Central Valley Regional Water Quality Control Board

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APR 18 2017

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

13 April 2017

CERTIFIED MAIL
91 7199 9991 7036 6989 0981

Keith Gronendyke
County of Lake
Community Development Department
255 North Forbes Street
Lakeport, CA 95453

COMMENTS TO REQUEST FOR REVIEW FOR THE USE PERMIT APPLICATION (17-03 UP) PROJECT, LAKE COUNTY

Pursuant to the County of Lake Community Development Department's 28 March 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review* for the Use Permit Application (17-03 UP) Project, located in Lake County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

> *Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*
>
> *This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]
The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit
Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit
If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the

[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance (i.e., discharge of dredge or fill material) of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

Land Disposal of Dredge Material

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100**. Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently $1,084 + $6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering

discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.

Stephanie Tadlock

Stephanie Tadlock
Environmental Scientist

California Water Boards

Gavin Newsom
Governor

Jared Blumenfeld
Secretary for
Environmental Protection

Central Valley Regional Water Quality Control Board

15 January 2019

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JAN 28 2019

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

CERTIFIED MAIL
7018 1830 0001 0062 6672

Mark Roberts
County of Lake
255 North Forbes Street
Lakeport, CA 95453

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, CACHE CREEK TELECOMMUNICATION FACILITY (COM SITE WEST) PROJECT, SCH#2018122032, LAKE COUNTY

Pursuant to the State Clearinghouse's 14 December 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Cache Creek Telecommunication Facility (Com Site West) Project, located in Lake County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

> *Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*
>
> *This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit

requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100**. Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently $1,277 + $8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order.

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.

Jordan Hensley
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421

Douglas G. Gearhart
Air Pollution Control Officer
dougg@lcaqmd.net

-MEMORANDUM-

To: Keith Gronendyke, Associate Planner
Community Development Department

DATE: April 13, 2017

FROM: Van Tsan, AQE VT

SUBJECT: Com Sites West ••• APN 010-009-21 ••• 17-03 UP ••• Proposing to construct a 150' lattice tower wireless communications facility with four wireless companie's antennae and other public use antennae and ancillary equipemnt at 20662 State Hwy 20, Clearlake Oaks, CA 95423

Short term construction at the site could result in significant dust generation. During construction, all access roads, driveways, and parking areas should be watered or treated to prevent dust generation. Traffic should be restricted and a 5 mph speed limit posted. After construction, dust concerns are reduced as traffic volume is expected to be lower. Road base or equivalent should be adequate for dust prevention with speed limits and low use. Should use increase, chip seal or other alternate treatment should be required.

The applicant is proposing using line power. Should diesel powered equipment be use, it must meet the requirements of the State Air Toxic Control Measure for CI engines (stationary and portable). LCAQMD permits are required for diesel-powered generators installed as operating, support or emergency backup power equipment. Due to nearby receptors (residences) this installation will require review of the generator's emissions, even if it is rated below 50hp. The applicant should contact the LCAQMD for more information regarding this matter.

Removed vegetation should be chipped and spread for ground cover and erosion control. Site development and vegetation disposal shall not create nuisance odors or dust. No burning is allowed as part of the commercial operation and development. Construction debris and/or demolition debris cannot be disposed of by burning.

Provided that adequate mitigation measures are incorporated into the project that address the above issues, air quality impacts should be less than significant.

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LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421

Douglas G. Gearhart
Air Pollution Control Officer
dougg@lcaqmd.net

-MEMORANDUM-

To: Mark Roberts, Associate Planner
LC Community Development Dept.

DATE: January 22, 2019

FROM: Fahmy Attar, AQE

SUBJECT: Cache Creek Telecommunication Facility (Com Site West) ••• APN 010 -009-42 ••• Use Permit 17-03 & Initial Study 17-10 ••• Request to construct an unmanned 170 foot tall Lattice wireless telecommunication tower located at 20114 & 20662 E. State Hwy 20, Clearlake Oaks, CA 95423

The Lake County Air Quality Management District received the County of Lake Amended Notice of Intent to adopt a mitigated negative declaration for Cache Creek Telecommunication Facility (Com Site West) on December 31, 2018.
The air quality section seems adequate in the CEQA review.

Provided that adequate mitigation measures are incorporated, air quality impacts should be less than significant and a mitigated negative declaration could be supported for Air Quality concerns.

Keith Gronendyke

From: Keith Gronendyke
Sent: Tuesday, June 09, 2015 2:51 PM
To: 'Eagle Brown'
Subject: RE: Verizon Use Permit Application, 15-10 UP

Good Afternoon Mr. Brown,

I would expect grading and trenching would be required to be done as a component of construction of the tower and ancillary equipment installation.

Thank You,

Keith Gronendyke
County of Lake
Associate Planner

From: Eagle Brown [mailto:bbrown@big-valley.net]
Sent: Friday, June 05, 2015 11:14 AM
To: Keith Gronendyke
Subject: RE: Verizon Use Permit Application, 15-10 UP

Keith,
Will any trenching be needed to support the construction effort for this project?

Batsulwin Brown
Big Valley Rancheria
Band of Pomo Indians

From: Keith Gronendyke [mailto:Keith.Gronendyke@lakecountyca.gov]
Sent: Friday, June 05, 2015 10:12 AM
To: centralvalleysacramento@waterboards.ca.gov; Anthony Jack; Ben Ray; Sarah Ryan; Eagle Brown; kn@koination.com; middletown@middletownrancheria.com; jsimon@middletownrancheria.com; slreyes@middletownrancheria.com; jreyes@middletownrancheria.com; lsalazar@middletownrancheria.com; speterson@middletownrancheria.com; kfd559@yahoo.com; greg.bertelli@fire.ca.gov; nwic@sonoma.edu; Gordon Haggitt
Subject: Verizon Use Permit Application, 15-10 UP

Good Morning,

Attached is a project proposal to construct a mono-pole cellular antenna that is to be disguised as a tree. Please review and send any comments no later than **June 26, 2015**.

