7

That the design of Tract 05-1018 or type of improvements required will not conflict with easements acquired by the public at large, for access through or use of, property within the subdivision.

It was moved by Commissioner Tipton, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve Tract Map 05-1018 subject to the conditions recommended by the Technical Advisory Committee on 7/02/08.

Condition #1.

COMPLIANCE WITH AGENCY REQUIREMENTS. Applicant shall meet the requirements of all Federal, State and local agencies, especially the Tehama County Building Department and the Department of Environmental Health.

Condition #2.

SOILS. A soils study report including **ALL** information specified in Section VI, B; of the Land Division Standards shall be submitted by a registered geologist, engineer or environmental health specialist. Percolation test results shall be submitted on forms provided by the Department of Environmental Health.

Condition #3.

SEPTIC SYSTEMS. Septic system(s) location(s) and expansion for **ALL** existing structures (wells, houses, driveways, garages, etc.), shall be delineated on each lot.

Condition #4.

SEWAGE DISPOSAL. The face of each additional informational map shall be annotated: "An on-site sewage disposal system shall be located only within the disposal area indicated for each parcel. Alternative sites for sewage disposal may be allowed upon application and approval of an on-site sewage disposal permit issued by the Department of Environmental Health."

Condition #5.

WATER AVAILABILITY. A statement of water availability as per Section VII, B., 1., (a). Of the Land Division Standards shall be submitted to the Department of Environmental Health.

Condition #6.

EMERGENCY FIRE SUPPRESSION. Because of the potentially significant impact of this project, the Tehama County Fire Department requests the following conditions:

A community water system including the placement of a hydrant(s) and street valve(s) with a capacity to flow 500 GPM for a duration of four hours. Specific location of the hydrant and approval of the system design shall rest with the County Fire Marshal. The developer shall provide for a means of providing for maintenance and repair of the community water system in perpetuity.

Or

Any dwelling unit constructed or sited within the boundaries of this tentative subdivision map shall have engineered and installed an automatic fire suppression system which complies with the 2001 Uniform Building Code Standard 10-4 and NFPA 13 D (Standard for Installation of Sprinkler Systems in Residential Occupancies); and a notation on to that effect shall be placed upon the final map.

Condition #7.

EMERGENCY ACCESS. All parcels shall allow for emergency access (driveways) that shall meet or exceed Article II of Tehama County Ordinance 1537, Sections 9.14.020, 9.14.022, 9.14.023, 9.14.024, 9.14.025, 9.14.026, 9.14.027, 9.14.030, 9.14.031, and a notation to that effect shall be placed upon the final map.

Condition #8.

DISPOSAL. According to Article V of Tehama County Ordinance 1537, Section 9.14.072: Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit, and a notation to that effect shall be placed upon the final map.

Condition #9.

VEHICULAR ACCESS. Any roadway (including private) which provides vehicular access to more than one parcel or access to a single parcel with more than two buildings or four or

more dwelling units, shall meet or exceed Article II of Tehama County Ordinance 1537, Sections 9.14.020, 9.14.021, 9.14.022, 9.14.023, 9.14.024, 9.14.025, 9.14.027, 9.14.028, 9.14.029. TCFD shall approve construction prior to final approval of road construction by road department, and a notation to that effect shall be placed upon the final map.

Condition #10.

ROAD SIGNING. Signing of roads (including private) shall meet or exceed Article III of Tehama County Ordinance 1537, Sections 9.14.040, 9.14.041, 9.14.042, 9.14.043, 9.14.044, 9.14.044, 9.14.045, 9.14.046, 9.14.047, and shall be installed prior to final acceptance by the local jurisdiction of road improvements, and a notation to that effect shall be placed upon the final map.

Condition #11.

BUILDING PERMITS. Any building permits issued for any parcel shall be conditioned upon compliance with all pertinent sections of Chapter 9.14 of the Tehama County Code as it reads at the time of permit issuance, and a notation to that effect shall be placed upon the final map.

Condition #12.

LAND DIVISION STANDARDS : The Developer shall comply with the following:

- A.) All the pertinent requirements of Title 16, "Subdivisions", Chapters 16.04 thru 16.40 of the Tehama County Code, the Tehama County Land Division Standards, the Subdivision Map Act, as amended .
- B.) The "NOTE" pursuant to State of California Government Code 66411.1 (b) (2) per the Tehama County Technical Advisory Committee (T.A.C.) minutes .
- C.) The requirements of the Regional Water Quality Control Board (RWQCB) regarding storm water permitting via Storm Water Pollution Prevention Plan (SWPPP).

Condition #13.

DEDICATION OF EASEMENT: The Developer shall dedicate to the public easements for public road, public utilities and related purposes described as follows;

- A.) 30' foot wide half width right-of-way along Truckee Avenue (Co. Rd. No. 493) at locations where the subdivision abuts on only one side of the Avenue and a 60' foot wide full width right-of-way along the remaining frontage.

Condition # 14.

