



County of Lassen

Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

April 28, 2022

Maurice L. Anderson, Director

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

TO: Planning Commission
Agenda Date: May 3, 2022

Zoning & Building

Inspection Requests

Phone: 530 257-5263

FS

FROM: Maurice L. Anderson, Director

RE: Parcel Map #2021-001, Use Permit #2021-002,
Initial Study #2021-001, Gajj/Gondal

On April 5, 2022, the above referenced project was introduced to the Planning Commission and a public hearing was opened. This project was continued to the May 3, 2022, Planning Commission meeting in order to allow staff enough time to respond to comments received from the State Water Board, CA Fish and Wildlife, and a neighboring property owner during circulation of the environmental document (Mitigated Negative Declaration, Initial Study #2021-001). These comments are attached below, followed by responses from the Department of Planning and Building Services.

The Initial Study and Proposed Mitigated Negative Declaration is available on the Planning and Building Services Department's portion of the Lassen County website, at the following URL, within the "Environmental Documents, Noticing and Attachments" tab:

<http://www.lassencounty.org/dept/planning-and-building-services/environmental-documents-noticing-and-attachments>

<http://www.lassencounty.org/sites/all/modules/pubdlnet/pubdlnet.php?fid=2910>

The original project packet provided prior to the April 5, 2022, Planning Commission meeting is also available on the Planning and Building Services Department's portion of the Lassen County website, at the following URL, within the "Meeting Agendas, Packets and Noticing" tab:

<http://www.lassencounty.org/dept/planning-and-building-services/meeting-agendas-and-packets>

<http://www.lassencounty.org/sites/all/modules/pubdlnet/pubdlnet.php?fid=2986>

Hardcopies can be made available upon request.

Enclosures:

- State Water Board, CA Fish and Wildlife, and neighboring property owner comments
- Response to comments prepared by Lassen County Department of Planning and Building Services
- Draft Approving Resolution (with optional conditions, primarily related to comments from neighbor, included as Exhibit "B")

MLA:njm

S:\PLA\Planning\2021\UP #2021-002, PM #2021-001, Gajj, Gondal\PC

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March 22, 2022

MAR 23 2022

Lassen County
Attn: Nancy McAllister
707 Nevada Street, Suite 5
Susanville, CA 96130

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

LASSEN COUNTY (COUNTY), MITIGATED NEGATIVE DECLARATION (MND) FOR THE
USE PERMIT #2021-002, PARCEL MAP #2021-001, INITIAL STUDY #2021-001 GAJJ,
GONDAL PROJECT (PROJECT); SCH # 2021020471

Dear Ms. Nancy McAllister:

Thank you for the opportunity to review the Mitigated Negative Declaration for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) regulates public water systems in Lassen County and is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act.

“Public water system” means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following: (1) Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system, (2) Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system”, and “(3) Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption,” (Health and Safety Code, division 104, part 12, chapter 4, article 1, section 116275 [h]). The Project will construct and operate a 30-space recreational vehicle park, with a maximum occupancy of 80 people. The Project will create a new public water system and will require Joginder Gondal and Sukhpal Gall to obtain State Water Board, DDW approval for a water supply permit.

The State Water Board, DDW, as a responsible agency under CEQA, has the following comments on the County’s draft MND:

Project Description Clarification

- Please describe the water system in the project description, including an explanation of water sources and new water system infrastructure that will be installed as part of the Project to provide water to the Recreational Vehicle (RV) sites, restroom / laundry / shower facility, and other water needs of the Project. The discussion should also include, but not be limited to:
 - If individual RV sites will include both sewer hookup and domestic water
 - If non-potable or domestic water will be used at the sewage dump station
 - How close the existing well is to underground storage tanks.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

- The CEQA document does not mention if the existing well will be used as a water source for the RV park. The application marks new wells as the water supply, but then later indicates “Existing well for adjacent convenience store / gas station.” Please explain if a new well will be drilled for the RV Park or the water source for the convenience store and gas station will also be used for the RV Park.
- The Project includes a new leach system for wastewater disposal and may require domestic water and sewer lines at each RV site. The Project also includes an existing well near a gas station. California Waterworks Standards (CWS), title 22, division 4, chapter 16, article 4, section 64572 and title 22, division 4 chapter 16, article 6, section 64560 requires separation of water service lines and domestic supply wells from sources of potential contamination. Drinking water sources that are installed or occur near possible contaminants may require alternatives to the separation standards in the CWS. If the Project will include implementing an alternative (title 22, division 4 chapter 16, article 6, section 64551.100) to CWS, please include the alternative in the CEQA document as part of the Project analysis.
- Is the rerouting of the drainage a required component for implementation of the Project, or can the Project be implemented without the drainage rerouting (considered a separate project)?
 - If the drainage rerouting is required to implement the Project then the CEQA document should include discussion of the rerouting of the drainage as part of the Project description.
 - Note: The California Fish and Wildlife (CFW) comment letter, identifies CFW as a responsible agency, and does not indicate they will be taking lead on the rerouting of the drainage.

Hydrology, Water Quality, and Utilities Analysis.

- “The document states, “The construction of any new water or wastewater treatment facilities or expansion of existing facilities associate(d) with the proposed project will have less than significant impacts on the environment” (PDF page 46). For new water facilities, please discuss how this conclusion was reached. If a new well will be drilled, please also include a discussion on discharges from well drilling, operational discharges, and any associated permits that will be obtained.
- The document states, “CalFire, acting as the Lassen County Fire Warden’s Office, has recommended conditions (to be implemented as mitigation measures) related to the access, water supply, and hydrant requirements for RV parks and mobile home parks” (PDF pages 39 and 44). Please include the California Department of Forestry and Fire Protection mitigations measures in the document.
- PDF pages 18 and 24 mentions “...if leach field capabilities are found to be inadequate; that sewage dumping on site only be permitted for occupants of the RV Park.”
 - Will the leach field be adequate to serve all the individual RV sites and the restroom, as the proposed alternative? If it is not known, further explain what alternative actions will be taken if the leach field is not adequate enough to support the individual RV sites and restroom. Please also provide support for the ability of the alternative to work.
- Under the Utilities and Service Systems checklist d) asks if the Project would “have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?” Has any water quality monitoring been completed to ensure current groundwater is an adequate source for drinking water? If so, explain the monitoring done and the results to address the

- question as to if sufficient water supplies are available. Otherwise explain how sufficient supplies were currently determined to be available.
- Under Porter-Cologne Water Quality Control Act of 1969, the State Water Board has authority for the protection of water quality for State surface waters, wetlands, and groundwaters and Federal delegation to the State and Regional Boards of the National Pollutant Discharge Elimination System permitting program. If the rerouting of the drainage is part of the Project, the discussion and analysis for the Biological Resources (c) and Hydrology and Water Quality (a), (c-f) should consider and include: identification of the waterway as a "Water of the United States" or "Water of the State", a delineation of the waterway, potential impacts of the rerouting of the waterway, and mitigation measures that will be applied to reduce possible significant effects.