Thank You,

Keith Gronendyke
County of Lake
Associate Planner

Keith Gronendyke

From: Sone, Kim@CALFIRE <Kim.Sone@fire.ca.gov>
Sent: Monday, April 10, 2017 3:41 PM
To: Keith Gronendyke
Subject: RE: Use Permit application, 17-03

The project does not appear to include timberland as per the Forest Practice Rules, therefore no permit from CAL FIRE Resource Management is required. Please let me know if the project includes the removal of Ponderosa Pine, Douglas-fir, or knobcone pine. Thank you,

Kimberley Sone
Unit Forester
CAL FIRE
Sonoma-Lake-Napa Unit
(707) 576-2344

From: Keith Gronendyke [mailto:Keith.Gronendyke@lakecountyca.gov]
Sent: Tuesday, March 28, 2017 12:14 PM
To: Sone, Kim@CALFIRE <Kim.Sone@fire.ca.gov>; gerrifinn@fire.ca.gov; dave_carstensen@dot.ca.gov; battchief@mchsi.com; jphillipe@clearlake.ca.us; jburrow@clearlake.ca.us; WB-RB5S-CentralValleySacramento <CentralValleySacramento@waterboards.ca.gov>; External, AJack@DOT <ajack@big-valley.net>; bray@big-valley.net; External, SRyan@DOT <sryan@big-valley.net>; External, BBrown@DOT <bbrown@big-valley.net>; t.brown@elemindiancolony.org; a.garcia@eleminindiancolony.org; k.kennedy@elminindiancolony.org; External, KNation@DOT <kn@koination.com>; External, MRancheria@DOT <middletown@middletownrancheria.com>; External, JSimon@DOT <jsimon@middletownrancheria.com>; slreyes@middletownrancheria.com; jreyes@middletownrancheria.com; lsalazar@middletownrancheria.com; External, SPeterson@DOT <speterson@middletownrancheria.com>; drogers@robinsonrancheria.org; Shaundracashdollar@wildlife.ca.gov; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; nwic@sonoma.edu; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; vbrandon@lakelive.info; roberta.lyons@att.net
Subject: Use Permit application, 17-03

Good Morning,

Please find attached a proposal to construct a new wireless communications facility consisting of a 150 foot tall lattice type tower with the provision to add up to four wireless carriers to install antennae for increased cellular service in the future along with appurtenant ground based equipment. Please provide any comments regarding this project no later than **April 20, 2017.**

COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

March 28, 2017

REQUEST FOR REVIEW

AG. COMMISSIONER	x	LOWER LAKE FIRE DEPT.		SONOMA STATE	@
AIR QUALITY MGMT	x	FISH & WILDLIFE DEPT.	@	SPECIAL DISTRICTS	
ARMY CORPS		HEALTH DEPARTMENT		STATE DEPT. HEALTH	
ASSESSOR		HIDDEN VALLEY-CSD		SURVEYOR	@
BLM		LAFCO		TAX COLLECTOR	
BUILDING DIVISION	x	LAKEBED MANAGEMENT		TRAFFIC ADV. COMM.	
CDF	@	LAKEPORT CITY		U. S. FOREST SVC.	
CALTRANS	@	NRCS		WATER COMPANY:	
CLEARLAKE CITY	@	OFFICE OF EDUCATION			
CRWQCB	@	PACIFIC BELL		YOLO COUNTY FLOOD:	
DPW – ROADS	x	PG&E	@	OTHER: FARM BUREAU	
DPW - WATER RESOURCES DIV./ FLOOD CONTROL	x	PUBLIC SERVICES:		OFFICE OF DRINKING WATER	
		SCHOOL DISTRICT:		REDEVELOPMENT	
TRIBES:		SOLANO CO. WATER		LOWER LAKE COMMUNITY ACTION GROUP	
TRIBES: See below					
Big Valley Rancheria	@				
Elem Colony	@				
Hinthil Env. Resource Cons.					
Koi Nation of Northern CA	@				
Middletown Rancheria	@				
Robinson Rancheria	@				
Scotts Valley Pomo					
Upper Lake Habematolel					

REQUEST: Review Use Permit Application 17-03 UP

FROM: Keith Gronendyke, Associate Planner

APPLICANT: Com Sites West, 200 Litton Drive, #310, Grass Valley CA, 95945

PROPERTY OWNER: Gary Shaul, P O Box 2347, Clearlake CA, 95422

ZONING: APZ

GENERAL PLAN: Agricultural

APN: 010-009-42

LOCATION: 20662 State Highway 20, Clearlake Oaks

ATTACHMENTS: Application, aerial photograph, project description, site plan and photo simulations

ISSUES: Visual impacts and others to be determined.

PROPOSAL: Applicant proposes to construct a 150 foot tall lattice tower wireless communications facility. The proposed tower will accommodate up to four wireless companies' antennae along with other public use antennae and ancillary equipment within a 100 foot by 100 foot fenced area. Additional space is provided for co-location of other wireless companies and public safety agencies. Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **April 20 2017**.

COMMENTS:(attach additional sheet(s) as necessary)

BY: James Vagnone **DATE:** 3/31/17

cc: Supervisorial District **3** (RFR Only)
Other (Examples: Sierra Club @ / Audubon Society @/ HOA___/Bus. Assoc.___/Tribe ___/Nat. Amer. Heritage Comm.___/ etc.) (RFR Only)

Unless neighbors complain.