ACCESS CONTROL: The Developer shall delineate a one foot wide non-vehicular access strip reservation along all lots fronting Truckee Avenue (Co. Rd. No. 493) excepting driveways at Lots 1 & 3 and excluding common driveways Lot 2 and remainder Lots 6, 7, 10, & 11.

Condition # 15.

PUBLIC ROAD IMPROVEMENT REQUIREMENTS: Developer shall construct all road, storm drainage systems and related public improvements along Truckee Avenue (Co. Rd. No.493) in accordance with the following requirements;

A.) Limits of requirements:

- 1.) Improvement plans for Lots "1", "2", "3" and "4" on Truckee Avenue shall delineate a full width roadway cross section.
- 2.) Developer shall make full width roadway improvements to Truckee Avenue starting from the southern property line south to Rodeo Avenue (Co. Rd. No.443)
- 3.) Improvement plans for Lots "5" thru "11" shall delineate a one half width roadway cross-section.

B.) Developer shall submit improvement plans, prepared by a Registered Civil Engineer (RCE) to the Tehama County Public Works Department (TCPWD) in accordance with the following;

- 1.) Improvements plans for Truckee Avenue shall delineate half width and full width road way cross section(s) as shown in Section 'X' ~ "*Uniform Construction Standards*" of the Tehama County Land Division Standards (TCLDS) "TYPICAL ROAD SECTIONS" Drawing No. 10-4 (Local Road with On-Street Parking) with an engineered structural section based on "R" value tests and traffic indices
- 2.) Improvement plans shall be prepared in accordance with applicable sections of the Caltrans "Highway Design Manual" and TCLDS .
- 3.) Said improvement plans shall be checked and approved by the TCPWD prior to commencement of construction.
- 4.) Developer shall reimburse the TCPWD, via a Service Agreement, for all labor (pursuant to applicable "Fee Schedule" rates), equipment usage, materials and administrative costs expended by TCPWD in the checking and processing of improvement plans and construction inspection .
- 5.) Developer shall obtain an Encroachment Permit from the TCPWD prior to the start of any work within a County maintained right of way.
- 6.) Developer shall notify TCPWD (a minimum of two working days) prior to commencement of construction to provide for construction inspection scheduling.

C.) Developer shall provide the County Engineer with a RCE certification that all roads, storm drainage systems and related improvements, required in the conditions of approval, have been constructed in accordance with applicable sections of the Caltrans Construction Manual and the TCLDS.

Note: The RCE Certification shall include copies of the following test results:

- 1.) Gradation of sub-base and base materials.
- 2.) Compaction tests of sub-base and base materials.
- 3.) Chip gradation and oil certification.

D.) The Director of Public Works **may** approve alternative methods for satisfying the above described condition for the construction of improvements.

Condition # 16.

PRIVATE ROAD IMPROVEMENT REQUIREMENTS: Prior to the recordation of the Tract Map, Developer shall construct all road and storm drainage systems and related improvements for privately maintained road(s) described as follows;

A.) Limits of Required Improvements:

1.) Interior roads require a 60 foot right of way.

B.) Developer shall submit improvement plans, prepared by a Registered Civil Engineer (RCE) to the Tehama County Public Works Department (TCPWD) in accordance with the following;

1.) Improvement plans for interior private roads shall delineate a full width roadway cross-section shown in Section 'X' ~ "*Uniform Construction Standards*" of the Tehama County Land Division Standards (TCLDS) "TYPICAL ROAD SECTIONS" Drawing No. 10-4 (Local Road) with an engineered structural section based on "R" value tests and traffic indices.

2.) Improvement plans shall be prepared in accordance with applicable sections of the Caltrans "Highway Design Manual" and TCLDS.

3.) Said improvement plans shall be checked and approved by the TCPWD prior to commencement of construction.

4.) Developer shall reimburse the TCPWD, via a Service Agreement, for all labor (pursuant to applicable "Fee Schedule" rates), equipment usage, materials and administrative costs expended by TCPWD in the checking and processing of improvement plans and construction inspection .

5.) Developer shall obtain an Encroachment Permit from the TCPWD prior to the start of any work within a County maintained right of way.

6.) Developer shall notify TCPWD (a minimum of two working days) prior to commencement of construction to provide for construction inspection scheduling

C.) Developer shall provide the County Engineer with a RCE certification that all roads, storm drainage systems and related improvements, required in the conditions of approval, have been constructed in accordance with applicable sections of the Caltrans Construction Manual and the TCLDS.

Note: The RCE Certification shall include copies of the following test results :

1.) Gradation of sub-base and base materials.

2.) Compaction tests of sub-base and base materials.

3.) Chip gradation and oil certification.

D.) Street names shall be approved by the Tehama County Planning Department.

E.) Street name signs and regulatory signs shall be installed per the TCLDS.

F.) Developer shall provide Tehama County Fire/CDF approval of above described improvements.

G.) Prior to the recordation of the final map, the Developer shall establish a method for maintaining private roads via a road maintenance agreement or a Permanent Road Division (PRD) pursuant to the requirements of the California Streets and Highways Code.

