

CALIFORNIA  
HISTORICAL  
RESOURCES  
INFORMATION  
SYSTEM



ALAMEDA  
COLUSA  
CONTRA COSTA  
DEL NORTE

HUMBOLDT  
LAKE  
MARIN  
MENDOCINO  
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NAPA  
SAN BENITO

SAN FRANCISCO  
SAN MATEO  
SANTA CLARA  
SANTA CRUZ  
SOLANO  
SONOMA  
YOLO

**Northwest Information Center**  
Sonoma State University  
150 Professional Center Drive, Suite E  
Rohnert Park, California 94928-3609  
Tel: 707.588.8455  
nwwic@sonoma.edu  
<http://www.sonoma.edu/nwwic>

March 7, 2016

File No.: 15-1277

Michalyn DelValle, Project Planner  
Lake County  
Community Development Department  
255 N. Forbes Street  
Lakeport, CA. 95453

re: UP 16-04 & IS 16-07 / 9781 Point Lakeview Road, Kelseyville; APN: 043-551-06, 07 and 47 / Linda and Robert Harvey

Dear Michalyn DelValle,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

**Previous Studies:**

XX This office has no record of any previous cultural resource studies for the proposed project area (see *recommendation below*).

**Archaeological and Native American Resources Recommendations:**

XX The proposed project area has the possibility of containing unrecorded archaeological sites. A study is recommended prior to commencement of project activities.

XX We recommend you contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.

**Built Environment Recommendations:**

XX The 1957 USGS Clearlake Highlands 7.5' quad depicts a building in the proposed project area. Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Lake County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS)

Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,



Charles Hutcheson  
Researcher



*Flex your power!  
Be energy efficient!*

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 1, P. O. BOX 3700  
EUREKA, CA 95502-3700  
PHONE (707) 445-6409  
FAX (707) 441-5869  
TTY 711

March 7, 2016

1-LAK-281-PM 15.06  
Kelseyville Point Lakeview Road  
Dollar General Store  
Use Permit 16-04 Initial Study 16-07  
APN: 043-551-06, 07 & 47  
IGR# 19611

Michalyn DelValle, Senior Planner  
County of Lake  
Community Development Department  
255 North Forbes Street  
Lakeport, CA 95453

Dear Ms. DelValle,

Thank you for the opportunity to comment on a 9,100 square foot Dollar General Store Use Permit, Initial Study and site plan. The proposed project is located two miles north of the State Route 29/State Route 281 intersection, on the southeast corner of SR 281 and Point Lakeview Road. The project encompasses three parcels and creates a new driveway access on parcel 043-551-07 to Point Lakeview Road in alignment with Konotci Bay Road.

Overall the project will increase safety by moving the existing driveway further away from SR 281 and aligning the new access with Konotci Bay Road on the north side of Point Lakeview Road. Currently the site plan pages do not reflect that the old driveway which is in Caltrans' right of way adjacent to parcels 043-551-047 and 043-551-06 will be removed.

We require as a condition of project approval that the site plan reflect the removal of the old driveway and culvert, and that the old driveway, culvert and concrete within the Caltrans right of way be removed adjacent to Point Lakeview Road, restoring the Caltrans right of way to its condition before the driveway was constructed.

Any work conducted within the Caltrans right of way will require that the applicant obtain a Caltrans Encroachment Permit.

Ms. DelValle  
March 7, 2016  
Page 2

Encroachment permit applications are reviewed for consistency with State standards and are subject to Department approval. The applicant should contact a District 1 permit inspector, Jim Shupe or Clyde Blundell, at (707) 463-5722, to schedule an on-site meeting prior to submitting an application. Requests for Caltrans encroachment permit application forms can be sent to Caltrans District 1 Permits Office, P.O. Box 3700, Eureka CA 95502-3700, or requested by phone at (707) 445-6389. For additional information, the Caltrans Permit Manual is available online at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

If you have questions or need further assistance, please contact me at the number above.