Mark Roberts

From: Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>
Sent: Tuesday, November 20, 2018 2:31 PM
To: Mark Roberts
Subject: RE: Project Tracking #: 1600-2018-0234-R2
Attachments: 1600-2018-0234Rcpt.pdf

Hi Mark,

I believe you are referring to the receipt letter (attached) which indicates that the project is called "Middle Creek Crossing." The Lake or Streambed Alteration Notification states that the work will be completed on a stream named Middle Creek, located off of Long Branch Drive approximately eight miles east of Clearlake Oaks. This is not the same Middle Creek as the tributary to Clear Lake in Upper Lake.

Thanks,

Kelsey Vella
(916) 358-4315

From: Mark Roberts <Mark.Roberts@lakecountyca.gov>
Sent: Tuesday, November 20, 2018 1:53 PM
To: Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>
Subject: Project Tracking #: 1600-2018-0234-R2
Importance: High

Hi Kelsey,

I have a question for you regarding the letter dated August 10, 2018 for the above project number. it indicated Middle creek but its located near cache creek off of State highway 20. Can you please clarify if that is that creeks name? thank you

Mark Roberts - Associate Planner

Lake County – Community Development Department
255 N. Forbes Street, Lakeport, CA 95453
County Website: www.lakecountyca.gov
Phone: (707) 263-2221

COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

March 28, 2017

REQUEST FOR REVIEW

AG. COMMISSIONER	x	LOWER LAKE FIRE DEPT.		SONOMA STATE	@
AIR QUALITY MGMT	x	FISH & WILDLIFE DEPT.	@	SPECIAL DISTRICTS	
ARMY CORPS		HEALTH DEPARTMENT		STATE DEPT. HEALTH	
ASSESSOR		HIDDEN VALLEY CSD		SURVEYOR	@
BLM		LAFCO		TAX COLLECTOR	
BUILDING DIVISION	x	LAKEBED MANAGEMENT		TRAFFIC ADV. COMM.	
CDF	@	LAKEPORT CITY		U. S. FOREST SVC.	
CALTRANS	@	NRCS		WATER COMPANY:	
CLEARLAKE CITY	@	OFFICE OF EDUCATION		_____	
CRWQCB	@	PACIFIC BELL		YOLO COUNTY FLOOD:	
DPW – ROADS	x	PG&E	@	OTHER: FARM BUREAU	
DPW - WATER RESOURCES DIV./ FLOOD CONTROL	x	PUBLIC SERVICES:		OFFICE OF DRINKING WATER	
		SCHOOL DISTRICT:		REDEVELOPMENT	
TRIBES:		SOLANO CO. WATER		LOWER LAKE COMMUNITY ACTION GROUP	
TRIBES: See below					
Big Valley Rancheria	@				
Elem Colony	@				
Hinthil Env. Resource Cons.					
Koi Nation of Northern CA	@				
Middletown Rancheria	@				
Robinson Rancheria	@				
Scotts Valley Pomo					
Upper Lake Habematolel					

REQUEST: Review Use Permit Application 17-03 UP

FROM: Keith Gronendyke, Associate Planner

APPLICANT: Com Sites West, 200 Litton Drive, #310, Grass Valley CA, 95945

PROPERTY OWNER: Gary Shaul, P O Box 2347, Clearlake CA, 95422

ZONING: APZ

GENERAL PLAN: Agricultural

APN: 010-009-42

RECEIVED
MAR 30 2017
LAKE COUNTY COMMUNITY DEVELOPMENT DEPT.

LOCATION: 20662 State Highway 20, Clearlake Oaks

ATTACHMENTS: Application, aerial photograph, project description, site plan and photo simulations

ISSUES: Visual impacts and others to be determined.

PROPOSAL: Applicant proposes to construct a 150 foot tall lattice tower wireless communications facility. The proposed tower will accommodate up to four wireless companies' antennae along with other public use antennae and ancillary equipment within a 100 foot by 100 foot fenced area. Additional space is provided for co-location of other wireless companies and public safety agencies. Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **April 20 2017**.

COMMENTS:(attach additional sheet(s) as necessary)

BY: Steve Hojik **DATE:** 3-29-17

cc: Supervisorial District **3** (RFR Only)
Other (Examples: Sierra Club @ / Audubon Society @/ HOA___/Bus. Assoc.___/Tribe ___/Nat. Amer. Heritage Comm.___/ etc.) (RFR Only)

I have no comment concerning this proposal.

COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

RECEIVED
APR 05 2017
LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

March 28, 2017

REQUEST FOR REVIEW

AG. COMMISSIONER	x	LOWER LAKE FIRE DEPT.		SONOMA STATE	@
AIR QUALITY MGMT	x	FISH & WILDLIFE DEPT.	@	SPECIAL DISTRICTS	
ARMY CORPS		HEALTH DEPARTMENT		STATE DEPT. HEALTH	
ASSESSOR		HIDDEN VALLEY CSD		SURVEYOR	@
BLM		LAFCO		TAX COLLECTOR	
BUILDING DIVISION	x	LAKEBED MANAGEMENT		TRAFFIC ADV. COMM.	
CDF	@	LAKEPORT CITY		U. S. FOREST SVC.	
CALTRANS	@	NRCS		WATER COMPANY:	
CLEARLAKE CITY	@	OFFICE OF EDUCATION			
CRWQCB	@	PACIFIC BELL		YOLO COUNTY FLOOD:	
DPW – ROADS	x	PG&E	@	OTHER: FARM BUREAU	
DPW - WATER RESOURCES DIV./ FLOOD CONTROL	x	PUBLIC SERVICES:		OFFICE OF DRINKING WATER	
		SCHOOL DISTRICT:		REDEVELOPMENT	
TRIBES:		SOLANO CO. WATER		LOWER LAKE COMMUNITY ACTION GROUP	
TRIBES: See below					
Big Valley Rancheria	@				
Elem Colony	@				
Hinthil Env. Resource Cons.					
Koi Nation of Northern CA	@				
Middletown Rancheria	@				
Robinson Rancheria	@				
Scotts Valley Pomo					
Upper Lake Habematolel					

REQUEST: Review Use Permit Application 17-03 UP

To:

~~**FROM:**~~ Keith Gronendyke, Associate Planner

APPLICANT: Com Sites West, 200 Litton Drive, #310, Grass Valley CA, 95945

PROPERTY OWNER: Gary Shaul, P O Box 2347, Clearlake CA, 95422

ZONING: APZ

GENERAL PLAN: Agricultural

APN: 010-009-42

LOCATION: 20662 State Highway 20, Clearlake Oaks

ATTACHMENTS: Application, aerial photograph, project description, site plan and photo simulations

ISSUES: Visual impacts and others to be determined.