Condition # 17.

DRAINAGE STUDY AND DESIGN REQUIREMENTS:

A.) The Developer shall provide a drainage study and design prepared by a Registered Civil Engineer which certifies that proposed improvements and appurtenant drainage facilities will not adversely impact adjacent lands. Drainage design must meet requirements of section IV of the Tehama County Land Division Standards (TCLDS). This design shall include erosion protection for roadside ditches on the private roads where required.

B.) The developer shall provide a complete drainage study to determine the capacity of Rodeo Creek . The drainage study needs to look at impacts to Rodeo Creek and Truckee Avenue created by increased drainage flows from the proposed land development. An appropriate structure needs to be sized and installed for Rodeo Creek and Truckee Avenue.

C.) The above said drainage study and design shall be submitted to the Tehama County Public Works Department (TCPWD) for its review and comments prior to the approval of improvement plans and commencement of construction. All pertinent calculations and studies must be included with design for approval.

D.) Developer shall reimburse the TCPWD, via a Service Agreement, for all costs (pursuant to applicable "Fee Schedule" rates) incurred in the review and processing of drainage study, drainage design, improvement plans and construction inspection.

Condition # 18.

CLUSTER DOCUMENT. A Cluster Document must be recorded with the final map prohibiting any further division of the parcels created by this Tract Map.

Condition # 19.

Mitigation Measure III. 1 (a)

FUGITIVE DUST PERMIT. The developer must obtain a Fugitive Dust Permit and submit a construction emission dust/control plan prior to commencement of construction activities.

Condition # 20.

Mitigation Measure III. 1 (b)

OPEN BURNING. No open burning shall occur on this parcel unless a special land clearing permit is obtained from the Tehama County Air Pollution Control District.

Condition # 21.

Mitigation Measure III. 1 (c)

WOOD BURNING DEVICES. Only U. S. EPA Phase II certified wood burning devices to be installed in each residence as necessary. The total emission potential from each residence shall not exceed 7.5 grams per hour from wood burning devices.

Condition # 22.

Mitigation Measure IV. 1 (a)

IMPROVEMENT. No improvements, including wells, septic systems, structures, etc. will be allowed to be constructed within 150 feet of the north property line of lots 12 & 13 and 50 feet from the north property line of lot 11 as shown on the Tentative Tract Map.

Condition # 23.

Mitigation Measure V. 1. (a)

PREHISTORIC ARCHAEOLOGY. Prior to the commencement of construction activities a professional archaeologist must perform a cultural resources survey of the entire project area to determine if any sites are located within the boundaries of the project. If a site is identified as having significant value then additional protective measures must be implemented as developed by an archaeologist who meets the Secretary of Interior's Professional Qualifications standards in prehistoric archaeology.

Condition # 24.

Mitigation Measure V. 1. (b)

CULTURAL RESOURCES. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the location, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Condition # 25.

Mitigation Measure VI. 1 (a)

STORM WATER PERMIT. Prior to commencement of construction activities the developer must obtain a Construction Storm Water Permit, including a Storm Water Pollution Prevention Plan, issued by the California Regional Water Quality Control Board.

Condition # 26.

Mitigation Measure VIII. 1. (a)

DRAINAGE PLAN. A drainage plan must be prepared by a Registered Civil Engineer Which certifies that existing drainage patterns will not be altered and drainage from proposed improvements will not adversely impact adjacent lands. Said drainage plan must be submitted to the Department of Public Works for its review and comment prior to the approval of improvement plans and commencement of construction.

Condition # 27.

Mitigation Measure VIII. 2. (a)

DRAINAGE STUDY. The developer shall provide a complete drainage study to determine the capacity of Rodeo Creek. The drainage study needs to look at impacts to Rodeo Creek and Truckee Ave. created by increased drainage flows from the proposed land development. An appropriate structure needs to be sized and installed for Rodeo Creek and Truckee Ave.

Condition # 28.

Mitigation Measure

SETBACK LETTER. Prior to the commencement of construction on the southern road the developer must have the 60 foot wide easement surveyed and a string line run along the south edge of the easement. The Developer must have the Tehama County Building Department inspect the site and submit a letter verifying that the setbacks comply with the Tehama County Zoning Code.

Condition #29

The Developer shall pursue the abandonment of Sierra Vista Avenue between Central Avenue and Truckee Avenue.

TRACT MAP #06-1006 RICHARD LEHMAN (TIME EXTENSION). TO CREATE 12 PARCELS; 2 PARCELS OF .52 ACRES, TWO PARCELS OF .53 ACRES, ONE PARCEL OF .57 ACRES, ONE PARCEL OF .60 ACRES, ONE PARCEL OF .61 ACRES, ONE PARCEL OF .62 ACRES, ONE PARCEL OF .70 ACRES, TWO PARCELS OF .71 ACRES AND ONE PARCEL OF 1.12 ACRES IN AN M-2: GENERAL INDUSTRIAL ZONING DISTRICT. THE PROJECT IS LOCATED WEST OF RED BLUFF, ON THE WEST SIDE OF BAKER ROAD, APPROXIMATELY 150 FEET SOUTH OF THE MINCH ROAD / BAKER ROAD INTERSECTION. APN: 24-170-20 AND 21. APPROXIMATELY 8.58 ACRES.