In accordance with Health and Safety Code section 116527(b) (1), "Before a person submits an application for a permit for a proposed new public water system, the person shall first submit a preliminary technical report to the State Board at least six months before initiating construction of any water-related improvement." The report must include: "(2) A discussion of the feasibility of each of the adjacent public water systems identified pursuant to paragraph (1) annexing, connecting, or otherwise supplying domestic water to the applicant's proposed new public water system's service area. The applicant shall consult with each adjacent public water system in preparing the report and shall include in the report any information provided by each adjacent public water system regarding the feasibility of annexing, connecting, or otherwise supplying domestic water to that service area." The proposed water system shall submit a report to the State Board.

If the Project proposes an alternative to CWS (section 64551.0), approval for such alternatives shall also be obtained from the State Water Board, DDW Lassen District Office.

CCR Title 22, Division 4, Chapter 16, Article 3, Section 64560 requires that for any well that will serve a public water system the well designs and specifications shall be submitted to the State Water Board. The water system should submit well designs to the State Water Board, DDW, Lassen Office prior to the Project construction.

Once the MND is adopted, please forward the following items in support of the new public water system's permit application to the State Water Board, DDW Lassen District Office:

- Copy of the draft and final MND and Mitigation Monitoring and Reporting Plan (MMRP);
- Any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND and MMRP; and
- Copy of the stamped Notice of Determination filed at the Lassen County Clerk's Office and the Governor's Office of Planning and Research, State Clearinghouse.

Please contact Steve Watson of the State Water Board, DDW Lassen District Office at (530) 224-4828 or Steve.Watson@waterboards.ca.gov if you have any questions regarding permitting requirements.

Sincerely,

Lori Schmitz

Lori Schmitz

Ms. Nancy McAllister

- 4 -

March 22, 2022

Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Steve Watson
District Engineer
Lassen District

Nancy McAllister

From: Tucker, Robert@Waterboards <robert.tucker@waterboards.ca.gov>
Sent: Friday, March 25, 2022 5:01 PM
To: Land Use
Subject: RE: Comments on the Notice of Intent to adopt a Mitigated Negative Declaration to construct and operate a 30 space Recreation Vehicle park in Lassen County.

This message comes from an external sender. EXTERNAL SENDER WARNING!

Sorry this is for project UP 2021-002 PM 2021-001 IS 2021-001 Gajj/Gondal

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MAR 28 2022
LASSEN COUNTY DEPARTMENT OF
PLANNING AND PUBLIC SERVICES

From: Tucker, Robert@Waterboards
Sent: Friday, March 25, 2022 4:59 PM
To: 'landuse@co.lassen.ca.us' <landuse@co.lassen.ca.us>
Subject: FW: Comments on the Notice of Intent to adopt a Mitigated Negative Declaration to construct and operate a 30 space Recreation Vehicle park in Lassen County.

I tried LLmcallister@lassen.ca.us but that did not work

From: Tucker, Robert@Waterboards
Sent: Friday, March 25, 2022 4:57 PM
To: llmcallister@co.lassen.ca.us
Cc: Miller, Trevor@Waterboards <Trevor.Miller@Waterboards.ca.gov>
Subject: Comments on the Notice of Intent to adopt a Mitigated Negative Declaration to construct and operate a 30 space Recreation Vehicle park in Lassen County.

Thank you for the opportunity to comment on the Mitigated Negative Declaration of the proposed project. We have the following comments on the proposed project.

1. If the proposed project disturbs greater than 1 acre of ground disturbance, the project must apply for coverage under the, a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity, Order 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ (Construction General Permit) is required. Please see:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html

2. The project discusses that the leaching area will need to be expanded for onsite wastewater disposal. Please be aware that the State Water Board's Onsite Wastewater Treatment Systems (OWTS) policy does not authorized a local agency, even with an approved Local Agency Management Plan, to regulate OWTS dedicated to receiving significant amounts of waste dumped from RV holding tanks. The wastewater flow from 30 RVs will greatly increase the current system and will be significant amount of waste to the leach field. Additional, we currently do not have information to support that the proposed project has adequate soils to handle the OWTS and disposal of the wastewater.

The construction and operation of the OWTS should be regulated by Lahontan Water Board and as a responsible agency we may request additional information be provided for the disposal of generated

wastewater. The county may still issue permits associated with the construction and location of the OWTS but should not be the sole agency regulating the discharge from the facility. The link below is to a General Order the project proponent may apply for coverage and it will provide information on our requirements.

https://www.waterboards.ca.gov/lahontan/board_decisions/adopted_orders/2020/r6t_2020_0015_go_limited_domestics.pdf

3. The proposed plot plan identifies a drainage that will need its alignment changed. The movement of the drainage may need both an Army Corp of Engineers permit and/or a Stream Alteration Agreement with the California Department of Fish and Wildlife. The project proponent should contact both of these agencies to see if they need their respective permits. If the Army Corp of Engineers takes jurisdiction and considers the project needs to be under a nation-wide permit or individual Army Corp permit, please contact Lahontan Water Board for a Water Quality Certification.

Again, the Water Board thanks Lassen County for the opportunity to comment on the NOI to adopt a Mitigated Negative Declaration.

If you have any questions regarding this matter, please contact me or Trevor Miller P.E. at 530-542-5430.

Robert Tucker P.E.
Senior Water Resource Control Engineer
California Regional Water Quality Control Board, Lahontan Region
Phone 530-542-5467



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



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MAR 28 2022

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

March 28, 2022

Nancy McAllister, Senior Planner
County of Lassen
Department of Planning and Building Services
707 Nevada Street, Suite 5
Susanville, CA 96130-3912

SUBJECT: Review of the Mitigated Negative Declaration for Use Permit #2021-002, Parcel Map #2021-001 and Initial Study #2021-001 (Gajj and Gondal), State Clearinghouse Number 2021020471, Lassen County

Dear Nancy McAllister:

The California Department of Fish and Wildlife (Department) has reviewed the Mitigated Negative Declaration (MND) for the above-referenced project (Project) dated February 24, 2022. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, the Department administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.

For further information please also refer to the Department's March 26, 2021, comments during the early consultation period (attached).

COMMENTS AND RECOMMENDATIONS

The Department has the following recommendations and comments as they pertain to biological resources:

Conserving California's Wildlife Since 1870

Nancy McAllister, Senior Planner, County of Lassen
March 28, 2022
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Biological Surveys

The Department previously requested basic biological surveys be conducted (Attachment). A basic biological assessment would include botanical, wildlife, and habitat surveys (conducted at the appropriate time of the year) to determine whether focused or protocol-level surveys are warranted. The Department recommends the Lead Agency require the Project applicant to conduct biological assessment. The Department does not have enough information to determine if there are significant impacts to biological resources without these surveys. A query of the California Natural Diversity Database indicates a number of California Rank 1B botanical species and Swainson's hawk (*Buteo swainsoni*), a California threatened species, are known to occur adjacent to the Project. These species must be analyzed under CEQA. The Department recommends a basic biological survey for wildlife and botanical species and their habitats be conducted by a qualified biologist familiar with the area as described in the Department's early consultation letter, which is attached for your review.