PROPOSAL: Applicant proposes to construct a 150 foot tall lattice tower wireless communications facility. The proposed tower will accommodate up to four wireless companies' antennae along with other public use antennae and ancillary equipment within a 100 foot by 100 foot fenced area. Additional space is provided for co-location of other wireless companies and public safety agencies. Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **April 20 2017**.

COMMENTS:(attach additional sheet(s) as necessary) No Comments

BY: Todd Mansell **DATE:** 4-5-17

cc: Supervisorial District **3** (RFR Only)
Other (Examples: Sierra Club @ / Audubon Society @/ HOA___/Bus. Assoc.___/Tribe ___/Nat. Amer. Heritage Comm.___/ etc.) (RFR Only)

COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

March 28, 2017

REQUEST FOR REVIEW

AG. COMMISSIONER	x	LOWER LAKE FIRE DEPT.		SONOMA STATE	@
AIR QUALITY MGMT	x	FISH & WILDLIFE DEPT.	@	SPECIAL DISTRICTS	
ARMY CORPS		HEALTH DEPARTMENT		STATE DEPT. HEALTH	
ASSESSOR		HIDDEN VALLEY CSD		SURVEYOR	@
BLM		LAFCO		TAX COLLECTOR	
BUILDING DIVISION	x	LAKEBED MANAGEMENT		TRAFFIC ADV. COMM.	
CDF	@	LAKEPORT CITY		U. S. FOREST SVC.	
CALTRANS	@	NRCS		WATER COMPANY:	
CLEARLAKE CITY	@	OFFICE OF EDUCATION		_____	
CRWQCB	@	PACIFIC BELL		YOLO COUNTY FLOOD:	
DPW – ROADS	x	PG&E	@	OTHER: FARM BUREAU	
DPW - WATER RESOURCES DIV./ FLOOD CONTROL	x	PUBLIC SERVICES:		OFFICE OF DRINKING WATER	
		SCHOOL DISTRICT:		REDEVELOPMENT	
TRIBES:		SOLANO CO. WATER		LOWER LAKE COMMUNITY ACTION GROUP	
TRIBES: See below					
Big Valley Rancheria	@				
Elem Colony	@				
Hinthil Env. Resource Cons.					
Koi Nation of Northern CA	@				
Middletown Rancheria	@				
Robinson Rancheria	@				
Scotts Valley Pomo					
Upper Lake Habematolel					

REQUEST: Review Use Permit Application 17-03 UP

FROM: Keith Gronendyke, Associate Planner

APPLICANT: Com Sites West, 200 Litton Drive, #310, Grass Valley CA, 95945

PROPERTY OWNER: Gary Shaul, P O Box 2347, Clearlake CA, 95422

ZONING: APZ

GENERAL PLAN: Agricultural

APN: 010-009-42

LOCATION: 20662 State Highway 20, Clearlake Oaks

ATTACHMENTS: Application, aerial photograph, project description, site plan and photo simulations

ISSUES: Visual impacts and others to be determined.

PROPOSAL: Applicant proposes to construct a 150 foot tall lattice tower wireless communications facility. The proposed tower will accommodate up to four wireless companies' antennae along with other public use antennae and ancillary equipment within a 100 foot by 100 foot fenced area. Additional space is provided for co-location of other wireless companies and public safety agencies. Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **April 20 2017**.

COMMENTS:(attach additional sheet(s) as necessary)

BY: Phil May Planner DOT **DATE:** 6/14/17

cc: Supervisorial District **3** (RFR Only)
Other (Examples: Sierra Club @ / Audubon Society @/ HOA___/Bus. Assoc.___/Tribe ___/Nat. Amer. Heritage Comm.___/ etc.) (RFR Only)

APPEARS SOME TREES WILL BE REMOVED. ACCESS ROAD TO BE WIDENED BY 15'. NO DISCUSSION OF EROSION CONTROL OR BMPs. CREEK NEARBY ON WESTERN SLOPE. THE TOWER HEIGHT AND SIGNAL CHARTS ARE NOT EXPLAINED. SOME TOWER PLACEMENTS ARE CONTROVERSIAL.

COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

DISTRIBUTION DATE: May 19, 2017

AT&T WILD DIAMOND VINEYARDS, LLC.