Mr. Robson explained the project, location and request for a two year time extension. Mr. Robson stated there are no changes to the previously approved conditions.

Chairperson Walker opened the meeting to public testimony. None was received.

It was moved by Commissioner Tipton, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to Adopt Subfinding & Finding #1 as presented in the staff report pursuant to the California Environmental Quality Act (CEQA) and move that Tract Map #06-1006 is exempt from CEQA pursuant to Section 15162 (a) (b). (Previously adopted Negative Declaration for the project) and adopt the following Subfindings and Findings presented for Time Extension for Tract Map #06-1006:

Subfinding #1

Tract Map #06-1006 is located in an area that is designated IG; General Industrial by the Tehama County General Plan. In the IG; General Industrial Land Use Category there are no minimum parcel sizes (Table CO-11 of the Tehama County General Plan). Tract Map #06-1006 creates 12 parcels; 2 parcels of .52 acres, two parcels of .53 acres, one parcel of .57 acres, one parcel of .60 acres, one parcel of .61 acres, one parcel of .62 acres, one parcel of .70 acres, two parcels of .71 acres and one parcel of 1.12 acres in an M-2: General Industrial Zoning District.

Finding #1

Tract Map #06-1006 is consistent with the IG; General Industrial classification of the Tehama County General Plan.

Subfinding #2

Tract Map #06-1006 is subject to conditions that direct the design and improvements of the subdivision to meet the requirements of the Tehama County Land Division Standards.

Finding #2

That the design and improvements of Tract Map #06-1006 are consistent with the Tehama County General Plan.

Subfinding #3

The site and location of Tract Map #06-1006 is in an area where building pads can be constructed that will not present any physical difficulties for development.

Finding #3

The site of Tract Map #06-1006 is physically suitable for the type of development proposed.

Subfinding #4

The topography of the site, and the size of the parcels for Tract Map #06-1006 will allow for the establishment of industrial uses.

Finding #4

The site is physically suitable for the proposed density of development allowed by Table CO-11 of the Tehama County General Plan.

Subfinding #5

The site is in an area developed with parcels of similar size and uses.

Finding #5

That the design of Tract Map #06-1006 or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

Finding #6

The development of Tract Map #06-1006 is not likely to cause serious public health problems.

Subfinding #7

The parcels will be served by existing roads and a proposed private cul-de-sac.

Finding #7

That the design of Tract Map #06-1006 or type of improvements required will not conflict with easements acquired by the public at large, for access through or use of, property within the subdivision.

It was moved by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission approve the two-year Time Extension for Tract Map #06-1006 subject to the following conditions approved by the Technical Advisory Committee on 7/02/08:

Condition #1

COMPLIANCE WITH AGENCY REQUIREMENTS. Applicant shall meet the requirements of all Federal, State and local agencies, especially the Tehama County Building Department and the Department of Environmental Health.

Condition #2

DUST. Applicant shall obtain a Fugitive Dust Permit and submit a construction emission dust/control plan prior to the time any construction begins.

Condition #3

BURNING. No open burning shall occur on this property unless a land clearing permit is obtained from Air Pollution Control District.

Condition #4

WOOD BURNING DEVICES. Only U.S. EPA Phase II certified wood burning devices are to be installed in the residence as necessary. The total emission potential from the residence shall not exceed 7.5 grams per hour from wood burning devices.

Condition #5

SOILS. A soils study report including ALL information specified in Section VI, B; of the Land Division Standards shall be submitted by a registered geologist, engineer or environmental health specialist. Percolation test results shall be submitted on forms provided by the Department of Environmental Health.

Condition #6

SEPTIC. Septic system(s) location(s) and expansion areas for ALL existing structures (wells, houses, driveways, garages, etc.), shall be delineated on each lot. 100 gpd/person estimate, provide engineered plan for On-Site Waste Treatment System.

Condition #7

SEWAGE. The face of each additional informational map shall be annotated: "An on-site sewage disposal system shall be located only within the disposal area indicated for each parcel. Alternative sites for sewage disposal may be allowed upon application and approval of an on-site sewage disposal permit issued by the Department of Environmental Health".

Condition #8

POTABLE WATER SUPPLY REQUIREMENT. The Community Water system must comply with standards set forth by the State of California Safe Drinking Water Act to meet drinking water standards for a public water system.

A.) A 72 hour well pump capacity step draw down test shall be performed to determine aquifer capacity to support water quantities for a community well.

B.) The water well and system capacity must meet the maximum daily demand and have 100% redundancy.

Condition #9

EMERGENCY ACCESS. All parcels shall allow for emergency access (driveways) that shall meet or exceed Article II of Tehama County Ordinance 1537, Sections 9.14.020, 9.14.022, 9.14.023, 9.14.024, 9.14.025, 9.14.026, 9.14.027, 9.14.030, 9.14.031, and a notation to that effect shall be placed upon the final map.