Further, a jurisdictional delineation was not conducted according to the U.S. Army Corps of Engineers Delineation Manual. Impacts to the intermittent drainage located on the site and proposed to be filled will require a jurisdictional delineation. The delineation should include mapping of ephemeral, intermittent, and perennial stream courses potentially impacted by the Project.

Lake or Streambed Alteration Agreement

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which includes associated riparian resources) of a river or stream, or use material from a streambed, the Department will require a Lake and Streambed Alteration (LSA) Notification, pursuant to section 1600 et seq. of the Fish and Game Code, from the applicant. Project activities, which would be subject to LSA Notification requirements, include construction of stormwater features that discharge on or over the streambank and modification of associated riparian resources growing on the bank. Issuance of an LSA Agreement is subject to CEQA. The Department, as a responsible agency under CEQA, will consider the CEQA document for the Project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for completion of the agreement. To obtain information about the LSA notification process, please access our website at <https://www.wildlife.ca.gov/Conservation/LSA>.

California Endangered Species Act

Take of any California Endangered Species Act (CESA)-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085). CDFW recommends that the Permittee seek appropriate authorization prior to project

Nancy McAllister, Senior Planner, County of Lassen
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implementation. This may include an Incidental Take Permit (ITP) or a Consistency Determination (Fish and Game Code, §§ 2080.1 & 2081). Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project has the potential to impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required to obtain a CESA-ITP permit. Information on how to apply for a CESA-ITP permit is available here: <https://wildlife.ca.gov/Conservation/CESA/Permitting>

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

If you have any questions, please contact Amy Henderson, Senior Environmental Scientist (Specialist) at (530) 598-7194, or by e-mail at R1CEQARedding@wildlife.ca.gov.

Sincerely,

DocuSigned by:

1D82ADE7303A474...

Tina Bartlett, Regional Manager
Northern Region

ec: State Clearinghouse
State.Clearinghouse@opr.ca.gov

Douglas Cushman
Senior Water Resource Control Engineer
Douglas.Cushman@waterboards.ca.gov

Matthew J. Roberts
U.S. Army Corps of Engineers
Matthew.J.Roberts@usace.army.mil

Amy Henderson
California Department of Fish and Wildlife
R1CEQARedding@wildlife.ca.gov

Attachment



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



March 26, 2021

Stefano Richichi, Senior Planner
County of Lassen
Department of Planning and Building Services
707 Nevada Street, Suite 5
Susanville, CA 96130-3912

Subject: Review of the Consultation Request for Use Permit #2021-002, Parcel Map #2021-001 and Initial Study #2021-001 (Gajj and Gondal), State Clearinghouse Number 2021020471, Chilcoot, Lassen County

Dear Stefano Richichi:

The California Department of Fish and Wildlife (Department) has reviewed the consultation request for the above-referenced project (Project) dated February 24, 2021. As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, the Department administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq. The following are informal comments intended to assist the Lead Agency in making informed decisions early in the Project development and review process.

The Department has the following recommendations and comments as they pertain to biological resources:

Biological Surveys

Because the proposed Project will occur in wildlife habitat, the Department recommends biological surveys occur prior to any new construction or site modification to avoid impacts to natural resources that may occur on the site. A basic biological assessment would include botanical, wildlife, and habitat surveys (conducted at the appropriate time of the year) to determine whether focused or protocol-level surveys are warranted. The Department recommends all plant and wildlife species identified in the California Natural Diversity Database (CNDDB) and other biological resource databases (U.S. Fish and Wildlife Service, California Native Plant Society, or other pertinent references) be analyzed for the potential to occur within the Project area.

Conserving California's Wildlife Since 1870

Stefano Richichi, Senior Planner
March 26, 2021
Page 2

The CNDDDB is a positive sighting database. It does not predict where something may be found. The Department maps occurrences only where we have documentation that the species was found at the site. There are many areas of the state where no surveys have been conducted and therefore there is nothing on the map. That does not mean that there are no special status species present. The next step is to conduct surveys to document what is actually present today and submit the information on special status species to the Department and CNDDDB. All surveys should be conducted prior to approval of the Project and survey results shall be e-mailed to the Department at the R1CEQARedding@wildlife.ca.gov.

The following should be included in the biological assessment:

1. Date/time/weather conditions during the survey(s).
2. A description of the natural environment.
3. A list of common and special status plant and wildlife species as well as habitats present onsite at the time of the survey(s).
4. Rare/local/unusual species and habitats present during the survey(s).
5. A thorough assessment of rare plants and sensitive natural communities should be conducted following the Department's March 2018 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)
6. If habitat is present for special status plants or wildlife, focused species-specific surveys should be conducted at the appropriate time of year and/or time of day when the species are active or otherwise identifiable. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service. Links to some survey procedures are provided on the Department's website (<https://wildlife.ca.gov/Conservation>). All surveys should be conducted prior to approval of the Project and survey results provided in the subsequent environmental document.
7. If any special-status species are found during surveys, the Department requests that CNDDDB forms be filled out online and submitted. Instructions for providing data to the CNDDDB can be found at: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.
8. Impacts to and maintenance of wildlife corridor/movement areas and other key seasonal use areas should be fully evaluated and provided.
9. A discussion of impacts associated with increased lighting, noise, human activity, impacts of free-roaming domestic animals including dogs and cats, changes in drainage patterns, changes in water volume, velocity, quantity, and quality, soil erosion, and/or sedimentation in streams and watercourses on or near the Project site.
10. Mitigation measures for adverse Project-related impacts to sensitive plants, wildlife, and habitats should be developed and thoroughly discussed.

Stefano Richichi, Senior Planner
March 26, 2021
Page 3

Mitigation measures should first emphasize avoidance and reduction of Project impacts. For unavoidable impacts, the feasibility of on-site habitat restoration or enhancement should be discussed. If on-site mitigation is not feasible, off-site mitigation through habitat creation, enhancement, acquisition, and preservation in perpetuity should be addressed.

11. As the Project site has the potential to support aquatic, riparian, or wetland habitat, a delineation of lakes, streams, and associated riparian habitats potentially affected by the Project should be provided for agency and public review. This report should include a preliminary jurisdictional delineation including wetlands identification pursuant to the U. S. Fish and Wildlife Service wetland definition as adopted by the Department. Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers. The jurisdictional delineation should also include mapping of ephemeral, intermittent, and perennial stream courses potentially impacted by the Project. In addition to "federally protected wetlands" (see CEQA Appendix G (IV)(c)), the Department considers impacts to any wetlands (as defined by the Department) as potentially significant.

Botanical Surveys

Botanical surveys should be conducted across the entire Project site during the appropriate blooming time prior to the approval of this Project. Botanical surveys should follow the Department's March 20, 2018, *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*, available here:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>. If no special status plant species are found during the botanical survey no other measures will be required. However, if drought conditions exist, additional pre-construction surveys may be warranted. If special status plant species are found during the botanical surveys, the plants should be marked by a qualified biologist familiar with the species. If the area can be avoided, exclusionary fencing will be placed around the plants and no pedestrian or vehicular entry shall be allowed. Botanical survey results shall be emailed to the Department at R1CEQARedding@wildlife.ca.gov.