REQUEST FOR REVIEW FOR SUFFICIENCY

☒ **AG. COMMISSIONER**	☐ HIDDEN VALLEY CSD	☐ TRAFFIC ADV. COMM.
☒ **AIR QUALITY MGMT**	☐ LAKEBED MANAGEMENT	☒ **TRIBES:**
☐ ARMY CORPS	☐ LAKEPORT CITY	@ **Big Valley Rancheria**
☒ **ASSESSOR**	☐ LAKE TRANSIT	@ **Elem Colony**
☐ BLM	☐ NATIVE AM. HERITAGE	@ **Koi Nation**
☒ **BUILDING DIVISION**	☐ NRCS	@ **Middletown Rancheria**
☒ **CAL FIRE**	☐ OFFICE OF EDUCATION	@ **Robinson Rancheria**
☐ CALTRANS	☐ PG&E	@ **Scotts Valley Band of Pomo**
☐ CLEARLAKE CITY	☐ PUBLIC SERVICES	@ **Upper Lake Habematolel**
☐ CRWQCB	☒ SHERIFF	☐ US FOREST SVC
☒ **DPW ROADS**	☐ SOLANO CO. WATER	☐ LAKE CO. ADMIN
☒ **CA FISH & WILDLIFE**	@ **SONOMA STATE**	@ SCHOOL:
☐ FISH & WILDLIFE SVC	☐ SPECIAL DISTRICTS	☐ WASTE DISPOSAL
@ **FIRE DIST: *S. Lake FD***	☐ STATE DEPT. HEALTH	☒ **WATER RESOURCES**
☒ **HEALTH DEPARTMENT**	☒ **SURVEYOR**	☐ CAWATER QUALITY CON. BOARD
☐ HERITAGE COMMISSION	☒ **TAX COLLECTOR**	☐ OTHER:

FROM:	Mark Roberts; Associate Planner
REQUEST:	Review Minor Use Permit (UP 17-08) & Initial Study (IS 17-19)
APPLICANT	AT&T Mobility (Sara King AT&T Agent), PO BOX 6043, Folsom, CA 95763.
OWNER:	Wild Diamond Vineyards, LLC; 15087 Spruce Grove Road, Middletown, CA 95461
APN:	013-060-10
LOCATION:	15087 Spruce Grove Road, Middletown, CA 95461.
ZONING:	"RL" Rural Lands
GENERAL PLAN:	Rural Lands
ACREAGE:	Approximately 147 acres.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **June 2, 2017**. Thank you

PROPOSAL:
The applicant is requesting approval of a Major Use Permit (UP 17-08) to construct an unmanned one-hundred and ten (110) foot tall monopine tower top with foliage within a leased area approximately 900 (30' X 30') square feet in size. The monopine tower would consist of nine (9) panel antennas and nineteen (19) remote radio heads/units. There would also be 11'5" X 12' equipment shed with a backup generator and a 499 gallon propane tank within the proposed leased area. The proposed area would be fenced with a six (6) foot high chain link fence with a twelve (12) foot wide access gate. Please see attachments for specific details.

COMMENTS: needs to meet seismic and wind requirements.

NAME James Vaynore DATE 5/23/17

cc: ☒ **Supervisorial District 5**

Other (Examples): ☐ Sierra Club ☐ HOA ☐ Audubon Society ☐ Farm Bureau/etc. (RFR Only)

Mark Roberts

From: Lori Baca
Sent: Wednesday, December 12, 2018 10:43 AM
To: Mark Roberts
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

Mark,

Please be advised that the parcels are outside any Special Districts' service areas. No impact.

Have a great day! ☺

Lori A. Baca, CTA
Customer Service Coordinator
Lori.Baca@lakecountyca.gov
Office Number (707) 263-0119
Fax (707) 263-3836

From: Mark Roberts
Sent: Wednesday, December 12, 2018 9:11 AM
To: Kelsey.Vella@wildlife.ca.gov; R2CEQA@wildlife.ca.gov; DLRP@conservation.ca.gov; Sheri.Miller@waterboards.ca.gov; Leishara.Ward@dot.ca.gov; Christopher.Brooks@dot.ca.gov; Fdchf700@yahoo.com; Doug Gearhart <dougg@lcaqmd.net>; elizabethk@lcaqmd.net; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Brian Martin <Brian.Martin@lakecountyca.gov>; Chris Macedo <Chris.Macedo@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; lmccollough@candswaste.com; David Cowan <David.Cowan@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; ron.parsons@parks.ca.gov; Melissa.M.France@usace.army.mil; Ryan_olah@fws.gov; lcfrmbureau@sbcglobal.net; dave.rosenthal@sbcglobal.net; robert@mtkonoctiwines.com; president@redbudaudubon.org; vbrandon@lakelive.info; Steven Hajik <Steven.Hajik@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

Good Morning Agencies,

Mark Roberts

From: Yuliya Osetrova
Sent: Thursday, December 13, 2018 11:12 AM
To: Mark Roberts
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

Mark,

I have reviewed the project and these are the comments:

1. The stormwater, construction and grading BMPs should be installed to the maximum feasible extend possible.
2. The project area is less than 1 acre and the SWPPP is not required, however if the disturbance area would increase to more than 1 acre, the applicant should submit the Stormwater Pollution Prevention Plan.

Best,

Yuliya Osetrova
Water Resources Engineer II
Lake County Water Resources Department
(707) 263-2344

From: Mark Roberts
Sent: Wednesday, December 12, 2018 9:11 AM
To: Kelsey.Vella@wildlife.ca.gov; R2CEQA@wildlife.ca.gov; DLRP@conservation.ca.gov; Sheri.Miller@waterboards.ca.gov; Leishara.Ward@dot.ca.gov; Christopher.Brooks@dot.ca.gov; Fdchf700@yahoo.com; Doug Gearhart <dougg@lcaqmd.net>; elizabethk@lcaqmd.net; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Brian Martin <Brian.Martin@lakecountyca.gov>; Chris Macedo <Chris.Macedo@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; lmccollough@candswaste.com; David Cowan <David.Cowan@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; ron.parsons@parks.ca.gov; Melissa.M.France@usace.army.mil; Ryan_olah@fws.gov; lcfrmbureau@sbcglobal.net; dave.rosenthal@sbcglobal.net; robert@mtkonoctiwines.com; president@redbudaudubon.org; vbrandon@lakelive.info; Steven Hajik <Steven.Hajik@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

Good Morning Agencies,

Please see the below Notice of Intent to Adopted a Mitigated Negative Declaration for the proposed Telecommuting Facility List below. I have attached a copy of Initial Study, IS 17-10 for your convenience. Please keep in mind, The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study, IS 17-10 will begin on December 17, 2018, 2018 and end on January 22, 2019. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration to the Community Development Department, no later than 5:00 PM on January 22, 2019. If you have any questions, please let me know.