Condition #10

VEHICULAR ACCESS. Any roadway (including private) which provides vehicular access to more than one parcel or access to a single parcel with more than two buildings or four or more dwelling units, shall meet or exceed Article II of Tehama County Ordinance 1537, Sections 9.14.020, 9.14.021, 9.14.022, 9.14.023, 9.14.024, 9.14.025, 9.14.027, 9.14.028, 9.14.029. TCFD shall approve construction prior to final approval of road construction by road department, and a notation to that effect shall be placed upon the final map.

Condition #11

ROAD SIGNING. Signing of roads (including private) shall meet or exceed Article III of Tehama County Ordinance 1537, Sections 9.14.040, 9.14.041, 9.14.042, 9.14.043, 9.14.044, 9.14.044, 9.14.045, 9.14.046, 9.14.047, and shall be installed prior to final acceptance by the local jurisdiction of road improvements, and a notation to that effect shall be placed upon the final map.

Condition #12

DISPOSAL. According to Article V of Tehama County Ordinance 1537, Section 9.14.072: Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit, and a notation to that effect shall be placed upon the final map.

Condition #13

EMERGENCY WATER FIRE FLOWS. Emergency water fire flows will be required and are to be in compliance with the Tehama County Land Division Standards and a notation to that effect shall be placed upon the final map.

Condition #14

FIRE HYDRANTS. Fire hydrants will be required and located in compliance with the Uniform Fire Code, and a notation to that effect shall be placed upon the final map.

Condition #15

FIRE SUPPRESSION SPRINKLER SYSTEMS. All commercial, industrial, and manufacturing buildings shall have automatic fire suppression sprinkler systems as required by the current edition of the California Fire Code, and a notation to that effect shall be placed upon the final map.

Condition #16

All pertinent sections of Chapter 9.14 of the Tehama County Charter and Code shall apply and a notation to that effect shall be placed upon the final map.

Condition #17

LAND DIVISION STANDARDS: The Developer shall comply with the following;

A.) All the pertinent requirements of Title 16, Subdivisions, Chapters 16.04 thru 16.40 of the Tehama County Code, the Tehama County Land Division Standards, the Subdivision Map Act, as amended.

B.) The "NOTE" pursuant to State of California Government Code § 66411.1 (b) (2) per the Tehama County ~ Technical Advisory Committee (T.A.C.) minutes.

C.) The requirements of the Regional Water Quality Control Board (RWQCB) regarding storm water permitting via Storm Water Pollution Prevention Plan (SWPPP).

Condition #18

DEDICATION OF EASEMENT: The Developer shall dedicate an easement to provide for a 42' wide half width right-of-way along Baker Road (Co. Rd. No. 69) for public road, public utilities and related purposes.

Condition #19

BAKER ROAD ENCROACHMENT REQUIREMENTS: Developer shall obtain an Encroachment Permit from the Tehama County Public Works Department and construct a *modified Caltrans Type "C" encroachment (as directed by Public Works) onto Baker Road (Co. Rd. No. 69).

A.) Said encroachment shall be engineered by a Registered Civil Engineer (RCE) and approved by the County Engineer prior to commencement of construction.

B.) Encroachment Permit shall require a 55 MPH stopping sight distance for traffic on Baker Road (Co. Rd. No. 69).

C.) Stopping sight distance plans, calculations and appurtenant information shall be submitted to the Tehama County Public Works Department for review and approval prior to recordation of the final map.

Condition #20

PUBLIC ROAD IMPROVEMENT REQUIREMENTS: Prior to recordation of the Final Map, all half width road improvements, storm drainage systems and related public improvements shall be constructed for Baker Road (Co. Rd. No.69).

A.) Developer shall submit improvement plans, prepared by a Registered Civil Engineer (RCE), to the Tehama County Public Works Department (TCPWD) that meet the following;

- 1.) Improvement plans for Baker Road (Co. Rd. No. 69) shall delineate a 42' foot wide half width roadway cross-section per Section X of the Tehama County Land Division Standards "TYPICAL ROAD SECTIONS" Drawing No. 10 - 1 *modified Major Street (with curb, gutter and 5' foot sidewalk) with an engineered structural section based on "R" value tests and traffic indices.
- 2.) Half width improvements on Baker Road, with full width overlay.
- 3.) Improvement plans shall include transitions and a left turn lane into said development.
- 4.) Off-site roadway transitions shall be constructed in accordance with the Caltrans Highway Design Manual.
 - a.) Surfaced with a minimum of 3" thickness of Asphalt Concrete over an engineered structural section based on "R" value tests.
 - b.) Traffic Indices (T.I.) = 7.0
 - c.) Design Speed = 55 MPH
 - d.) Horizontal Curve Radius = 1000' (minimum)
 - e.) Stopping Distance = 500' (minimum)
 - f.) 84' wide right-of-way
- 5.) Improvement plans shall be prepared in accordance with applicable sections of the Caltrans "Highway Design Manual" and Tehama County Land Division Standards, as amended.
- 6.) Said improvement plans shall be checked and approved by the TCPWD prior to commencement of construction.
- 7.) Developer shall reimburse the TCPWD, via a Service Agreement, for all labor (pursuant to applicable "Fee Schedule" rates), equipment usage, materials and administrative costs expended by TCPWD in the checking and processing of improvement plans and construction inspection.
- 8.) Developer shall obtain an Encroachment Permit from the TCPWD prior to the start of any work within a County maintained right of way .
- 9.) The Developer shall contact the TCPWD 48 hours or 2 working days prior to the commencement of any construction.