California Endangered Species Act

Please be advised that a CESA permit must be obtained if the project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required to obtain a CESA Permit. Information on how to attain a CESA permit is available here:

<https://wildlife.ca.gov/Conservation/CESA/Permitting>

Stefano Richichi, Senior Planner
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Lake or Streambed Alteration Agreement

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which includes associated riparian resources) of a river or stream, or use material from a streambed, the Department will require a Lake and Streambed Alteration (LSA) Notification, pursuant to section 1600 et seq. of the Fish and Game Code, from the applicant. Project activities, which would be subject to LSA Notification requirements, include construction of stormwater features that discharge on or over the streambank and modification of associated riparian resources growing on the bank. Issuance of an LSA Agreement is subject to CEQA. The Department, as a responsible agency under CEQA, will consider the CEQA document for the Project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for completion of the agreement. To obtain information about the LSA notification process, please access our website at <https://www.wildlife.ca.gov/Conservation/LSA>.

Nesting Birds

If the Project has the potential to directly impact nesting bird habitat or indirectly disturb nesting birds through audio or visual disturbance, the Department recommends the following measures be implemented to protect nesting birds and raptors protected under FGC sections 3503 and 3503.5:

- a) Conduct vegetation removal and other ground-disturbance activities associated with construction from September 1 through January 31, when birds are not nesting; or
- b) Conduct pre-construction surveys for nesting birds if vegetation removal or ground disturbing activities are to take place during the nesting season (February 1 through August 31). These surveys shall be conducted by a qualified biologist no more than one week prior to vegetation removal or construction activities during the nesting season. If an active nest is located during the preconstruction surveys, a non-disturbance buffer shall be established around the nest by a qualified biologist in consultation with the Department. No vegetation removal or construction activities shall occur within this non-disturbance buffer until the young have fledged, as determined through additional monitoring by the qualified biologist. The results of the pre-construction surveys shall be sent electronically to the Department at R1CEQARedding@wildlife.ca.gov.

Lighting

The Department recognizes the adverse effects that artificial lighting has on birds and other nocturnal species. The effects are numerous and include impacts to singing and

Stefano Richichi, Senior Planner
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Page 5

foraging behavior, reproductive behavior, navigation, and altered migration patterns. To minimize adverse effects of artificial light on wildlife, the Department recommends that lighting fixtures associated with the Project be downward facing, fully shielded, and designed and installed to minimize photo-pollution and spillover of light onto adjacent wildlife habitat.

Trenching

If trenching will occur as a result of Project activities, it should be covered securely, or a ramp should be provided in the trench to prevent wildlife entrapment. If pipes are left out onsite, they should be inspected for animals prior to burying, capping, moving, or filling. The Department recommends a mitigation measure be developed and included in the final environmental document or project approval, if applicable.

Survey Results

If any special-status species are found during surveys, the Department requests that CNDDDB forms be filled out and sent to Sacramento and a copy of the form be sent to the Regional office at the above address. Instructions for providing data to the CNDDDB can be found at: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

If you have any questions, please contact Amy Henderson, Senior Environmental Scientist (Specialist) at (530) 598-7194, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,

DocuSigned by:

Curt Babcock

974D273FEE784E2...

Curt Babcock

Habitat Conservation Program Manager

ec: State Clearinghouse
State.clearinghouse@opr.ca.gov

Amy Henderson
California Department of Fish and Wildlife
Amy.Henderson@wildlife.ca.gov

Douglas Cushman
Senior Water Resource Control Engineer
Douglas.Cushman@waterboards.ca.gov

Habitat Conservation Planning Branch
CEQACommentLetters@wildlife.ca.gov

March 28, 2022

RECEIVED

Lassen County Department of Planning and Building Services
707 Nevada Street, Suite 5
Susanville, CA 96130

MAR 28 2022

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

RE: Proposed 30 Space RV Park at Hallelujah Junction Area, South Lassen County
Parcel Map No. 2021-001; Use Permit #2021-001; Initial Study #2021-001

Dear Board Members:

The above referenced project will likely result in substantially increased motor vehicle (including off-road vehicle) traffic as well as pedestrian/visitor traffic to the area. The area around the RV park includes primarily Bureau of Land Management Land, which is currently actively cattle-grazed.

The relevant BLM land is also adjacent to private property located approximately Two miles northeast of the store (408-500 Bent D Road and the Bent-D Ranch). Public access to this property is restricted. We have resided part-time at the Ranch for more than two decades.

The area is otherwise closely fronted by Interstate (on and off ramps and roadway).

In anticipation of substantially increased motor vehicle traffic and visitor/pedestrian load, I respectfully ask that the Board consider the following:

1. Develop a road maintenance schedule for the dirt roads that presently extend from the end of Larder Way (i.e. the cattle guard) onto the Public Lands. These roads will presumably be regularly used by RV Park residents and visitors.
2. Improve and maintain Larder Way.
3. Improve and maintain fences around the RV park (i.e. between BLM grazing land and the RV park).
4. Clearly post Public Land Use requirements.
5. Provide for noxious weed control for plants potentially introduced by new traffic.
6. Post signage regarding staying on routes (roads), especially during fire restrictions.
7. Provide clear direction to residents (and visitors) regarding fire prevention mandates (i.e. spark arrestors on motor vehicles).
8. Partner with BLM, as needed, for other mitigation projects.
9. Provide preventive instruction/measures for owners of pets, primarily dogs, to avoid incidents of animals chasing or harming cows, and to prevent animals exiting fenced and residential areas onto public and private roads.
10. Take measures to mitigate against destruction of native vegetation and land.
11. Clearly advise RV Park residents about need to avoid disturbing native wildlife (antelope, deer, rabbits, etc.).

I very much appreciate the opportunity to offer comments to the Board relative to this Initial Study.

Sincerely,
Ellen G.I. Clark

The following is a comment letter received from the State Water Board after the comment period end date. No significant changes to the original comments were noted.



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

April 25, 2022

State Clearinghouse
1400 10th Street
Sacramento, CA 95814

RECEIVED

APR 26 2022

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES



Dear State Clearinghouse,

On March 23, 2022, a State Water Resources Control Board comment letter regarding Lassen County's Mitigated Negative Declaration for the Use Permit #2021-002, Parcel Map #2021-001, Initial Study #2021-001 GAJJ, Gondal Project, SCH 2021020471 was posted at the State Clearinghouse. Some of the information in that letter was incorrect. Please disregard the March 23, 2022 letter and replace it with the attached April 25, 2022 comment letter.

Sincerely,

Lori Schmitz

Lori Schmitz
Environmental Scientist
Lori.Schmitz@waterboards.ca.gov

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

April 25, 2022

Lassen County
Attn: Nancy McAllister
707 Nevada Street, Suite 5
Susanville, CA 96130



RECEIVED

APR 26 2022

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

LASSEN COUNTY (COUNTY), MITIGATED NEGATIVE DECLARATION (MND) FOR THE
USE PERMIT #2021-002, PARCEL MAP #2021-001, INITIAL STUDY #2021-001 GAJJ,
GONDAL PROJECT (PROJECT); SCH # 2021020471

Dear Ms. Nancy McAllister:

Thank you for the opportunity to review the Mitigated Negative Declaration for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) regulates public water systems in Lassen County and is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. The Project will create a new public water system and will require the water system to obtain State Water Board, DDW approval for a water supply permit.