Sincerely,



Dave Carstensen  
District 1 Transit, Regional & Community Planning

Y:\lgr\IGR Project Files\Lake\Kelseyville Point Lakeview Road Dollar General.docx

# 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  
doug@lcaqmd.net

## -MEMORANDUM-

**To:** Michalyn DelValle, Senior Planner  
LC Community Development Department

**DATE:** March 4, 2016

**FROM:** Sarah Nave, AQE *Sun name*

**SUBJECT:** Cross Development ••• APN 043-551-06, 07, 47 ••• Request: UP 16-04 and IS 16-07 ••• Construction of a 9,100 square foot Dollar General store at 9781 Point Lakeview Rd., Kelseyville, CA

This project has potential for short-term impacts, while long term impacts should be less than significant. Site preparation could result in temporary increases of fugitive dust from grading and construction activity, as construction equipment can be expected to produce intermittent noise, fumes and dust. Exposed surfaces should be adequately treated with water and/or other palliatives to reduce fugitive dust and prevent complaints in the surrounding community.

Significant dust impacts may be generated from vehicle traffic if driveways and parking areas are not adequately surfaced during and after construction. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. Paving with asphaltic concrete should be required for all driveways, parking and loading areas.

The proposal suggests an existing building on the property will be demolished prior to constructing the new Dollar General building. The Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolitions. An Asbestos Notification must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant should contact the District for details. Regardless of asbestos content, all demolition activities should use adequate water / amended water to prevent dust generation and nuisance conditions.

Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. Portable and stationary diesel-

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LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT.

powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines. The applicant should contact the District for further information if the project includes a backup generator.

Vegetation burning on commercial sites is not allowed. Construction debris and/or demolition debris cannot be disposed of by burning.

The facility is subject to AB 2588 air emission inventory requirements administered by the LCAQMD if it uses listed hazardous or toxic materials. The operator should maintain records, including the Material Safety Data Sheets (MSDS) for all volatile organic compounds utilized, including, but not limited to, part cleaning solvents, thinners, paints, fuels, brake/carb cleaners, spray paints and other materials containing air toxics. The facility is required, upon request, to provide the LCAQMD such information necessary to complete an updated air toxic emission inventory.

With mitigation measures to address the above concerns, a Mitigated Negative Declaration can be supported for air quality issues.



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

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**LAKE COUNTY AQMD**

DISTRIBUTION DATE: March 2, 2016

**REQUEST FOR REVIEW**

☐ AG. COMMISSIONER  
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☒ @ BUILDING DIVISION  
☒ @ CAL FIRE  
☒ @ CALTRANS  
☐ CLEARLAKE CITY  
☐ CRWQCB  
☒ @ DPW ROADS  
☐ EPA  
☐ FISH & WILDLIFE  
☒ @ FIRE DIST: Kelseyville  
☒ HEALTH DEPARTMENT  
☐ HERITAGE COMMISSION

☐ HIDDEN VALLEY CSD  
☐ LAKEBED MANAGEMENT  
☐ LAKEPORT CITY  
☒ @ LAKE TRANSIT  
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☒ @ SHERIFF  
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☒ @ SPECIAL DISTRICTS  
☐ STATE DEPT. HEALTH  
☒ @ SURVEYOR  
☒ TAX COLLECTOR

☐ TRAFFIC ADV. COMM.  
☐ TRIBES:  
☒ @ Big Valley Rancheria  
☒ @ Elem Colony  
☒ @ Lower Lake Koi  
☒ @ Middletown Rancheria  
☒ @ Robinson Rancheria  
☒ @ Scotts Valley Band of Pomo  
☒ @ Upper Lake Habematolel  
☐ US FOREST SVC  
☒ WASTE DISPOSAL  
☐ WATER CO:  
☒ @ WATER RESOURCES  
☒ OTHER: Kelseyville Bus Assoc.  
☒ OTHER: Dept of Conservation  
☐ CA DEPT OF WATER RESOURCES

FROM: Michalyn DelValle, Senior Planner  
REQUEST: Kelseyville Dollar General Use Permit & Initial Study; UP 16-04 & IS 16-07  
APPLICANT: Cross Development, 17430 Campbell Road, Suite 225, Dallas, Texas 75252  
OWNER: Linda and Robert Harvey, 5135 Dry Creek Road, Napa, Ca 94558  
APNs: 043-551-06, 07 and 47  
LOCATION: 9781 Point Lakeview Road, Kelseyville, Ca  
ZONING: "C2-DR", Service Commercial-Design Review  
GENERAL PLAN: Community Commercial

**PROPOSAL:** The applicant is proposing to construct a 9,100 square foot Dollar General Store. Dollar General is a general retail store that will be open daily and will employ at least 4 persons. A Lot Line Adjustment will be applied for later to reconfigure these parcels. This parcel is located within flood zone X. Please refer to enclosed plans and planning division supplemental data form for more information.