B.) Developer shall provide the County Engineer with a RCE certification that all roads, storm drainage systems and related improvements, as described in the conditions of approval, have been constructed in accordance with applicable sections of the Caltrans "Highway Design Manual" and the Tehama County Land Division Standards, as amended.

Note: The RCE Certification shall include copies of the following test results:

- 1.) Gradation of sub-base and base materials.
- 2.) Compaction tests of sub-base, base, asphalt concrete.
- 3.) Asphalt Concrete testing, batch plant receipt / trip tickets.
- 4.) Portland Cement Concrete testing.

C.) The Director of Public Works **may** approve alternative methods for satisfying the above described condition for the construction of improvements.

Condition #21

PRIVATE ROAD IMPROVEMENT REQUIREMENTS: Prior to the recordation of the Final Map, all roads, storm drainage systems and related improvements shall be constructed for private cul-de-sac road.

A.) Developer shall submit improvement plans, prepared by a Registered Civil Engineer (RCE), to the Tehama County Public Works Department (TCPWD) that meet the following;

- 1.) Improvement plans for private road shall delineate a full-width roadway cross-section per Section X of the Tehama County Land Division Standards "TYPICAL ROAD SECTIONS" Drawing No. 10 - 2 * modified Local Road (with rolled curb, gutter and sidewalk) with an engineered structural section based on "R" value tests and traffic indices.
 - a.) Surfaced with a minimum of 3" thickness of Asphalt Concrete over an engineered structural section based on "R" value tests.
 - b.) Traffic Indices (T.I.) = 6.5
 - c.) Design Speed = 35 MPH
 - d.) Horizontal Curve Radius = 450' (minimum)
 - e.) Stopping Distance = 250' (minimum)
 - f.) 60' wide right-of-way
- 2.) Improvement plans shall be prepared in accordance with applicable sections of the Caltrans "Highway Design Manual" and Tehama County Land Division Standards, as amended.
- 3.) Said improvement plans shall be checked and approved by the TCPWD prior to commencement of construction.
- 4.) Developer shall reimburse the TCPWD, via a Service Agreement, for all labor (pursuant to applicable "Fee Schedule" rates), equipment usage, materials and administrative costs expended by TCPWD in the checking and processing of improvement plans and construction inspection.
- 5.) Developer shall obtain an Encroachment Permit from the TCPWD prior to the Start of any work within a County maintained right of way.
- 6.) The Developer shall contact the TCPWD 48 hours or 2 working days prior to the commencement of any construction.

B.) Developer shall provide the County Engineer with a RCE certification that all roads, storm drainage systems and related improvements, as described in the conditions of approval, have been constructed in accordance with applicable sections of the Caltrans "Highway Design Manual" and the Tehama County Land Division Standards, as amended.

Note: The RCE Certification shall include copies of the following test results:

- 1.) Gradation of sub-base and base materials.
- 2.) Compaction tests of sub-base, base and AC.
- 3.) Asphalt Concrete testing, batch plant receipt / trip tickets
- 4.) Portland Cement Concrete testing.

Condition #22

TRAFFIC STUDY REQUIREMENTS. Prior to the Recordation of the Final Map the developer shall provide the County Engineer with a Traffic Study that provides the following:

- A.) Impacts of proposed development on Baker Road (Co. Road No. 69) including the bridges on Baker Road based on a 50 percent truck traffic factor.
- B.) Infrastructure improvement and related cost required to mitigate traffic impacts.
- C.) Registered Civil Engineer (RCE) Cost Estimate of said infrastructure improvements.
- D.) A financial mechanism to be approved by Tehama County which provides for the collection of the fees associated with the costs identified in B and C above to be completed prior to the recordation of the Final Map.