Mark Roberts

From: Gordon Haggitt
Sent: Monday, December 31, 2018 11:24 AM
To: Mark Roberts
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

No further comments

Gordon M. Haggitt
County Surveyor, County of Lake
(707)263-2341

From: Mark Roberts
Sent: Monday, December 31, 2018 10:38 AM
To: Kelsey.Vella@wildlife.ca.gov; R2CEQA@wildlife.ca.gov; DLRP@conservation.ca.gov; Sheri.Miller@waterboards.ca.gov; Leishara.Ward@dot.ca.gov; Christopher.Brooks@dot.ca.gov; Fdchf700@yahoo.com; Doug Gearhart <dougg@lcaqmd.net>; elizabethk@lcaqmd.net; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Brian Martin <Brian.Martin@lakecountyca.gov>; Chris Macedo <Chris.Macedo@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; lmccollough@candswaste.com; David Cowan <David.Cowan@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; ron.parsons@parks.ca.gov; Melissa.M.France@usace.army.mil; Ryan_olah@fws.gov; lcfrmbureau@sbcglobal.net; dave.rosenthal@sbcglobal.net; robert@mtkonoctiwines.com; president@redbudaudubon.org; vbrandon@lakelive.info; Steven Hajik <Steven.Hajik@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

Good Moring All

I hope all is well. Please see the below **Amended Notice of Intent to Adopted a Mitigated Negative Declaration (I have heighted the change in yellow below for your convenience)** for the proposed Telecommuting Facility List below. I have attached a copy of Initial Study, IS 17-10 for your convenience. Please keep in mind, The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study, IS 17-10 will begin on January 7, 2018, 2018 and end on February 11, 2019. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration to the Community Development Department, no later than 5:00 PM on February 11, 2019. If you have any questions, or would like a copy of the Initial Study, submitted documents or plans to review please let me know

COUNTY OF LAKE
AMENDED NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION

Project Title: Cache Creek Telecommunication Facility (Com Site West); Major Use Permit, UP 17-03 & Initial Study, IS 17-10.

Project Location: 20114 & 20662 E. State Highway 20; Clearlake Oaks, CA 95423; APNs: 010-009-42 (Project Parcel); 010-009-39 & 010-009-40 (Access Only; 50 foot wide Utility Easement: "Declaration Creating Road and Utility Easements (Doc. 006964443) recorded with the Lake County Recorders/Assessor Office)

YOCHA DEHE
CULTURAL RESOURCES

RECEIVED
DEC 21 2018
LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

December 17, 2018

County of Lake
Attn: Mark Roberts, Community Development
255 N. Forbes Street
Lakeport, CA 95453

RE: Cache Creek Telecommunications Facility Project

Dear Mr. Roberts:

Thank you for your project notification letter dated, December 11, 2018, regarding cultural information on or near the proposed Cache Creek Telecommunications Facility Project, Lake County. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that it is not within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we respectively decline any comment on this project.

Should you have any questions, please feel free to contact the following individual:

Kristin Jensen, CRD Administrative Assistant
Yocha Dehe Wintun Nation
Office: (530) 796-0105
Email: kjensen@yochadehe-nsn.gov

Please refer to identification number YD – 12172018-01 in any correspondence concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

Leland Kinter
Tribal Historic Preservation Officer

Mark Roberts

From: Linda Rosas <lrosas@hpultribe-nsn.gov>
Sent: Monday, December 31, 2018 10:38 AM
To: Mark Roberts
Subject: Automatic reply: Amended Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

Greetings & Salutations! I will be out of the Office from December 21, 2018- January 2, 2019. Should you need assistance before my return, please contact Christina Harrison at charrison@hpultribe-nsn or Anthony Arroyo Sr. at aarroyosr@hpultribe-nsn.gov . Seasons Greetings, Merry Christmas, Happy Hanukah, and everything in between. -Linda

Mark Roberts

From: Olah, Ryan <ryan_olah@fws.gov>
Sent: Monday, December 31, 2018 10:40 AM
To: Mark Roberts
Subject: Out of the Office Re: [EXTERNAL] Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

I will be out of the office from December 2 to January 1, returning January 2. I will respond to your message when I return.

--
Ryan Olah
Coast Bay Division Chief
U.S. Fish and Wildlife Service
Sacramento Fish and Wildlife Office
2800 Cottage Way
Sacramento, CA 95825
(916) 414-6623

State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
916-358-2900
www.wildlife.ca.gov

EDMUND G. BROWN, Jr. Governor
Charlton H. Bonham, *Director*

August 10, 2018

Keith Chambers
ComSites West, LLC
200 Litton Drive, Suite 310
Grass Valley, CA 95945
kchambers@comsiteswest.com

Subject: Receipt of Notification of Lake or Streambed Alteration

Dear Mr. Chambers:

The California Department of Fish and Wildlife (Department), North Central Region, received your Notification of Lake or Streambed Alteration (Notification) on August 09, 2018, for the Middle Creek Crossing (Project). The tracking number for the Project is 1600-2018-0234-R2. The staff person assigned to your Notification is Kelsey Vella, Environmental Scientist.

The Department must comply with the Permit Streamlining Act (Government Code §65920 et seq.), which requires a public agency to review your Notification for completeness within 30 days. If the Department determines that your Notification is lacking essential information, you will receive an "Incomplete" letter requesting supplemental information. If all essential information has been provided with the Notification, you may receive a "Complete" letter informing you that the Notification is complete. If you do not receive any such letters on or before September 10, 2018 your Notification has been deemed complete pursuant to the Permit Streamlining Act.