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 **March 20, 2016**. Thank you.

COMMENTS: \_\_\_\_\_

NAME \_\_\_\_\_ DATE \_\_\_\_\_

cc: @ Supervisorial District 5 (RFR Only)  
Other (Examples): ☒ Sierra Club ☐ HOA ☐ Bus. Assoc. ☐ Farm Bureau/etc. (RFR Only)

43-551-04  
07  
47



**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: March 2, 2016

**REQUEST FOR REVIEW**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> AG. COMMISSIONER             | <input type="checkbox"/> HIDDEN VALLEY CSD        | <input type="checkbox"/> TRAFFIC ADV. COMM.                       |
| @ AIR QUALITY MGMT                                    | <input type="checkbox"/> LAKEBED MANAGEMENT       | <input type="checkbox"/> TRIBES:                                  |
| <input type="checkbox"/> ARMY CORPS                   | <input type="checkbox"/> LAKEPORT CITY            | @ Big Valley Rancheria  |
| @ ASSESSOR  | @ LAKE TRANSIT                                    | @ Elem Colony   |
| <input type="checkbox"/> BLM                          | <input type="checkbox"/> NATIVE AM. HERITAGE      | @ Lower Lake Koi  |
| @ BUILDING DIVISION                                   | <input type="checkbox"/> NRCS                     | @ Middletown Rancheria  |
| @ CAL FIRE  | <input type="checkbox"/> OFFICE OF EDUCATION      | @ Robinson Rancheria  |
| @ CALTRANS  | <input checked="" type="checkbox"/> PG&E          | @ Scotts Valley Band of Pomo                                      |
| <input type="checkbox"/> CLEARLAKE CITY               | <input type="checkbox"/> PUBLIC SERVICES          | @ Upper Lake Habematolel  |
| <input type="checkbox"/> CRWQCB                       | @ SHERIFF   | <input type="checkbox"/> US FOREST SVC                            |
| @ DPW ROADS   | <input type="checkbox"/> SOLANO CO. WATER         | <input checked="" type="checkbox"/> WASTE DISPOSAL                |
| <input type="checkbox"/> EPA                          | @ SONOMA STATE                                    | <input type="checkbox"/> WATER CO:                                |
| <input type="checkbox"/> FISH & WILDLIFE              | @ SPECIAL DISTRICTS                               | @ WATER RESOURCES   |
| @ FIRE DIST: Kelseyville                              | <input type="checkbox"/> STATE DEPT. HEALTH       | <input checked="" type="checkbox"/> OTHER: Kelseyville Bus Assoc. |
| <input checked="" type="checkbox"/> HEALTH DEPARTMENT | @ SURVEYOR  | <input checked="" type="checkbox"/> OTHER: Dept of Conservation   |
| <input type="checkbox"/> HERITAGE COMMISSION          | <input checked="" type="checkbox"/> TAX COLLECTOR | <input type="checkbox"/> CA DEPT OF WATER RESOURCES               |

FROM: Michalyn DelValle, Senior Planner

REQUEST: Kelseyville Dollar General Use Permit & Initial Study; UP 16-04 & IS 16-07

APPLICANT: Cross Development, 17430 Campbell Road, Suite 225, Dallas, Texas 75250

OWNER: Linda and Robert Harvey, 5135 Dry Creek Road, Napa, Ca 94558

APNs: 043-551-06, 07 and 47

LOCATION: 9781 Point Lakeview Road, Kelseyville, Ca

ZONING: "C2-DR", Service Commercial-Design Review

GENERAL PLAN: Community Commercial

**PROPOSAL:** The applicant is proposing to construct a 9,100 square foot Dollar General Store. Dollar General is a general retail store that will be open daily and will employ at least 4 persons. A Lot Line Adjustment will be applied for later to reconfigure these parcels. This parcel is located within flood zone X. Please refer to enclosed plans and planning division supplemental data form for more information.