Condition #23

DRAINAGE DESIGN REQUIREMENTS:

- 1.) The Developer shall provide a drainage design plan prepared by a Registered Civil Engineer which certifies proposed improvements and appurtenant drainage facilities will not adversely impact adjacent lands, in addition, there shall be no increase in off-site drainage due to the development. Drainage design must meet requirements of section IV of the Tehama County Land Division Standards.
- 2.) The above said drainage design shall be submitted to the TCPWD for its review and comments prior to the approval of improvement plans and commencement of construction. All pertinent calculations and studies must be included with design for approval.
- 3.) Developer shall reimburse the TCPWD, via a Service Agreement, for all costs (pursuant to applicable "Fee Schedule" rates) incurred in the review and processing of drainage design, improvement plans and construction inspection .
- 4.) All drainage channels and pipes shall be constructed within private drainage easements that comply with the minimum easement widths as determined by the drainage design in (1.) above, in accordance with the Land Division Standards and delineated on the Final Map.
- 5.) Developer shall submit a Drainage Design for the existing drainage system that is on site. The drainage design shall be engineered by a (RCE). Drainage design shall

comply with a 100 year design period. The existing 48" drainage structure on Baker Road shall be *modified to connect continuously with the on-site drainage system that complies with a 100 year design storm.

6.) Drainage Design needs to address downstream erosion.

Condition #24

CULTURAL RESOURCES PROTECTION. The final map shall contain an informational page which states the following: "If any potential prehistoric, protohistoric, and historic cultural resources are encountered during any phase of the project operations, all work should cease in the area of the find pending examination of the site and materials by a qualified archaeologist.

Chairperson Walker recessed the meeting at 9:50 a.m.

Chairperson Walker reconvened the meeting at 10:05 a.m.

PUBLIC HEARING:

CONSIDER APPROVING THE AMENDED RECLAMATION PLAN, SUBMITTED BY 7-11 MATERIALS, INC. THE CURRENT OPERATOR OF PINE CREEK ROCK, FOR RECLAMATION PLAN 94-1 AS REQUIRED BY THE CONDITIONAL REVOCATION OF USE PERMIT 94-2. THE MINING OPERATION PERMITTED BY USE PERMIT 94-2 IS LOCATED IN SOUTHERN TEHAMA COUNTY ON THE SOUTH SIDE OF PINE CREEK ALONG THE TEHAMA COUNTY / BUTTE COUNTY LINE. DESCRIBED AS A PORTION OF SECTIONS 35 & 36, T. 24 N., R. 1 W., M.D.M. APN'S 79-070-09 & 79-070-11

Chairperson Walker opened the public hearing.

Mr. Robson explained today's process regarding the approval of the amended Reclamation Plan. Mr. Robson explained a letter was received on July 16, 2008 from Downey Brand with comments and suggested revisions to Conditions of Approval and final responses to DOC/OMR.

Arthur Wylene, Assistant County Counsel explained the Response To Comments have also been made conditions of the Reclamation Plan.

Chairperson Walker opened the meeting to public testimony.

Stewart Altemus, the applicant's attorney was present and addressed the Commissioners. Mr. Altemus urged the Commissioners to adopt the CEQA documents, Subfindings and Findings and approve the Amended Reclamation Plan with Conditions.

Mr. Robson explained the Commissioners would be reviewing the Staff Report alongside the Downey Brand letter dated 7/16/08 to determine the wording for the conditions which will become an addendum to the Reclamation Plan.

Review of the Conditions
Addendum to the Reclamation Plan

Condition #1 – After discussion it was decided to include the wording of Condition #1 from the Staff Report dated July 17, 2008.

Condition #1

If requested by the Planning Director at any time after July 2011, Operator shall prepare and submit a two foot contour map for the entire eastern part of the mine.

Condition #2 - After discussion it was decided to include the wording of Condition #2 from the Staff Report dated July 17, 2008.

Condition #2

The boundary between phase I and II shall be coterminous with the section line between Sections 35 & 36, T. 24 N., R. 1 W. M.D.M. Operator shall prepare and submit revised maps depicting this boundary line within 60 days after approval of the Amended Reclamation Plan.

Condition #3 – After discussion is was decided to Delete Condition #3 as it is a duplicate of Condition #10.

Condition #4 - After discussion it was decided to include the wording of Condition #4 from the Staff Report dated July 17, 2008.

Condition #3 (Renumbered)

Operator shall measure, mark, stake, and maintain a 150 foot setback/buffer zone between mining activities and the south bank of Pine Creek.

Condition #5 – After discussion it was decided to include the wording of Condition #5 from the Downey Brand Letter dated July 16, 2008.

Condition #4 (Renumbered)

As soon as weather and seasonal rainfall permits, but in no event later than March 2009, the Operator must physically locate and stake the perimeter boundaries of the potential wetlands contained in phases I and II, as described in the report provided by Kelley & Associates Environmental Sciences, Inc. Such staking may be modified or adjusted if required by the Federal or State agencies having jurisdiction over wetlands. No ground disturbance attributable to mining operations or not otherwise permitted by Federal or State agencies having jurisdiction over wetlands shall occur in such staked areas until jurisdiction is definitively determined and any required permits obtained. The Operator shall comply with all applicable laws and regulations protecting wetlands and endangered species.

Condition #6 - After Discussion it was decided to include the wording of Condition #6 from the Downey Brand Letter dated July 16, 2008.

Condition #5 (Renumbered)

Within 60 days of approval of the Reclamation Plan Amendment, the Operator must have a licensed land surveyor stake and mark the phasing line between phase I and II, and must identify and stake the phasing line between phase I and III in coordination with County Staff.