From the date the Notification is deemed complete, the Department has 60 days to send you a draft Lake or Streambed Alteration Agreement (Agreement) or determine that an Agreement is not required (Fish and Game Code §1602(a)(4)(D)). Therefore, you will receive written documentation of that determination from the Department on or before November 07, 2018.

If you have any questions, please contact Kelsey Vella at 916-358-4315 or by email at kelsey.vella@wildlife.ca.gov.

The California Department of Fish and Wildlife
North Central Region (Region 2)
Lake and Streambed Alteration Desk

RECEIVED
AUG 23 2018
LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

Mark Roberts

From: Ryan Peterson <rpeterson@middletownrancheria.com>
Sent: Wednesday, December 12, 2018 2:06 PM
To: Mark Roberts; Sally Peterson
Subject: Re: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03
Attachments: Cache Creek Telecommunication Facility (Com Site West).pdf

Good afternoon,

Attached below is the Tribe's written comments.

Thank you,

Ryan Peterson
Middletown Rancheria
Tribal Historic Preservation Department
PO Box 1035 Middletown, CA 95461
Phone: (707) 987-3670 Ext: 1307
Fax: (707) 987-9091

On Wed, Dec 12, 2018 at 9:12 AM Mark Roberts <Mark.Roberts@lakecountyca.gov> wrote:

Good Morning Tribal Members,

Good morning Agencies,

Please see the below Notice of Intent to Adopted a Mitigated Negative Declaration for the proposed Telecommuting Facility List below. I have attached a copy of Initial Study, IS 17-10 for your convenience. Please keep in mind, The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study, IS 17-10 will begin on December 17, 2018, 2018 and end on January 22, 2019. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration to the Community Development Department, no later than 5:00 PM on January 22, 2019. If you have any questions, or would like a copy of the Initial Study, submitted documents or plans to review please let me know.

COUNTY OF LAKE

Middletown Rancheria
Tribal Historic Preservation Department
P.O. Box 1035
Middletown, CA 95461

January 3, 2019

Via Electronic Mail

Mr. Mark Roberts
County of Lake
Community Development Department
Courthouse – 255 N. Forbes Street
Lakeport, California 95453

Project Title: Cache Creek Telecommunication Facility (Com Site West); Major Use Permit, UP 17-03 & Initial Study, IS 17-10.

Dear Mr. Roberts:

The Middletown Rancheria (Tribe) is in receipt of your notification on December 31, 2018 regarding 20114 & 20662 E. State Highway 20, Clearlake Oaks, Lake County, California.

Though we have no specific comments at this time, should any new information or evidence of human habitation be found as the project progresses, we request that all work cease and that you contact us immediately. We do have a process to protect such important and sacred resources.

Thank you for the opportunity to provide comments to the above referenced project. The Tribe looks forward to continuing to be a part of the County's process.

Nothing herein should be construed to be a waiver of or limitation of any of the Tribe's rights in law, in equity, or otherwise. All rights, claims and remedies are specifically reserved.

Should you have any questions, please contact the Department or Vice-Chairwoman Sally Peterson.

Sincerely,

Ryan Peterson
THPD Administrative Assistant

RECEIVED
JAN 03 2019
LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

Sally Peterson
Tribal Vice-Chairwoman
Phone (707) 987-3670 ext 1307
Fax (707) 987-9091

Scotts Valley Band of Pomo Indians
Environmental Department, 1005 Parallel Drive, Lakeport, California 95453
707-263-4220 (office) / 707-533-2879 (fax)

January 2, 2019

Memorandum

To: Mark Roberts, Associate Planner, Community Development Department, County of Lake

From: Terre Logsdon, Environmental Director, Scotts Valley Band of Pomo Indians

CC: Patricia Franklin, Assistant Environmental Director, Scotts Valley Band of Pomo Indians

Regarding: Notice of Intent to Adopt a Mitigated Negative Declaration for Amended Use Permit, UP 17-03 and Initial Study, IS 17-10

Because earth-moving construction activities disturbs the earth, and because through this disturbance culturally important and sensitive materials can be exposed, tribal cultural monitors are required.

The Scotts Valley Band of Pomo Indians are prepared and willing to provide the requisite monitors for activities performed under Major Use Permit 17-03, should it be approved.

Thank you,

Terre Logsdon, Environmental Director
Scotts Valley Band of Pomo Indians
(707) 263-4265
terre.logsdon@sv-nsn.gov

From: Gordon Haggitt
To: Mark Roberts
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03
Date: Monday, December 31, 2018 11:24:04 AM
Attachments: image001.png

No further comments

Gordon M. Haggitt
County Surveyor, County of Lake
(707)263-2341

From: Mark Roberts
Sent: Monday, December 31, 2018 10:38 AM
To: Kelsey.Vella@wildlife.ca.gov; R2CEQA@wildlife.ca.gov; DLRP@conservation.ca.gov; Sheri.Miller@waterboards.ca.gov; Leishara.Ward@dot.ca.gov; Christopher.Brooks@dot.ca.gov; Fdchf700@yahoo.com; Doug Gearhart <dougg@lcaqmd.net>; elizabethk@lcaqmd.net; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Brian Martin <Brian.Martin@lakecountyca.gov>; Chris Macedo <Chris.Macedo@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; lmccollough@candswaste.com; David Cowan <David.Cowan@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; ron.parsons@parks.ca.gov; Melissa.M.France@usace.army.mil; Ryan_olah@fws.gov; lcfrmbureau@sbcglobal.net; dave.rosenthal@sbcglobal.net; robert@mtkonoctiwines.com; president@redbudaudubon.org; vbrandon@lakelive.info; Steven Hajik <Steven.Hajik@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

Good Moring All

I hope all is well. Please see the below **Amended Notice of Intent to Adopted a Mitigated Negative Declaration (I have heighted the change in yellow below for your convenience)** for the proposed Telecommuting Facility List below. I have attached a copy of Initial Study, IS 17-10 for your convenience. Please keep in mind, The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study, IS 17-10 will begin on January 7, 2018, 2018 and end on February 11, 2019. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration to the Community Development Department, no later than 5:00 PM on February 11, 2019. If you have any questions, or would like a copy of the Initial Study, submitted documents or plans to review please let me know

COUNTY OF LAKE
AMENDED NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION

Project Title: Cache Creek Telecommunication Facility (Com Site West); Major Use Permit, UP 17-03 & Initial Study, IS 17-10.