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 **March 20, 2016**. Thank you.

COMMENTS: parcels need to be merged first, or L.L.A. as indicated.

NAME Michelle Blum DATE 3-3-16

cc: @ Supervisorial District 5 (RFR Only)  
Other (Examples): ☒ Sierra Club ☐ HOA ☐ Bus. Assoc. ☐ Farm Bureau/etc. (RFR Only)

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LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT.





**COUNTY OF LAKE**  
**HEALTH SERVICES DEPARTMENT**  
Division of Environmental Health  
922 Bevins Court, Lakeport, CA 95453-9739  
Telephone 707/ 263-1164 FAX: 263-1681

**Jim Brown**  
Health Services Director

Raymond Ruminski, R.E.H.S.  
Environmental Health Director

## **Memorandum**

**DATE:** March 18, 2016  
**TO:** Michalyn DelValle, Senior Planner  
**FROM:** Cheryl Bennett, EHS III  
**RE:** Kelseyville Dollar General Use Permit & Initial Study;  
UP 16-04; IS 16-07  
**APN:** 043-551-06, 07, and 47

1. The applicant must meet all Lake County Division of Environmental Health requirements regarding on-site sewage disposal and potable water requirements.

APN 043-551-47: It appears this property has an existing septic permit (permit number 936-S, issued on 6-30-67) designed for a 4 unit shopping complex. An authorization inspection (fee \$150.00) may be required if increasing the daily flow. If the existing septic systems ever fail, then the applicant needs to contact our office for requirements and permits.

Demonstrate location of the existing on-site wastewater system and future expansion area.

APN 043-551-06 and APN: 043-551-07: Currently our office has no records of either of these parcels.

2. The applicant must comply with the California Retail Food Code Regulations.

The applicant must apply and pay for plan check application; submit three sets of complete plans and supporting documents for review of any proposed retail food facility and must obtain approval from the Division of Environmental Health for construction before obtaining any building permits. Food facilities must be permitted and inspected prior to opening to the public.




**COUNTY OF LAKE**  
**PUBLIC WORKS DEPARTMENT**

Courthouse - 255 N. Forbes Street  
Lakeport, California 95453  
Telephone 707/263-2341  
Fax 707/263/7748

**Scott De Leon**  
Public Works Director

**MEMORANDUM**

To: Mireya Turner, Associate Planner

From: Todd Mansell,  Special Projects Engineer

Date: February 9, 2017

Subject: Kelseyville Dollar General  
9781 Point Lakeview Road  
APN: 043-551-06, 07 and 47

---

I have reviewed the subject proposal and offer the following comments:

1. The proposed driveway encroachment will need to be constructed to current commercial encroachment standards.
2. The existing driveway will need to be removed/obliterated including the removal of the existing culvert.
3. An encroachment permit is required for all work within the Point Lakeview Road right-of-way.



## 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: March 2, 2016

### REQUEST FOR REVIEW

☐ AG. COMMISSIONER  
☒ AIR QUALITY MGMT  
☐ ARMY CORPS  
☒ ASSESSOR  
☐ BLM  
☒ BUILDING DIVISION  
☒ CAL FIRE  
☒ CALTRANS  
☐ CLEARLAKE CITY  
☐ CRWQCB  
☒ DPW ROADS  
☐ EPA  
☐ FISH & WILDLIFE  
☒ FIRE DIST: Kelseyville  
☒ HEALTH DEPARTMENT  
☐ HERITAGE COMMISSION

☐ HIDDEN VALLEY CSD  
☐ LAKEBED MANAGEMENT  
☐ LAKEPORT CITY  
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☐ NATIVE AM. HERITAGE  
☐ NRCS  
☐ OFFICE OF EDUCATION  
☒ PG&E  
☐ PUBLIC SERVICES  
☒ SHERIFF  
☐ SOLANO CO. WATER  
☒ SONOMA STATE  
☒ SPECIAL DISTRICTS  
☐ STATE DEPT. HEALTH  
☒ SURVEYOR  
☒ TAX COLLECTOR

☐ TRAFFIC ADV. COMM.  
☐ TRIBES:  
☒ Big Valley Rancheria  
☒ Elem Colony  
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☒ Middletown Rancheria  
☒ Robinson Rancheria  
☒ Scotts Valley Band of Pomo  
☒ Upper Lake Habematolel  
☐ US FOREST SVC  
☒ WASTE DISPOSAL  
☐ WATER CO:  
☒ WATER RESOURCES  
☒ OTHER: Kelseyville Bus Assoc.  
☒ OTHER: Dept of Conservation  
☐ CA DEPT OF WATER RESOURCES

FROM: Michalyn DeValle, Senior Planner  
REQUEST: Kelseyville Dollar General Use Permit & Initial Study; UP 16-04 & IS 16-07  
APPLICANT: Cross Development, 17430 Campbell Road, Suite 225, Dallas, Texas 75252  
OWNER: Linda and Robert Harvey, 5135 Dry Creek Road, Napa, Ca 94558  
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LOCATION: 9781 Point Lakeview Road, Kelseyville, Ca  
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**PROPOSAL:** The applicant is proposing to construct a 9,100 square foot Dollar General Store. Dollar General is a general retail store that will be open daily and will employ at least 4 persons. A Lot Line Adjustment will be applied for later to reconfigure these parcels. This parcel is located within flood zone X. Please refer to enclosed plans and planning division supplemental data form for more information.

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 **March 20, 2016**. Thank you.

COMMENTS: *Make sure the property lines are clearly defined by survey to avoid encroachment issues.*

NAME *Gordon Haggitt*

DATE *3/15/16*

cc: @ Supervisorial District 5 (RFR Only)

Other (Examples):



Sierra Club



HOA



Bus. Assoc.



Farm Bureau/etc. (RFR Only)

## Mireya Turner

---

**From:** Gordon Haggitt  
**Sent:** Wednesday, January 04, 2017 11:04 AM  
**To:** Mireya Turner  
**Subject:** Dollar General Use Permit UP 16-04 & IS 16-07

Mireya: I'm hoping this will serve as an "addendum" to my initial remarks concerning this project dated 3/15/16. Lots 5 & 6 can be merged with Lot A if they need all of the parcels for the store. They should make sure exactly how many parcels will be affected before they do the merger since they currently have 3 legal parcels and the merger will combine all 3 into 1. If they plan on doing a lot line adjustment the new lines need to be figured out before they do any merger. In reviewing the subdivision map it appears there are public utility easements that should be vacated since this could cause a problem with future development. This will require written approval of the vacation from any affected utilities followed by a public hearing and, hopefully, Board approval. I also see a "building setback line" on the map which should also be addressed through an appropriate action to either remove or modify it. I would recommend resolving the issues with the utility easements and setback line first rather than waiting until later and finding out they have to remain in place.

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

---

**From:** Mireya Turner  
**Sent:** Wednesday, January 04, 2017 10:18 AM  
**To:** Gordon Haggitt  
**Subject:** FW: Attached Image

Thanks Gordon.

Cordially,  
Mireya G. Turner  
Associate Planner  
Community Development Department  
County of Lake  
255 North Forbes Street  
Lakeport, CA 95453

707-263-2221  
[www.co.lake.ca.us](http://www.co.lake.ca.us)

**From:** [Canon.Copier@lakecountyca.gov](mailto:Canon.Copier@lakecountyca.gov) [mailto:Canon.Copier@lakecountyca.gov]  
**Sent:** Wednesday, January 04, 2017 10:19 AM  
**To:** Mireya Turner  
**Subject:** Attached Image

**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: March 2, 2016

**REQUEST FOR REVIEW**

- ☐ AG. COMMISSIONER
- @ AIR QUALITY MGMT
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- @ CAL FIRE
- @ CALTRANS
- ☐ CLEARLAKE CITY
- ☐ CRWQCB
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- ☐ FISH & WILDLIFE
- @ FIRE DIST: Kelseyville
- ☒ HEALTH DEPARTMENT
- ☐ HERITAGE COMMISSION

- ☐ HIDDEN VALLEY CSD
- ☐ LAKEBED MANAGEMENT
- ☐ LAKEPORT CITY
- @ LAKE TRANSIT
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- ☒ PG&E
- ☐ PUBLIC SERVICES
- @ SHERIFF
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- @ SONOMA STATE
- @ SPECIAL DISTRICTS
- ☐ STATE DEPT. HEALTH
- @ SURVEYOR
- ☒ TAX COLLECTOR

- ☐ TRAFFIC ADV. COMM.
- ☐ TRIBES:
- @ Big Valley Rancheria
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- @ Upper Lake Habematolel
- ☐ US FOREST SVC
- ☒ WASTE DISPOSAL
- ☐ WATER CO:
- @ WATER RESOURCES
- ☒ OTHER: Kelseyville Bus Assoc.
- ☒ OTHER: Dept of Conservation
- ☐ CA DEPT OF WATER RESOURCES

FROM: Michalyn DelValle, Senior Planner

REQUEST: Kelseyville Dollar General Use Permit &amp; Initial Study; UP 16-04 &amp; IS 16-07

APPLICANT: Cross Development, 17430 Campbell Road, Suite 225, Dallas, Texas 75252

OWNER: Linda and Robert Harvey, 5135 Dry Creek Road, Napa, Ca 94558

APNs: 043-551-06, 07 and 47

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COMMENTS: 1. Impact Mitigation Fee \$1.00 2. Sprinkler (NFA 13) Plan Review Fee \$170<sup>00</sup>

NAME: Michele H. Parker

DATE: 3/10/16

cc: @ Supervisorial District 5 (RFR Only)

Other (Examples):



Sierra Club



HOA



Bus. Assoc.



Farm Bureau/etc. (RFR Only)

## Mireya Turner

---

**From:** Office Manager <manager@clrca.com>  
**Sent:** Wednesday, October 12, 2016 12:36 PM  
**To:** Mireya Turner  
**Subject:** FW: ACP meeting w/ Joe Dell

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Mireya,

Below is the correspondence that followed the last Architectural Control and Planning with Cross Development.

Cindy Jassar  
Office Manager

---

**From:** Office Manager [<mailto:manager@clrca.com>]  
**Sent:** Thursday, July 21, 2016 12:26 PM  
**To:** 'Audrey.Knight@lakecounttyca.gov'  
**Cc:** 'Val Nixon'; 'joe@crossdevelopment.net'  
**Subject:** ACP meeting w/ Joe Dell

Hello Audrey,

Our ACP committee had an open meeting with Joe Dell of Cross Development to discuss the design scheme for the proposed Dollar General Store in our community. They arrived at some agreed upon design alterations to the current proposed plan. Of course, if the project is approved, they will review the complete set of building plans and provide any additional comments at that time.

The alterations that were suggested and agreed upon to meet the preliminary guidelines are below:

- 1) Concrete block front to cover all 4 sides of the metal structure
- 2) Metal roof, sloped to the back of building. Tile parapet angled above roof around front and sides of building. This will be built high enough to hide the HVAC units on the roof. No parapet along back of building.
- 3) Sign will be lit from the front.
- 4) Remove small awnings and metal trellis from sides of building.

If you have any questions or need clarification, please feel free to contact me.

Thank you,

Cindy

*Office Manager*

**Clear Lake Riviera Community Association**

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**Central Valley Regional Water Quality Control Board**

10 February 2017

Mireya Turner  
County of Lake  
Community Development Department  
255 North Forbes Street  
Lakeport, CA 95453

**CERTIFIED MAIL**  
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**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE  
DECLARATION, CROSS DEVELOPMENT – CLEAR LAKE RIVIERA DOLLAR GENERAL  
USE PERMIT PROJECT, SCH# 2017012046, LAKE COUNTY**

Pursuant to the State Clearinghouse's 19 January 2017 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 Cross Development – Clear Lake Riviera Dollar General Use Permit 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/](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](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](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

#### **Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

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/](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](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](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 (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure

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<sup>1</sup> 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.

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 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.

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](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](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](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\\_land/app\\_approval/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_land/app_approval/index.shtml); or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto: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](mailto: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.

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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](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](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](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](mailto:Stephanie.Tadlock@waterboards.ca.gov).



Stephanie Tadlock  
Environmental Scientist

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