Condition #7 - After discussion it was decided to include the wording of Condition #7 from the Staff Report dated July 17, 2008.

Condition #6 (Renumbered)

Prior to the commencement of ground disturbance each year, Operator shall provide to the County a description of the area it intends to mine during the upcoming years, and shall stake such area.

Condition #8 - After Discussion it was decided to include the wording of Condition #8 from the Downey Brand Letter dated July 16, 2008.

Condition #7 (Renumbered)

To assure proper flow of all internal drainage, all reclaimed lands must contain identifiable drainages that will serve to convey storm and surface waters into the Livestock Watering/Surface Water Storage areas. Such drainages may be staked for identification during the dry season in conjunction with County Staff and shall be graded to achieve an overall drain from east to west into the water storage areas. Where necessary, establishment and maintenance of these drainages may be conducted under the purview of the Regional Water Quality Control Board to ensure compliance with the Waste Discharge Requirements and Storm Water Pollution Prevention Plan for the site.

Condition #9 - After Discussion it was decided to include the wording of Condition #9 from the Downey Brand Letter dated July 16, 2008.

Condition #8 (Renumbered)

Operator shall provide the County with copies of all preliminary and approved drainage study and water impoundment design information required to meet the RWQCB discharge permit requirements for any wash water or storm water impoundment facility.

Condition #10 – After discussion it was decided to include the wording of Condition #10 from the Staff Report dated July 17, 2008.

Condition #9 (Renumbered)

Operator shall measure, mark, stake, and maintain a 50 foot setback from the two unnamed relict drainages discussed in the assessment of potential wetland

areas provided to the County by Mr. David Kelley, of Kelley & Associates Environmental Sciences, Inc., and marked on Exhibit 1. The setback area may be subject to adjustment according to the governing regulations, and the appropriate setback will be determined prior to mining in the area.

Condition #11 – After discussion it was decided to include the wording of Condition #11 from the Staff Report dated July 17, 2008.

Condition #10 (Renumbered)

Weed control management efforts will be implemented if cover estimates of noxious weeds exceed 5% during the two years of post-mining revegetation monitoring. Revegetation success criteria shall include a cover value of 75% and a species difference of at least two species for all grazing/upland agriculture reclamation areas. Revegetation success criteria will not be considered met if noxious weeds such as yellow star thistle comprise more than 5% of these reclamation areas.

Condition #12 – Delete

Discussion followed with Vic Clawson of Davis Soils regarding the surface soil and vegetation coverage.

Commissioner David questioned the reclamation of the pre-existing 39 acres and could the organics be brought back into it.

After lengthy discussion, Mr. Robson stated the 39 acres is not assumed or considered or any way validated for reclamation by this Reclamation Plan. Additional information from the applicant would be needed to validate reclamation of the 39 acres.

After further discussion Commissioner Walker stated she feels Condition #12 is too restrictive and the other Commissioners agreed.

It was moved by Commissioner Tipton, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve and authorize the Chairperson to sign the final responses to comments as amended in accordance with conditions in Downey Brand letter discussed today, for submission to DOC/OMR in connection with approval of Amended Reclamation Plan 94-1.

It was moved by Commissioner Tipton, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission action to adopt Subfindings and Findings pertaining to CEQA, as set forth in this Staff Report.

It was moved by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission action to adopt a finding that approval of Amended Reclamation Plan Plan 94-1, with conditions, is exempt from further review under CEQA pursuant to CEQA Guidelines section 15162.

It was moved by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission action to adopt Subfindings & Findings pertaining to approval, with conditions, of Amended Reclamation Plan 94-1, as set forth in this Staff Report.

It was moved by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission action to approve Amended Reclamation Plan 94-1, subject to the 10 conditions set forth in the Staff Report as amended.

It was moved by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission action to extend the requirement to have an approved Financial Assurance Cost Estimate and Mechanism until December 18, 2008.

August Workshop is scheduled for Thursday, August 14, 2008.

There being no further business, the meeting was adjourned at 11:15 a.m.

NOTE: IN ACCORDANCE WITH SECTION 66411.1(b)(2) OF THE GOVERNMENT CODE, IT IS THE FINDING OF THE PLANNING COMMISSION FOR TEHAMA COUNTY PERTAINING TO ANY SUBDIVISION MAPS APPROVED AT THE MEETING OF July 17, 2008, THE REQUIRED ON AND OFF SITE IMPROVEMENTS ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE PARCELS BEING CREATED AND THE SURROUNDING AREA AND SHALL BE COMPLETED PRIOR TO FILING THE SUBDIVISION MAP OR ASSURE COMPLETION BY EXECUTION OF A SUBDIVISION IMPROVEMENT AGREEMENT WITH IMPROVEMENT SECURITY.

GEORGE W. ROBSON, SECRETARY
TEHAMA COUNTY PLANNING COMMISSION

LINDA WALKER, CHAIRPERSON
TEHAMA COUNTY PLANNING COMMISSION