The State Water Board, DDW, as a responsible agency under CEQA, has the following comments on the County's draft MND:

- The Project description in the document is unclear regarding the infrastructure of the new public water system. Please describe the proposed drinking water system components, including any existing water system infrastructure that will be used by the new development, new water sources, and new water system infrastructure that will be installed as part of the Project.
- Section IV. Biological Resources question (c), and Section IX Hydrology and Water Quality questions c-e all ask questions concerning wetlands, waterways, and erosion or sedimentation. It is unclear on whether the intermittent waterway is a "Water of the United States" or "Water of the State" and if Project site runoff will be problematic during episodic rain events. Please clarify.
- Section IX. Hydrology and Water Quality question (a) asks if the Project will "Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality." Please include all specific mitigation measures related to hydrology and water quality in the document that were recommended by the California Department of Forestry and Fire Protection.

Once the MND is adopted, please email the following items in support of the new public water system's permit application to the State Water Board, DDW Lassen District Office to DWPredding@waterboards.ca.gov:

- Copy of the draft and final MND and Mitigation Monitoring and Reporting Plan (MMRP);
- Any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND and MMRP; and

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

- Copy of the stamped Notice of Determination filed at the Lassen County Clerk's Office and the Governor's Office of Planning and Research, State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or Lori.Schmitz@waterboards.ca.gov if you have any questions regarding State Water Board CEQA comments.

Sincerely,

Lori Schmitz

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Steve Watson
District Engineer
Lassen District

The Environmental Review Officer (ERO) of Lassen County prepared an Initial Study and Mitigated Negative Declaration for the proposed project. Said Mitigated Negative Declaration and supporting Initial Study (IS #2021-001) were circulated for public review from February 25, 2022, through March 28, 2022. The ERO prepared a Notice of Intent to Adopt a Mitigated Negative Declaration, dated February 24, 2022, that was sent to the State Clearinghouse for distribution to state agencies. Provided below are responses to the preceding comments received from the State Water Board, CA Fish and Wildlife, and a neighboring property owner during circulation of the environmental document. Recirculation of the environmental document is not required, pursuant to Section 15073.5 of the CEQA Guidelines, as no “substantial revisions” were made and no new potentially significant impacts have been identified.

Responses to comments related to water supply and water quality:

- The project site is in the Long Valley Groundwater Basin, most recently ranked as a low priority basin by the California Department of Water Resources Groundwater Bulletin 118. According to Bulletin 118, dated February 27, 2004, “WRD (1989) estimates storage for the Upper Long Valley, the southern portion of the basin south of Hallelujah Junction, to range between 180,000 and 300,000 acre-feet based on an acreage of 12,300 acres, a depth interval of 100-feet, and specific yield ranging from 0.15 to 0.25.” According to the California State Water Resources Control Board website, the average residential daily water use in the North Lahontan hydrologic region in 2021 was 95 gallons per person (or 34,675 gallons per year, per person). Since there are approximately 326,000 gallons in one acre-foot, and therefore an estimated 58.6 to 97.8 billion gallons of storage in Hallelujah Junction area of the Long Valley Groundwater Basin, the proposed 30-unit RV park is extremely unlikely to substantially deplete groundwater supplies.
- The following is a preoperational condition: *“The applicant/permittee shall submit a notice of intent (NOI) with the Lahontan Regional Water Quality Control Board (LRWQCB) to allow construction of the proposed project, and the applicant/permittee shall secure all permits required by the LRWQCB, through their designated processes. Permits and approvals issued by the LRWQCB may include a water supply permit for a new public water system [or approval of an alternative to California Waterworks Standards (CWS)] and Onsite Wastewater Treatment Systems (OWTS) approval. If no permits are required by the LRWQCB, the applicant/permittee shall submit a letter from the LRWQCB stating such, prior to issuance of the Authorization to Operate.”*
- The following is a preoperational condition: *“Because more than one acre will be disturbed by the construction of this project, the applicant/permittee shall obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, through the CA State Water Resources Control Board, per Construction General Permit Order 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ (Construction General Permit), before the commencement of construction, including clearing, grading or disturbances to the ground.”*

- The following is a preoperational condition: *“The applicant/permittee shall secure all required approvals from Lassen County Environmental Health and the California Department of Housing and Community Development for the proposed project and its related septic system, and the following shall be required:*
 - a. Site-specific water supply evaluations of ground water quantity and direction of movement*
 - b. Site-specific soils investigations on suitability for disposal of sewage or septic tank effluent as well as depth to groundwater so as not to impair water quality*
 - c. Provision of an appropriate method for treating and disposing of wastewater, which has been carefully reviewed and engineered to ensure safety and reliability, if leachfield capabilities are found to be inadequate”*
- If the leach field is not adequate enough to support the individual RV sites and restroom, then either an adequate sewage disposal system must be established and approved by the appropriate agencies or an Authorization to Operate will not be issued for this project.

Responses to comments related to biological resources and disturbance of wildlife:

- The proposed RV park does not contemplate the existing drainage remaining in its current location, as the project assumes an engineered rerouting of this drainage prior to operation. This reroute is under California Department of Fish and Wildlife jurisdiction and cannot be permitted through the County’s use permit process or parcel map process, and therefore was not evaluated in Initial Study #2021-001. Although the proposed reroute was determined to be part of the project per the California Environmental Quality Act (CEQA), it would not have led to findings of a significant impact. As stated in the Initial Study, the drainage existing at the project site is completely dry for most of the year, if not for years at a time. Because of this, no riparian habitat is present. Additionally, the Federal Emergency Management Agency (FEMA) identifies the subject parcels as being located within a Zone “X” floodplain zone, defined as an “area of minimal flood hazard” (Zone “X,” Panel #06035C2800D, 9/3/2010). It will be a condition of the use permit approval that the applicant/permittee obtain approval for the reroute project from the appropriate agencies (California Department of Fish and Wildlife and/or Army Corp of Engineers), through their designated processes, prior to operation. It will also be a condition of the parcel map approval that the parcel map show the approved location of the drainage. The following are the related preoperational conditions: *“The applicant/permittee shall obtain all necessary approvals from the California Department of Fish and Wildlife and/or the Army Corp of Engineers for any proposed streambed alteration.”* and *“All required approvals, agreements, and/or permits must be obtained from the California Department of Fish and Wildlife and/or the Army Corp of Engineers for the proposed streambed alteration prior to recordation of the parcel map.”*
- The impacts of this project to wildlife have been determined to be less than significant. The majority of the project site has been previously disturbed and the project area is considered to be relatively small compared to the surrounding open space, which contains similar habitat. The project location is consistent with the Lassen County General Plan, the applicable area plan, and zoning, and is consistent with other adjacent uses and

highway services (e.g. Highway 395 and the existing gas station/convenience store). The disturbance resulting from the project is also consistent with that of uses allowed by right within the same zoning district, which would not require environmental review. Additionally, existing regulations and laws of the CA Department of Fish and Wildlife and the Endangered Species Act prohibiting disturbance and/or take of special status plants and animals will remain applicable.

- The following is a preoperational condition: *“Design Review applications shall be submitted and approved for all proposed development. Design shall comply with Implementation Measure 2, Section IV, Subsection J (Aesthetics & Noise) of the Hallelujah Junction Area Plan, 1984.”* This includes the preservation or re-establishment of natural vegetation to the greatest extent possible.
- The following is an operational condition: *“In accordance with the Hallelujah Junction Area Plan, 1984, natural vegetation shall be maintained wherever possible (limiting paved areas as feasible) and vegetation screens shall be planted if necessary to make improvements blend with the landscape. The project site, including parking areas, shall be landscaped using plants and materials compatible with and appropriate to the surrounding landscape.”*
- Given the project site’s proximity to the highway, grazing land, and open space/natural habitat, it is considered appropriate to require that visitor’s control their pets. The following is an operational condition being proposed as an option for Planning Commission adoption: *“Signs shall be posted by the applicant/permittee stating that all pets within the park must be leashed at all times.”*
- The following is an operational condition being proposed as an option for Planning Commission adoption: *“The applicant/permittee shall post signage or otherwise provide advisement to visitors to avoid disturbing native plants and wildlife.”*
- The following is an operational condition: *“A ‘will-serve’ shall be obtained by the applicant/permittee from the applicable solid waste authority, stating that there is a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs. All onsite trash shall be properly contained at all times.”*

Responses to comments related to fire hazards:

- The following is a preoperational condition: *“The applicant/permittee shall demonstrate compliance with the firesafe access requirements of Lassen County Code Section 9.16.370 Recreational vehicle or mobile home parks access requirements, the firesafe water supply requirements of Section 9.16.390 Recreational vehicle or mobile home parks where fire department services are not available, and the firesafe hydrant requirements of Section 9.16.400 Hydrant systems for recreational vehicle or mobile home parks, to the satisfaction of the Lassen County Fire Warden.”*

- The following is an operational condition: *“If fire rings are proposed within the RV park, signage must be posted and direction given to residents regarding fire prevention best practices and mandates, to the satisfaction of CalFire and the Lassen County Fire Warden.”*
- The following is an operational condition being proposed as an option for Planning Commission adoption: *“Signs shall be posted by the applicant/permittee indicating designated smoking areas and stating that smoking within the park shall only be allowed in designated areas over impervious surfaces.”*
- The following is an operational condition being proposed as an option for Planning Commission adoption: *“Signs shall be posted by the applicant/permittee stating that all motor vehicles within the park must remain on paved surfaces at all times.”*
- The use permit application for the RV park shows access through the existing gas station parking lot and does not propose any off-road uses. Traffic of the public traveling past the RV park to access public land cannot be directly attributed to the proposed project and any off-road activities conducted on adjacent public land is outside of the scope of this project. Therefore, there is no clear authority for the County to condition this project to include signage to remain on routes/roads or to require the applicant/permittee to provide direction related to off-road recreation, spark arrestors, etc. All applicable laws/restrictions related to off-road activities and firesafe regulations will continue to apply.

Responses to comments related to traffic:

- The use permit application submitted for the proposed RV park identifies a maximum of 30 visitors/customers and 4 employees per day. The increase in traffic due to the proposed project, beyond that which is already generated by the existing gas station, is not considered significant. Additionally, all 30 RV sites may not be filled each day and visitors may stay for multiple nights, which would further reduce the estimated traffic.
- Larder Way is a 60-foot-wide easement for road purposes, located on both subject parcels along their western boundaries and granted to the Bureau of Land Management in an easement deed recorded on June 24, 1981, in Book 387, at Page 693 of the Official Records of Lassen County. Larder Way is a privately maintained roadway that is not in the County maintained road system. The portion of Larder Way that runs over the subject parcels is currently paved and the following is an operational condition: *“The plot plan submitted with Use Permit Application #2021-002 shows the RV park entrance off of the northern boundary of the existing gas station parking lot. If the RV park entrance is to be located off of Larder Way, the applicant/permittee shall maintain the paved portion of Larder Way extending from the intersection of Hwy 70 and the off/on ramps of Hwy 395 (east of Hwy 395) to the entrance of the RV park.”* Traffic of the public traveling past the RV park to access public land cannot be directly attributed to the proposed project, and therefore there is no clear authority for the County to condition this project to include maintenance of Larder Way beyond the RV park entrance.

Responses to comments related to use of BLM land and adjacent fencing:

- Members of the public traveling past the RV park to access public land cannot be directly attributed to the proposed project, and therefore there is no clear authority for the County to condition this project to include the posting of Public Land Use requirements. Additionally, the County does not have authority to require signage on federal land.
- No provisions of Lassen County Code, or General Plan/Area Plan policies related to perimeter fencing have been identified for this project, and no applicable requirements have been cited by the Bureau of Land Management. The Bureau of Land Management, Carson City District Office was sent notice of early consultation, notice of intent to adopt a mitigated negative declaration, and notice of public hearing, and no comments were received. There is no clear authority for the County to condition this project to include the improvement and maintenance by the project proponents of the existing fences along the subject parcel boundaries. All applicable laws and/or requirements related to open range and grazing lease agreements shall continue to apply.

Alternatively, if the Planning Commission finds that incompatible use issues may arise without maintained perimeter fencing, the following proposed operational condition may be adopted: *“The applicant/permittee shall maintain the existing perimeter fencing located between the subject parcels and adjacent BLM land.”*

- The Bureau of Land Management, Carson City District Office was sent notice of early consultation, notice of intent to adopt a mitigated negative declaration, and notice of public hearing, and no comments were received. However, this department is happy to work with the BLM to mitigate any identified impacts.

General

- The following is an operational condition being proposed as an option for Planning Commission adoption: *“The applicant/permittee shall construct an informational kiosk within the RV park, which shall provide up-to-date fire hazard and burning information, and other rules of the RV park as conditioned in this use permit, to the satisfaction of the Planning and Building Services Department. The kiosk shall also provide information on allowed uses of adjacent BLM land, if available.”*

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION APPROVING
PARCEL MAP #2021-001 AND USE PERMIT #2021-002, AND CERTIFYING A
MITIGATED NEGATIVE DECLARATION (INITIAL STUDY #2021-001), GAJJ/GONDAL,
APN 147-030-018 AND APN 147-030-019

WHEREAS, the Planning Commission of Lassen County, after due notice and a public hearing conducted April 5, 2022, has considered Parcel Map Application #2021-001 and Use Permit Application #2021-002 filed by Joginder Gondal and Sukhpal Gajj (property owners) to reconfigure the property line common to both parcels, relocate and expand an existing leach area, remove a separate existing leach area, and reroute the drainage easement, and construct and operate a 30-space recreational vehicle park on Proposed Parcel A; and

WHEREAS, Lassen County Code Chapter 16.20 et seq. sets forth standards relating to the Planning Commission's approval or denial of parcel map applications; and

WHEREAS, Lassen County Code Section 18.112.100 sets forth mandatory findings that the Lassen County Planning Commission must make when considering a use permit application; and

WHEREAS, the Lassen County Environmental Review Officer has prepared an Initial Study and Mitigated Negative Declaration for the proposed project, pursuant to the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds as follows:
 - a. That the proposed project, as conditioned, is consistent with the *Lassen County General Plan, 2000*; the *Hallelujah Junction Area Plan, 1984*; Lassen County Code Chapter 18.28; the provisions of Lassen County Code Chapter 16.20 et seq., which set forth standards relating to the Planning Commission's approval or denial of parcel map applications; and the provisions of Lassen County Code Chapter 18.112, which establish the regulations regarding the issuance of Use Permits.
 - b. That the project, as conditioned, will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or to the general welfare.

RESOLUTION NO. _____

3. The Lassen County Planning Commission hereby adopts the recommended findings and conditions of the Technical Advisory Committee, contained in the memorandum provided for the April 5, 2022, Planning Commission meeting.
4. The Planning Commission hereby concurs with the Environmental Review Officer that a Mitigated Negative Declaration is the appropriate environmental document for the project, and hereby certifies said document.
5. The Planning Commission hereby approves Parcel Map #2021-001, Gajj/Gondal, subject to the conditions set forth in Exhibit "A" attached hereto.
6. The Lassen County Planning Commission hereby approves Use Permit #2021-002, Gajj/Gondal, subject to the conditions of approval set forth in exhibits attached hereto.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 5th day of April, 2022, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL FOR
PARCEL MAP #2021-001 AND USE PERMIT #2021-002, GAJJ/GONDAL

1. Owners, owners' agent(s) or applicants shall satisfy and the project shall meet all applicable requirements provided by law.
2. The parcel shall be delineated as shown on the "*Tentative Parcel Map for Joginder Singh Gondal and Sukhpal Kaur Gajj*" that was received on February 22, 2021 for Parcel Map No. 2021-001.
3. Owners shall cause a field survey of the property shown on the tentative map submitted for Parcel Map No. 2021-001 to be completed in accordance with Section 66448 of the Subdivision Map Act and Section 16.20.160 of the Lassen County Code.
4. In accordance with Section 66411.1 of the Subdivision Map Act, if the applicants request a deferral for the construction of any on or off-site improvements required by the conditional approval of a tentative parcel map, the parcel map shall contain a note stating the construction of improvements required by the conditional approval of a submitted tentative parcel map shall be completed before any permit or other grant of approval for development of the parcels shown on the parcel map is approved and/or issued.
5. Owners, owners' agent(s) or applicants shall provide information and/or required documentation to demonstrate the project meets all applicable requirements established by the California Subdivision Map Act and Lassen County Code. The applicants shall also provide documentation required to demonstrate that all conditions of approval for Parcel Map No. 2021-001 have been satisfied or fulfilled.
6. Owners, owners' agent(s) or applicants shall submit a preliminary copy of the parcel map meeting the requirements of Article 3, Parcel Maps, Sections 66444-66450 of the Subdivision Map Act and Lassen County Code, Chapter 16.20, Sections 16.20.170 and 16.20.180, to the Lassen County Surveyor for review and approval. The parcel map shall reference and show all easements of record, or any created or offered for dedication, including those shown on the tentative parcel map for Parcel Map No. 2021-001, which affect the parcel being delineated. The parcel map shall also show the location of the new leach area that is being proposed as well as the location of the new drainage easement that is being reconfigured. This review submittal shall also include the following:
 - (a) Current Condition of Title reports for the properties shown on the tentative parcel map submitted for Parcel Map No. 2021-001.
 - (b) All information required by Lassen County Code, Chapter 16.20, Sections 16.20.180 and 16.20.190.
 - (c) An index of specific recorded survey maps (i.e. Records of Surveys, Parcel Maps, Subdivision Maps, G.L.O. Plats and field notes) used to prepare the parcel map.

- (d) Copies of other maps, documents and data used to prepare the parcel map if unavailable in the Lassen County Surveyor's Office.
 - (e) All fees required for this review.
7. After the parcel map, including its form and content, have been determined to be acceptable by the County Surveyor, in accordance with Lassen County Code, Section 16.20.200, and all conditions of the conditional approval of the tentative parcel map submitted for Parcel Map No. 2021-001 have been acceptably met, the owners, owners' agent(s) or applicants shall submit an original mylar of the parcel map, corrected to its approved final form and signed by all parties required to execute the certificates on the map, to the County Surveyor for recording in the office of the Lassen County Recorder in accordance with Lassen County Code, Sections 16.20.210 and 16.20.220. This submittal of the parcel map shall also include any documents which are required to be recorded concurrently with the parcel map. A Parcel Map Guarantee shall also be submitted along with the appropriate fees necessary to the record the parcel map and any related documents.
 8. If there are any Deeds of Trust on the property, either the Trustee or the Beneficiary shall sign a certificate statement on the parcel map approving of the recordation of the parcel map in accordance with Section 66445(e) of the Subdivision Map Act and Section 16.20.180(3)(B) of the Lassen County Code.
 9. Prior to recordation of Parcel Map No. 2021-001, documentation shall be provided to the Lassen County Surveyor's Office which demonstrates that the Lassen County Tax Collector is satisfied that all current and delinquent property taxes have been paid, including funds deposited that are equivalent to all estimated taxes which have become a lien not yet due or payable, for all parcels involved.
 10. All required approvals, agreements, and/or permits must be obtained from the California Department of Fish and Wildlife and/or the Army Corp of Engineers for the proposed streambed alteration prior to recordation of the parcel map.
 11. The parcel map shall include a note that reads as follows: "ARCHAEOLOGICAL NOTE: In the event that any archaeological or cultural resources are discovered during construction or any ground disturbing activities in association with this project, such work is to be halted in the immediate area of the discovery until a qualified archaeologist, who shall be retained at the project proponent's expense, is consulted to assess the find's significance and recommend appropriate mitigation measures. The project proponent shall implement any mitigation measures recommended by the archaeologist to reduce potentially significant impacts cultural resources to a less than significant level."
 12. In accordance with the *Hallelujah Junction Area Plan, 1984*, 100-foot setback lines for all development along the approved drainage location shall be shown on the parcel map.

13. Approved leach areas shall be shown on the parcel map and shall be a minimum distance of 100 feet from the approved drainage location, in accordance with the *Local Agency Management Plan, 2020*.
14. Noncompliance with any of the following use permit conditions or demonstration of any use not allowed by this use permit shall constitute grounds for revocation of the use permit, pursuant to Lassen County Code Section 18.112.060.
15. The use permit shall be granted for the use described herein and as approved by the Planning Commission. Revisions and/or expansions of the project, considered to be substantial by the Department of Planning and Building Services, will require a new use permit, subject to the approval of the Planning Commission.

Pre-operational Conditions
(Must be satisfied before issuance of the Authorization to Operate)

16. The applicant/permittee shall obtain all necessary approvals and permits from the California Department of Housing and Community Development.
17. The applicant/permittee shall submit a notice of intent (NOI) with the Lahontan Regional Water Quality Control Board (LRWQCB) to allow construction of the proposed project, and the applicant/permittee shall secure all permits required by the LRWQCB, through their designated processes. Permits and approvals issued by the LRWQCB may include a water supply permit for a new public water system [or approval of an alternative to California Waterworks Standards (CWS)] and Onsite Wastewater Treatment Systems (OWTS) approval. If no permits are required by the LRWQCB, the applicant/permittee shall submit a letter from the LRWQCB stating such, prior to issuance of the Authorization to Operate.
18. The applicant/permittee shall secure all required approvals from Lassen County Environmental Health and the California Department of Housing and Community Development for the proposed project and its related septic system, and the following shall be required:
 - a. Site-specific water supply evaluations of ground water quantity and direction of movement
 - b. Site-specific soils investigations on suitability for disposal of sewage or septic tank effluent as well as depth to groundwater so as not to impair water quality
 - c. Provision of an appropriate method for treating and disposing of wastewater, which has been carefully reviewed and engineered to ensure safety and reliability, if leachfield capabilities are found to be inadequate
19. A “will-serve” shall be obtained by the applicant/permittee from the applicable solid waste authority, stating that there is a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs. All onsite trash shall be properly contained at all times.

20. The applicant/permittee shall obtain all necessary building permits from the Lassen County Department of Planning and Building Services and/or the California Department of Housing and Community Development before the commencement of construction.
21. Because more than one acre will be disturbed by the construction of this project, the applicant/permittee shall obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, through the CA State Water Resources Control Board, per Construction General Permit Order 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ (Construction General Permit), before the commencement of construction, including clearing, grading or disturbances to the ground.
22. Design Review applications shall be submitted and approved for all proposed development. Design shall comply with Implementation Measure 2, Section IV, Subsection J (*Aesthetics & Noise*) of the *Hallelujah Junction Area Plan, 1984*.
23. The applicant/permittee shall secure all applicable approvals from the Lassen County Public Works Department and Fire Warden.
24. The applicant/permittee shall demonstrate compliance with the firesafe access requirements of Lassen County Code Section 9.16.370 *Recreational vehicle or mobile home parks access requirements*, the firesafe water supply requirements of Section 9.16.390 *Recreational vehicle or mobile home parks where fire department services are not available*, and the firesafe hydrant requirements of Section 9.16.400 *Hydrant systems for recreational vehicle or mobile home parks*, to the satisfaction of the Lassen County Fire Warden.
25. The applicant/permittee shall obtain all necessary approvals from the California Department of Fish and Wildlife and/or the Army Corp of Engineers for any proposed streambed alteration.

Operational Conditions
(Must be satisfied during operation of the use permit)

26. In accordance with the *Hallelujah Junction Area Plan, 1984*, the project shall meet and maintain a 100-foot setback for all development along intermittent and perennial natural drainages.
27. In accordance with the *Hallelujah Junction Area Plan, 1984*, natural vegetation shall be maintained wherever possible (limiting paved areas as feasible) and vegetation screens shall be planted if necessary to make improvements blend with the landscape. The project site, including parking areas, shall be landscaped using plants and materials compatible with and appropriate to the surrounding landscape.
28. The applicant/permittee shall implement best management practices during construction of the project to reduce air emissions. These best management practices shall include, but are not limited to, watering roads and graded areas, and reducing vehicle speed during construction.

29. The proposed project shall utilize only one overhead power line, if necessary, to bring power to the project site. Power shall be distributed underground to any individual powered RV sites.
30. In accordance with Standard N-1 of the *Lassen County Noise Element, 2021*, noise produced by this use shall not exceed the hourly average interior noise standard of 50 dBA or the hourly average exterior noise standard of 75 dBA at the nearest property line, and in accordance with Lassen County Code Section 9.65.040, noise produced by this use shall not exceed the one-hour average sound level limit of 75 dBA between 7:00 a.m. and 7:00 p.m., 70 dBA between 7:00 p.m. and 10:00 p.m., or 65 dBA between 10:00 p.m. and 7:00 a.m. at the nearest property line. In addition, and also in accordance to the above referenced regulations, noise produced by this use measured at any parcel lines of an adjacent O-S zoned parcel, shall not exceed the hourly average exterior noise standard for the Open Space land use of 65 dBA, and shall be deemed a public nuisance if exceeding the one-hour average sound level limit of 65 dBA between 7:00 a.m. and 7:00 p.m., 60 dBA between 7:00 p.m. and 10:00 p.m., or 55 dBA between 10:00 p.m. and 7:00 a.m.
31. Pursuant to Lassen County Code Section 18.108.155, all lighting, exterior and interior, shall be designed and located so as to confine direct lighting to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No lighting shall be of the type or in a location so as to constitute a hazard to vehicular traffic, either on private property or on abutting streets.
32. All signage shall comply with the provisions of Lassen County Code Chapter 18.106.
33. All future utility connections shall be placed underground unless otherwise approved by the Planning Commission or Board of Supervisors.
34. All recreational vehicles (RVs) and/or park models visiting or located on the project site shall be properly registered and in operable condition or shall be subject to abatement in accordance with Lassen County Code Chapter 1.19.
35. Sewage dumping on site shall only be permitted at any given time for current occupants of the RV park.
36. If fire rings are proposed within the RV park, signage must be posted and direction given to residents regarding fire prevention best practices and mandates, to the satisfaction of CalFire and the Lassen County Fire Warden.
37. The plot plan submitted with Use Permit Application #2021-002 shows the RV park entrance off of the northern boundary of the existing gas station parking lot. If the RV park entrance is to be located off of Larder Way, the applicant/permittee shall maintain the paved portion of Larder Way extending from the intersection of Hwy 70 and the off/on ramps of Hwy 395 (east of Hwy 395) to the entrance of the RV park.

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38. In the event that any archaeological or cultural resources are discovered during construction or any ground disturbing activities in association with this project, such work is to be halted in the immediate area of the discovery until a qualified archaeologist, who shall be retained at the project proponent's expense, is consulted to assess the find's significance and recommend appropriate mitigation measures. The project proponent shall implement any mitigation measures recommended by the archaeologist to reduce potentially significant impacts cultural resources to a less than significant level.

EXHIBIT "B"
ADDITIONAL CONDITIONS OF APPROVAL FOR
USE PERMIT #2021-002, GAJJ/GONDAL

39. Signs shall be posted by the applicant/permittee stating that all pets within the park must be leashed at all times.
40. The applicant/permittee shall post signage or otherwise provide advisement to visitors to avoid disturbing native plants and wildlife.
41. Signs shall be posted by the applicant/permittee indicating designated smoking areas and stating that smoking within the park shall only be allowed in designated areas over impervious surfaces.
42. Signs shall be posted by the applicant/permittee stating that all motor vehicles within the park must remain on paved surfaces at all times.
43. The applicant/permittee shall maintain the existing perimeter fencing located between the subject parcels and adjacent BLM land.
44. The applicant/permittee shall construct an informational kiosk within the RV park, which shall provide up-to-date fire hazard and burning information, and other rules of the RV park as conditioned in this use permit, to the satisfaction of the Planning and Building Services Department. The kiosk shall also provide information on allowed uses of adjacent BLM land, if available.