From: Yuliya Osetrova
To: Mark Roberts
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03
Date: Thursday, December 13, 2018 11:11:39 AM
Attachments: image001.png

Mark,

I have reviewed the project and these are the comments:

1. The stormwater, construction and grading BMPs should be installed to the maximum feasible extend possible.
2. The project area is less than 1 acre and the SWPPP is not required, however if the disturbance area would increase to more than 1 acre, the applicant should submit the Stormwater Pollution Prevention Plan.

Best,

Yuliya Osetrova
Water Resources Engineer II
Lake County Water Resources Department
(707) 263-2344

From: Mark Roberts
Sent: Wednesday, December 12, 2018 9:11 AM
To: Kelsey.Vella@wildlife.ca.gov; R2CEQA@wildlife.ca.gov; DLRP@conservation.ca.gov; Sheri.Miller@waterboards.ca.gov; Leishara.Ward@dot.ca.gov; Christopher.Brooks@dot.ca.gov; Fdchf700@yahoo.com; Doug Gearhart <dougg@lcaqmd.net>; elizabethk@lcaqmd.net; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Brian Martin <Brian.Martin@lakecountyca.gov>; Chris Macedo <Chris.Macedo@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; lmccollough@candswaste.com; David Cowan <David.Cowan@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; ron.parsons@parks.ca.gov; Melissa.M.France@usace.army.mil; Ryan_olah@fws.gov; lcfrmbureau@sbcglobal.net; dave.rosenthal@sbcglobal.net; robert@mtkonoctiwines.com; president@redbudaudubon.org; vbrandon@lakelive.info; Steven Hajik <Steven.Hajik@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Use Permit, UP 17-03

Good Morning Agencies,

Please see the below Notice of Intent to Adopted a Mitigated Negative Declaration for the proposed Telecommuting Facility List below. I have attached a copy of Initial Study, IS 17-10 for your convenience. Please keep in mind, The public review period for the respective

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Gavin Newsom
Governor

Kate Gordon
Director

February 12, 2019

RECEIVED

FEB 14 2019

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

Mark Roberts
Lake County
225 N. Forbes Street
Lakeport, CA 95453

Subject: Cache Creek Telecommunication Facility (Com Site West)
SCH#: 2018122032

Dear Mark Roberts:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 11, 2019, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Document Details Report
State Clearinghouse Data Base

SCH# 2018122032
Project Title Cache Creek Telecommunication Facility (Com Site West)
Lead Agency Lake County

Type **MND** Mitigated Negative Declaration

Description Note: Review Per Lead

Originally, the applicant proposed to construct a 150 ft tall lattice tower with an additional 20 ft tall VHF Master RX Whip Antenna for Public Safety Systems for an overall height of 170 ft. However, according to the applicant upon further evaluation, it was determine due to the emerging wireless technologies (such as nationwide wireless telecommunications network dedicated to public safety independent authority established by Congress) and how the microwave paths travel from the original proposed lattice tower of 170 ft in height, the ridgeline approx one mile west of project site would likely cause physical interference to the path.

Lead Agency Contact

Name Mark Roberts
Agency Lake County
Phone (707) 263-2221 **Fax**
email
Address 225 N. Forbes Street
City Lakeport **State** CA **Zip** 95453

Project Location

County Lake
City Clearlake
Region
Lat / Long 39° 00' 11.7" N / 122° 32' 35.16" W
Cross Streets State Hwy 20
Parcel No. 010-009-42, -39, 40
Township 13N **Range** 6W **Section** **Base**

Proximity to:

Highways 20
Airports
Railways
Waterways Cache Creek
Schools
Land Use APZ-FF-WW-SC

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Minerals; Noise; Public Services; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian; Landuse

---

Reviewing Agencies Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 1; Regional Water Quality Control Bd., Region 5 (Sacramento); State Water Resources Control Board, Division of Water Quality; Department of Toxic Substances Control; Delta Protection Commission; Delta Stewardship Council; Native American Heritage Commission; Public Utilities Commission

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Date Received 01/04/2019 **Start of Review** 01/04/2019 **End of Review** 02/11/2019

Note: Blanks in data fields result from insufficient information provided by lead agency.

CALIFORNIA
Water Boards

Central Valley Regional Water Quality Control Board

GAVIN NEWSOM
JARED BLUMENFELD

clear 2/11/19

15 January 2019

Governor's Office of Planning & Research
JAN 17 2019
STATE CLEARINGHOUSE

Mark Roberts
County of Lake
255 North Forbes Street
Lakeport, CA 95453

CERTIFIED MAIL
7018 1830 0001 0062 6672

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, CACHE CREEK TELECOMMUNICATION FACILITY (COM SITE WEST) PROJECT, SCH#2018122032, LAKE COUNTY

Pursuant to the State Clearinghouse's 14 December 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Cache Creek Telecommunication Facility (Com Site West) Project, located in Lake County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

> *Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*
>
> *This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit

requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100**. Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently $1,277 + $8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order.

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.

Jordan Hensley
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento