

A G E N D A CITY OF LAKEPORT PLANNING COMMISSION Wednesday, December 9, 2020

PUBLIC ADVISORY: THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for December 9, 2020 will be conducted telephonically through Go to Webinar. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chambers will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chambers.

If you would like to speak on an agenda item, you can access the meeting remotely:

Join from a PC, Mac, iPad, iPhone, or Android device:

Please use this web link:

https://zoom.us/j/96115228016?pwd=alNKT0EwcEF0QINtTVJyY0NRMVFFQT09

Meeting ID: 961 1522 8016

Passcode: 069271

One tap mobile

+16699009128,,96115228016#,,,,,0#,,069271# US (San Jose) +12532158782,,96115228016#,,,,,0#,,069271# US (Tacoma)

Find your local number: https://zoom.us/u/adlLIKO47D

*Please note that if you phone in without using the web link, you will be in "listen mode" only, and will not be able to participate or comment.

The City wants you to know that you can also submit your comments by email to virtualhost@cityoflakeport.com.

To give the City Clerk adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to 4:30 p.m.

Please indicate in the email Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on.

Comments that you want read to the Council will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Council and not read at the meeting will be distributed to the Council prior to the meeting.

The City of Lakeport thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.



A G E N D A CITY OF LAKEPORT PLANNING COMMISSION

REGULAR MEETING: Wednesday, December 9, 2020 5:30 P.M. City Hall Council Chambers, 225 Park Street

I. <u>CALL MEETING TO ORDER:</u> 5:30 p.m.

II. ROLL CALL:

III. ACCEPTANCE OF AGENDA: Urgency Items: To add an item, the Commission is required to

make a majority decision that an urgency exists (as defined in the Brown Act) and a two-thirds determination that the need to take

action arose subsequent to the Agenda being posted.

Move to accept the agenda as posted or move to add or

delete items.

IV. COMMUNICATIONS:

A. Public Input: Any person may speak for three minutes about any subject within the

authority of the Planning Commission, provided that the subject is not already on tonight's agenda. Persons wishing to address the Planning Commission are required to complete a Citizen's Input form and submit it to the Community Development Director prior to the meeting being called to order. While not required, please state your

name and address for the record.

V. CONSENT CALENDAR: The following Consent Agenda items are expected to be routine and

non-controversial. They will be acted upon by the Commission at one time without any discussion. Any Planning Commissioner may request that any item be removed from the Consent Agenda for

discussion under the Regular Agenda.

A. Minutes: Approval of the completed minutes from the Regular Planning

Commission meetings of October 14, 2020.

VI. REGULAR CALENDAR:

A. PG&E / Blair, Church &

Flynn - AR 20-06 & CE 20-12

Application for an Architectural and Design Review that will allow replacing the existing 6-foot chain link fence with barbed wire along the top with an 8-foot decorative black metal fencing around the perimeter of the property and replacing an existing wood retaining wall with a concrete retaining wall along the at 1575 North High

Street.

B. PG&E / Rosesing & Associates – AR 20-04 &

Associates – AR 20-04

CE 20-10

Application for an Architectural and Design Review that allows the placement of a back-up generator and supporting equipment in the service yard for Pacific Gas and Electric Company at 1575 North High

Street.

C. Thomas J. Jordan / Scotts Valley Energy Co. – UP 20-04 & CE 20-17

Application of a Use Permit for biochar processing, light manufacturing in the C-2, Major Retail zoning district. The project would allow offices in the front of the building and biochar processing in the rear building on the property formally occupied by the "Record Bee". The project is located along the eastern side of South Main Street at 2150 South Main Street.

D. Lakeport Lakefront Park Project – E 20-01 Proposed project consisting of an Environmental Review (ER 20-01) for the development of Park Project which includes the development of a new park on approximately five (5) acres on the former continuation high school site known as Natural High at 800 & 810 North Main Street.

E. AB 626 - 2020-25

The Planning Commission is requested to consider the Lake County recently adopted ordinance permitting Microenterprise Home Kitchens in accordance with AB 626 and direct staff accordingly.

VII. Correspondence

Review of the Pending Projects list.

VIII. Comments from Staff or Commissioners:

IV. SCHEDULE NEXT MEETING:

Discuss and set the next meeting date (January 13, 2021).

X. <u>ADJOURNMENT:</u>

APPEALS:

The applicant or affected persons not satisfied with the decision of the Planning Commission may file an appeal. Affected persons include individuals who received notice of a land use application, or who attended the Planning Commission meeting and made verbal comments or submitted written comments in response to the notice. An appeal of a decision made by the Planning Commission shall be filed with the Community Development Director within five business days of the decision. Said appeal shall be filed on the prescribed form and accompanied by the fee in the amount set by Resolution of the City Council.

ACCESSIBILITY:

The City of Lakeport, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact City Clerk's Office, (707) 23-5615, 72 hours prior to the scheduled meeting to ensure reasonable accommodations are provided.



CITY OF LAKEPORT PLANNING COMMISSION REGULAR MEETING – October 14, 2020 MINUTES

CALL TO ORDER / ROLL CALL: Chairman Froio called the meeting to order at 5:30 p.m. with Commissioners Wicks, Warrenburg and Mitchell present. Commissioner Green was absent. Also, present were City Manager, Kevin Ingram, Community Development Director, Jenni Byers, and Associate Planner, Daniel Chance.

ACCEPTANCE OF AGENDA:

Commissioner Wicks made a motion to accept the agenda as posted. Seconded by Commissioner Mitchell.

The vote was called and was as follows:

AYES: Commissioners Mitchell, Wicks, Warrenburg and Chair Froio. (4-0)

NOES: None

ABSENT: Commissioner Green

COMMUNICATIONS: Director Ingram advised there was no public input.

CONCENT CALENDAR:

Commissioner Wicks advised of a correction to the minutes page two first paragraph should ""**where** applicable."

A motion was made by Commissioner Wicks, to accept the minutes as amended. Seconded by Commissioner Mitchell. (Minutes from the Regular Planning Commission meeting of September 9, 2020.)

The vote was called and was as follows:

AYES: Commissioners Mitchell, Wicks, Warrenburg and Chair Froio. (4-0)

NOES: None

ABSENT: Commissioner Green

REGULAR AGENDA:

Street Name Change - Westside Park Road in honor of Charlie Jolin -

Manager Ingram briefed the Planning Commission on the request by the Westside Park Commission to rename Westside Park Road in honor of the late Charlie Jolin and make a formal recommendation to the City Council for action.

Public hearing open at 5:39 p.m. Dennis Rollins, Chairperson for Westside Community Park Committee, spoke in favor of the change. Closed with no public input at 5:43 p.m.

Commissioner Wicks moved that the Planning Commission recommend that the City Council change the official street name of Westside Park Road to Charlie Jolin Way in honor of the late Charlie Jolin. Said Street name change is in conformance with the General Plan and the existing street name network. Seconded by Commissioner Warrenburg.

The vote was called and was as follows:

AYES: Commissioners Warrenburg, Mitchell, Wicks and Chair Froio. (4-0)

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NOES: None

ABSENT: Commissioner Green

NOT OFFICIAL UNTIL APPROVED BY THE PLANNING COMMISSION

CORRESPONDENCE:

The Commission discussed the current project pending list.

COMMENTS FROM STAFF AND COMMISSIONERS:

City Manager Ingram introduced the new Community Development Director, Jenni Byers to the Planning Commission.

Manager Ingram stated due to the Veteran's Day holiday falling on the next regular meeting date, staff would like to adjourn and continue to the next regular meeting date for December 9, 2020.

Manager Ingram advised the city is beginning recruiting for Planning Commissioners due to the upcoming election.

DISCUSS AND SET THE NEXT MEETING DATE:

It was agreed by consensus that the next meeting be held on Wednesday, November 11, 2020, meeting adjourned closed 6:08 p.m.

Jennifer M. Byers, Community Development Director



CITY OF LAKEPORT COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE:

December 9, 2020

FILE NO:

2020-04 PG&E Emergency Back-up Generator

AR 20-04 / CE 20-10

OWNER/

Dane Crough

APPLICANT:

Pacific Gas and Electric Company

2151 South Orange Avenue

Fresno, CA 93275

REPRESENTATIVE/

AGENT:

Hugo Flores

Rosesing and Associates

131 South Dunworth Street

Visalia, CA 93292

LOCATION:

1575 North High Street (026-191-16)

GENERAL PLAN:

Light Retail

ZONING:

C-1, Light Retail

STAFF CONTACT:

Daniel D. Chance, Associate Planner DC

REQUESTED ACTION: The Planning Commission is being asked to review and approve an application for an Architectural and Design Review that would allow the placement of a back-up generator and supporting equipment in the service yard for Pacific Gas and Electric Company at 1575 North High Street.

GENERAL PLAN AND ZONING DISTRICT: The subject property is designated Light Retail according to the City of Lakeport General Plan Land Use Map and is within the C-1, Light Retail zoning district according to the City Zoning Map. Approval of this Architectural and Design Review is consistent with the intent of the General Plan and Zoning Ordinance Section 17.27, Architectural and Design Review, in respect to community design.

Section 17.27.020 of the Municipal Code indicates that Architectural and Design Review is required for the proposed exterior changes on commercial sites that result in <u>altered appearances</u>, additions, extensions, or enlargements. It further indicates that no building permit or other entitlement for remodel shall be issued until the site plan; the architectural elevations and related plans have been reviewed and approved by

either the Planning Commission or Community Development Director as provided for in the Zoning Ordinance.

Based on the scale and scope of the project, which includes the other projects on this property, staff determined the proposed project would require approval by the Planning Commission for the Architectural and Design Review (17.27.030.D).

As proposed, the allowance for the generator and appurtenant equipment at this site is consistent with the objective ED 2 of the General Plan which seeks to: "provide support for the promotion of businesses... (Page VI-3)" as well as, objective S 3 " maintain an effective emergency response.. (Page X-14)"

PROJECT DESCRIPTION: The proposed project is one in a number of upgrades for the existing Pacific Gas and Electric service facility at 1575 North High Street. Over the past several months the City has had several conversations with a variety of consultants/contractors that have included redesigning the existing structure on the property, replacing the fence enclosing the perimeter of the property, and the placement of an emergency generator on the property. At this time, The City has received requests for the perimeter fence, retaining wall and resurfacing (AR 20-06, which will also be reviewed by the Planning Commission as a separate Item), as well as an application for the emergency generator on the Property. Discussions over the redesigning the building have been limited to interior improvements that may only require a building permit, however at this time, there have been no plans submitted for the building. If those tenant improvement result in exterior improvements, an Architectural and Design Review will be required. The proposed project associated with this project includes the following:

 Placement of an emergency back-up generator and related equipment in the service yard.

The emergency back-up generator is proposed to be located in the service yard in the center of the property and two (2)-feet setback from the northern property line. The size of the structures would be 18.6-foot length, 7.8-foot height and a 4-foot width for the generator and related equipment, as well as a 6-foot high electrical panel. The project would include bollards surrounding the electrical equipment. Single family dwellings are located to the north, west and south of the proposed generator with the closest residence located approximately 57-feet to the north across 16th Street. The use of the generator is limited to power shut-offs or power failures. A condition would be added that any repair and operation associated with the servicing of the generator would take place during business hours (7a.m. to 7p.m.) to minimize impacts on residential neighbors. Staff reviewed all criteria applicable to this project and has determined that the proposed improvements are in compliance with the architectural and design review standards set forth in the Municipal Code at this location.

<u>Agency Review Comments:</u> The submitted plans were provided to the Building Official, City Engineer, City Public Works, Police and Fire District for their review.

- Building Official: The project will require building permit. Plans shall be in compliance with current Building Code/NEC Code.
- City Engineer: No issues.
- Public Works Roads: Does not impact road or drainage, no issues or comments.

- City Police: No Police concerns.
- Fire District: No comment at this time.

The conditions of approval would address many of the concerns raised, while other concerns raised would be addressed as part of the Building Permit process. Project Conditions of Approval and vicinity map are attached.

ARCHITECTURAL AND DESIGN REVIEW APPLICATION FINDINGS: As described, the attached plans depict the design change for placement of an emergency back-up generator. The design changes compliment the overall design of the existing commercial building.

<u>Finding 1: The proposed project is consistent with the purpose of the Lakeport Zoning Ordinance.</u> The property is zoned C-1, Light Retail which allows commercial uses, with a design consistent with the performance standards as set forth in the Architectural and Design Review standards.

<u>Finding 2: The project is in substantial compliance with the design criteria.</u> The proposed addition of a generator located within the fenced in service area and would represent a small addition to the existing commercial site and does not represent a significant enhancement to an existing property. This project along with other projects on the site will reflect a harmonious design within the immediate area, and would not represent a significant design change of the commercial and residential North High Street area. The modified project is in compliance with the criteria and standards for 17.27.110 Architectural and Design Review.

Finding 3: The project is consistent with the Lakeport General Plan. The project as proposed is consistent with the objectives and policies of the Lakeport General Plan. Objective CD-2 of the General Plan encourages commercial development designs which foster economic growth, reduce land consumption, and compliment adjacent land uses. Furthermore, the enhancement of this commercial building promotes commercial success along North High Street commercial region in our community consistent with objective ED 2 of the General Plan. The proposed placement of a generator at proposed location reflects that objective by fostering economic growth, while complimenting adjacent land uses, as well as, objective S 3 that encourages ways that maintains an effective emergency response

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:

<u>Finding 4: The project is categorically exempt of the California Environmental Quality Act.</u> The proposed project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act according to Section 15303(d) of the 2020 CEQA guidelines. This section allows for small utility expansions.

CONCLUSION, RECOMMENDATION, AND CONDITIONS: Based on the information provided by the applicant and the comments received from City staff, a finding is made that the placement of the emergency back-up generator at 1575 North High Street is in general conformance with the Lakeport Municipal Code Section 17.27.110 (Architectural and Design Review criteria and standards). The proposed improvement will not significantly impact the appearance of the buildings and will improve the functionality of the existing service facility. The generator is consistent with the requirements of the Zoning Ordinance. The proposed project has been determined to

be exempt from the provisions of the California Environmental Quality Act according to Section 15303(d) of the 2020 CEQA guidelines. This section allows for small utility expansions.

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Staff recommends that the Planning Commission approve the Architectural and Design Review application subject to the conditions of approval set forth in the staff report (Attachment B).

SAMPLE MOTION

Categorical exemption Approval

I move that the Planning Commission find that AR 20-04 as applied for by Hugo Flores / PG&E is categorically exempt pursuant to Section 15303(d) of the CEQA Guidelines.

Architectural and Design Review Approval

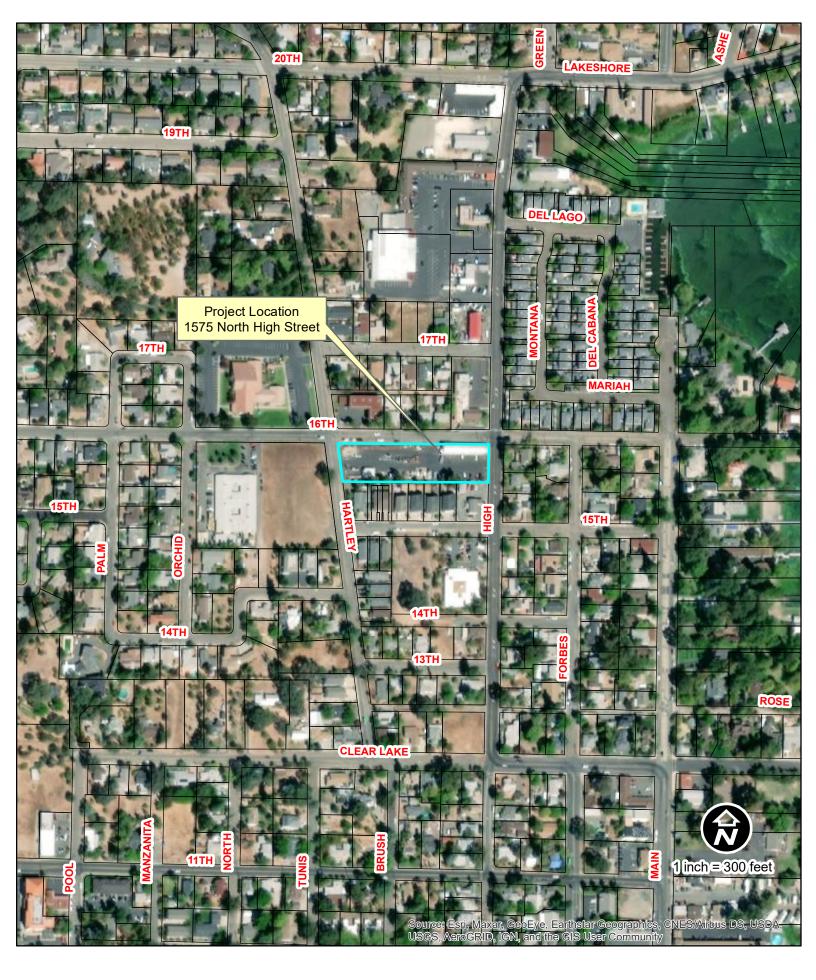
I move that the Planning Commission find that the Architectural and Design Review applied for by Hugo Flores / PG&E, on property located at 1575 North High Street does meet the requirements of Section 17.27.080 of the Lakeport Zoning Ordinance; consistent with the objectives and policies of the Lakeport General Plan; and subject to the project conditions of approval (Attachment B), and with the findings listed in the December 9, 2020 staff report.

The Planning Commission's approval of the applications shall be subject to the conditions of approval specified in the staff report and/or as amended by the Planning Commission at the public hearing.

Attachment A: Vicinity Map

Attachment B: Project Conditions Agreement
Attachment C: Application; Site Plan & Elevation

Attachment A: Vicinity Map



PG&E Lakeport Yard Generator (AR 2020-04) Vicinity Map

Attachment B: Project Conditions Agreement



CITY OF LAKEPORT Community Development Department 225 Park Street Lakeport, Ca 95453

PROJECT CONDITIONS AGREEMENT

Land Use Application File No. AR 20-04

This Agreement is entered into by **Rosesing and Associates/Pacific Gas and Electric**(hereinafter Applicant/Owner).

RECITALS

WHEREAS, Applicant/Owner applied to the City of Lakeport for an Architectural and Design Review approval for emergency back-up generator at an existing commercial facility; and

WHEREAS, the City of Lakeport has reviewed and approved the project for conformance with the Architectural and Design Review criteria and standards set forth in Section 17.27.110 of the Lakeport Municipal Code; and

WHEREAS, the proposed project is hereby approved subject to the following conditions:

- The applicant/owner shall sign a standard City of Lakeport Project Conditions Agreement which lists the conditions of approval and shall agree to said conditions. A copy of the signed agreement shall be returned to the Community Development Department.
- 2. The project shall be developed in accordance with the plans and specifications received by the City on September 22, 2020 and approved by the Planning Commission on December 9, 2020. Minor alterations may be approved in writing by the City of Lakeport Community Development Director or designee.
- 3. The operation of the emergency back-up generator shall be limited to power shut-offs and/or electrical black-outs. All maintenance, servicing requiring short-term operation of the generator shall be conducted between the hours of 7:00 a.m. to 7:00 p.m. to minimize impact on neighboring residences.
- 4. If the applicant/owner is in violation of the conditions of said approval, the Architectural and Design Permit may be reviewed by the Planning

cc: Project File

Commission, if deemed necessary by staff or members of the Planning Commission.

NOW, THEREFORE, IT IS AGREED:

- 1. That the applicant/owner has read and agrees to each and every item and condition herein.
- 2. That the development and use of the real property described herein shall conform to the conditions listed above and all City of Lakeport Ordinances and Resolutions where applicable.
- 3. That said conditions shall be binding on all owners or persons having or acquiring any right, title, or interest in said real property, or any part thereof, subject to this agreement.

Dated:	APPLICANT/OWNER		
	SIGNATURE- Dane Crough, Pacific Gas and Electric Company		
	PLEASE PRINT NAME		
Dated:	APPLICANT/REPRESENTATIVE		
	SIGNATURE- Hugo Flores, Rosesing and Associates		
	PLEASE PRINT NAME		

Attachment C: Application; Site Plan & Elevation



City of Lakeport

225 Park St – Lakeport CA 95453

Phone: (707) 263-5613 EXT. 205 FAX: (707) 263-9314 www.cityoflakeport.com



LAND USE APPLICATION

WITH OR WITHOUT CATEGORICAL EXEMPTION

APPLICANT'S INFORMATION		LAND OWN	ER'S INFORMATION
_{ame} HUGO FLORES	Name DANE CROUGH ON BEHALF OF PG&E		
ompany Name ROSESING AND ASSOCIATES			
lailing Address 131 S. DUNWORTH ST	Company Name PG&E Mailing Address 2151 S. ORANGE AVE.		
ity, State, Zip_VISALIA, CA 93292	City, State, Zip FRESNO, CA 93275		
hone 559-733-2671 Fax	Phone 559-240-0227 Fax DTC8@PGE.COM		
HFLORES@ROSESING.COM			
AGENT, ENGINEER, OR ARCHI	TECT'S	INFORMATIO	ON (if anv)
ame THEOORE W. ROSE	Company	Name ROSESIN	G AND ASSOCIATES
Mailing Address 131 S DUNWORTH ST.		559-804-7440	Fax
ity, State, Zip_VISALIA,CA 93292	Email_TROSE@ROSESING.COM		
PROJECT IN	FORMA	TION	The lonese Test Microse
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		Lurrent General Plai	n Designation:
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SUPPLEMENTAL INFORMATION FOR VARIOUS LAND USE APPLICATIONS

Please answer questions and/or attach additional information appropriate to the type of land use(s) being applied for – see boxes checked on the bottom of the first page of this application to see which of the following applications apply

APPROVED PLAN REVISION	Description of original project				
KEVIOIO II	Description of revision being proposed				
DEVELOPMENT	Floor area of proposed buildings				
AGREEMENT	Number of parking spaces				
ENVIRONMENTAL REVIEW	Please complete the information requested on the next page.				
FENCE	Cross streets				
REQUEST	Description of proposed fence				
	Reason for fenceATTACH DETAILED SITE PLAN AND ELEVATION OF PROPOSED FENCE				
EDEE CTANDING	<u> </u>				
FREE-STANDING SIGN	Sign maker name, address, phone				
SIGN	Description of proposed sign				
	Description of proposed sign				
GENERAL PLAN	ATTACH WRITTEN STATEMENT RESPONDING	TO GENERAL PLAN AMENDMENT CRITERIA -			
AMENDMENT	see attached information.				
	ATTACH MAP / SITE PLAN AND LEGAL DESC				
LOT LINE	Assessor's Parcel No	Assessor's Parcel No			
ADJUSTMENT	Size of parcel	Size of parcel			
	Present use	Present use			
	Assessor's Parcel No.				
	Size of parcel Present use	Signature of adjacent landowner Date			
	ATTACH DETAILED MAP DRAWN TO SCALE II				
MINOR		ELISTRATING FROI OSED ADJUSTINE (4)			
EXCEPTION	Description of proposed exception				
	ATTACH EXCEPTION JUSTIFICATION STATEM				
TENTATIVE	Number and size of parcels to be cre	eated			
PARCEL OR	Reason for requesting division of land				
SUBDIVISION	NAPU A STATE OF THE PROPERTY O	1 1			
MAP	Will easements or rights-of-way be dedicated				
SHORELINE	Is sewer and water service available Describe the proposed shareline development				
DEVELOPMENT	Describe the proposed shoreline development				
	ATTACH SHORELINE DEVELOPMENT PLAN – see attached information				
USE PERMIT	ATTACH USE PERMIT JUSTIFICATION STATEMENT – see attached information				
VARIANCE	Section of Ordinance (Code) being varied				
	Description of proposed variance				
	ATTACH VARIANCE JUSTIFICATION STATEM				
VOLUNTARY	Description of proposed merger				
MERGER	Reason for requesting merger				
	Reason to requesting merger				
ZONE CHANGE	ATTACH A WRITTEN EXPLANATION FOR REZO	ONING REQUEST AND DISCUSS			
	CONFORMANCE WITH THE GENERAL PLAN – see attached information.				
	ATTACH MAP, SITE PLAN, AND LEGAL DESC	RIPTION OF PROPERTY			

Rose Sing and Associates, Inc.

Electrical Consultants

131 S. Dunworth St. • Visalia, CA 93292-6705 Phone: (559) 733-2671 • Fax: (559) 733-2339 • E-Mail: <u>Hflores@rosesing.com</u>

14 September 2020

City of Lakeport 225 Park Street Lakeport, CA 95453

Plan Check #
Project Address – 1575 N. High St.
Re: Plan Check Response Letter

Daniel Chance,

The proposed project includes modifying existing service equipment connections and install new equipment to allow full site back-up from portable generations equipment during a utility outage.

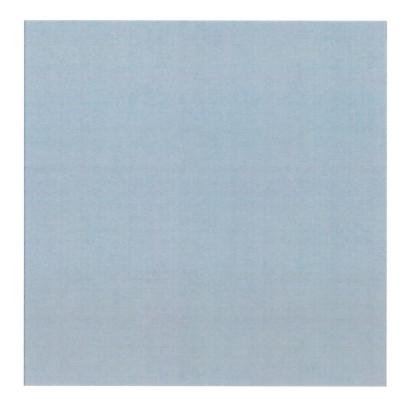
Proposed new switchboard "SERVICE #1" and "STANDBY EQPM" are to be installed on north/center location, shown on site plan sheet. See sheet E501 detail #1 for elevation. The equipment color is ANSI #61 light gray as shown in attached document.

Proposed new "Gen. Panels" are to be installed next to "SERVICE #1" and "STANDBY EQPM". See sheet E501 detail #2 for elevation. The equipment color is ANSI #61 light gray as shown in attached document.

Proposed new junction box are to be installed on east side of existing building mounted high on wall to allow penetration into accessible ceiling space. See sheet #501 detail #5 for elevation. The equipment color is ANSI #61 light gray as shown in attached document.

Proposed new panel, "DISTRIBUTION PANEL "S2", will replace existing panel and be positioned in the same location as the existing panel. See sheet E501 detail #3 for elevation. The equipment color is ANSI #61 light gray as shown in attached document.

Hugo Flores E.I.T.

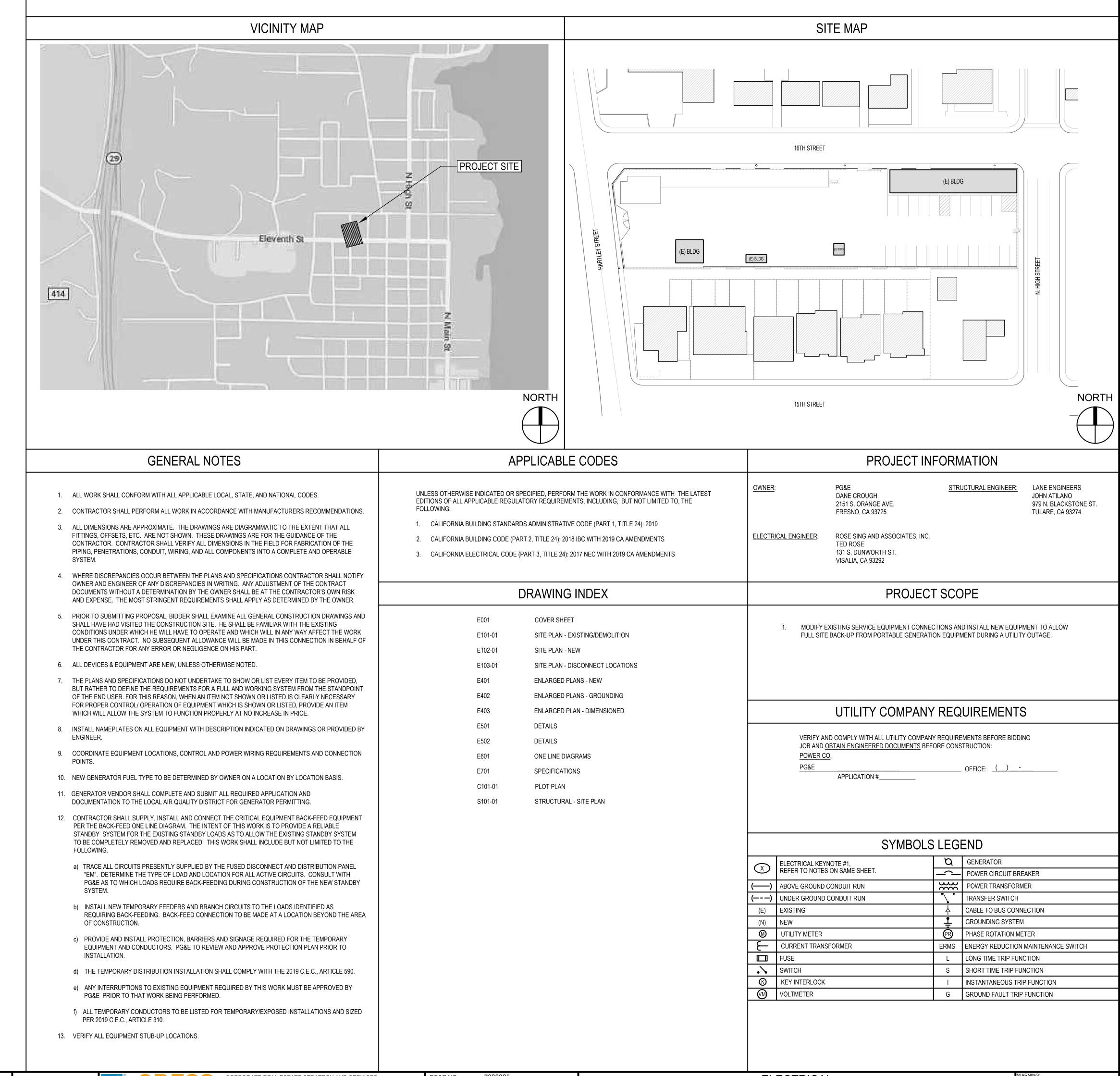


6-



LAKEPORT SC GENERATOR RESILIENCY DESIGN

1575 N. HIGH STREET LAKEPORT, CA 95453







SERVICE CENTER

LAKEPORT SC

SITE CODE

BLDG CODE

BLDG NAME

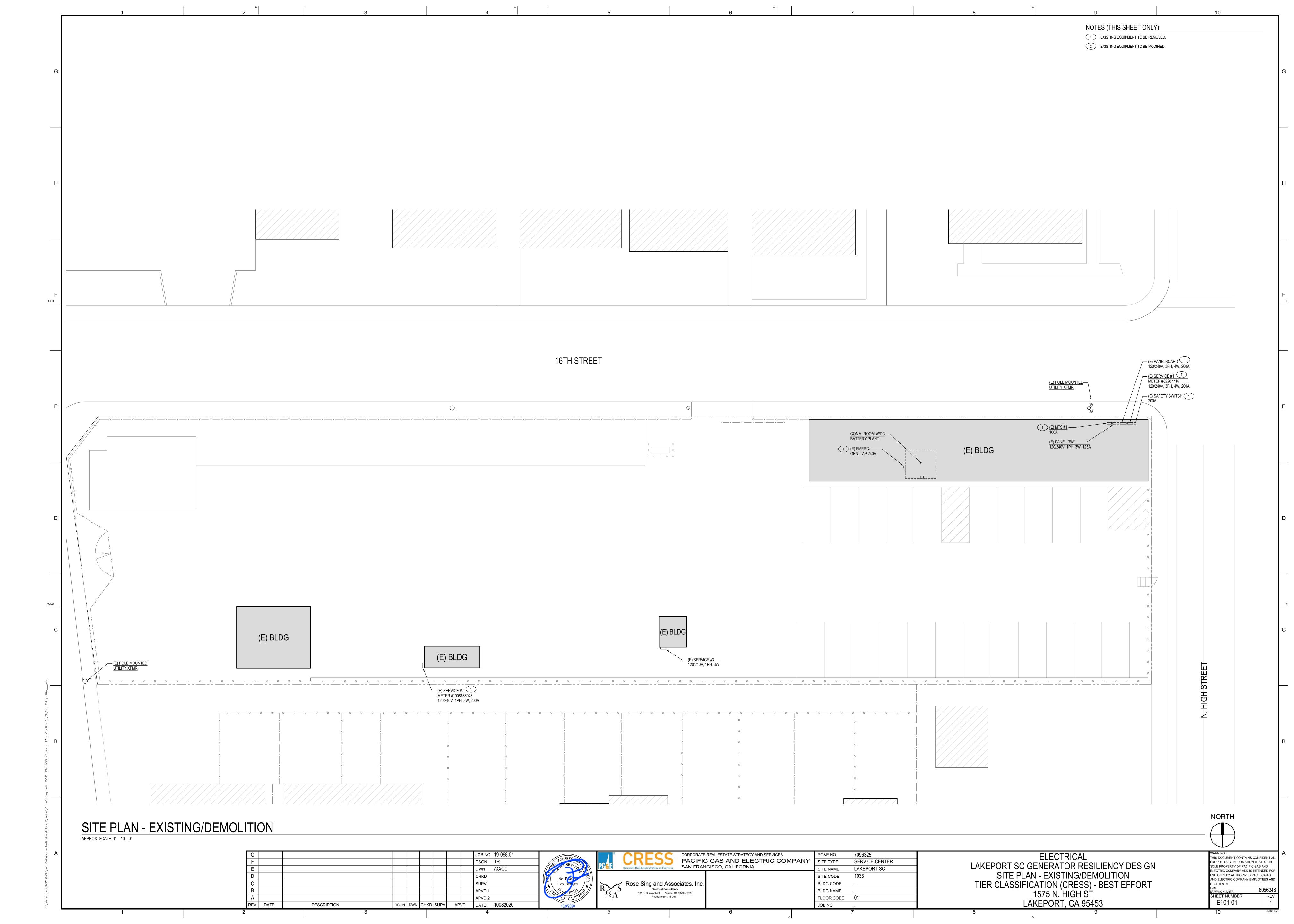
JOB NO

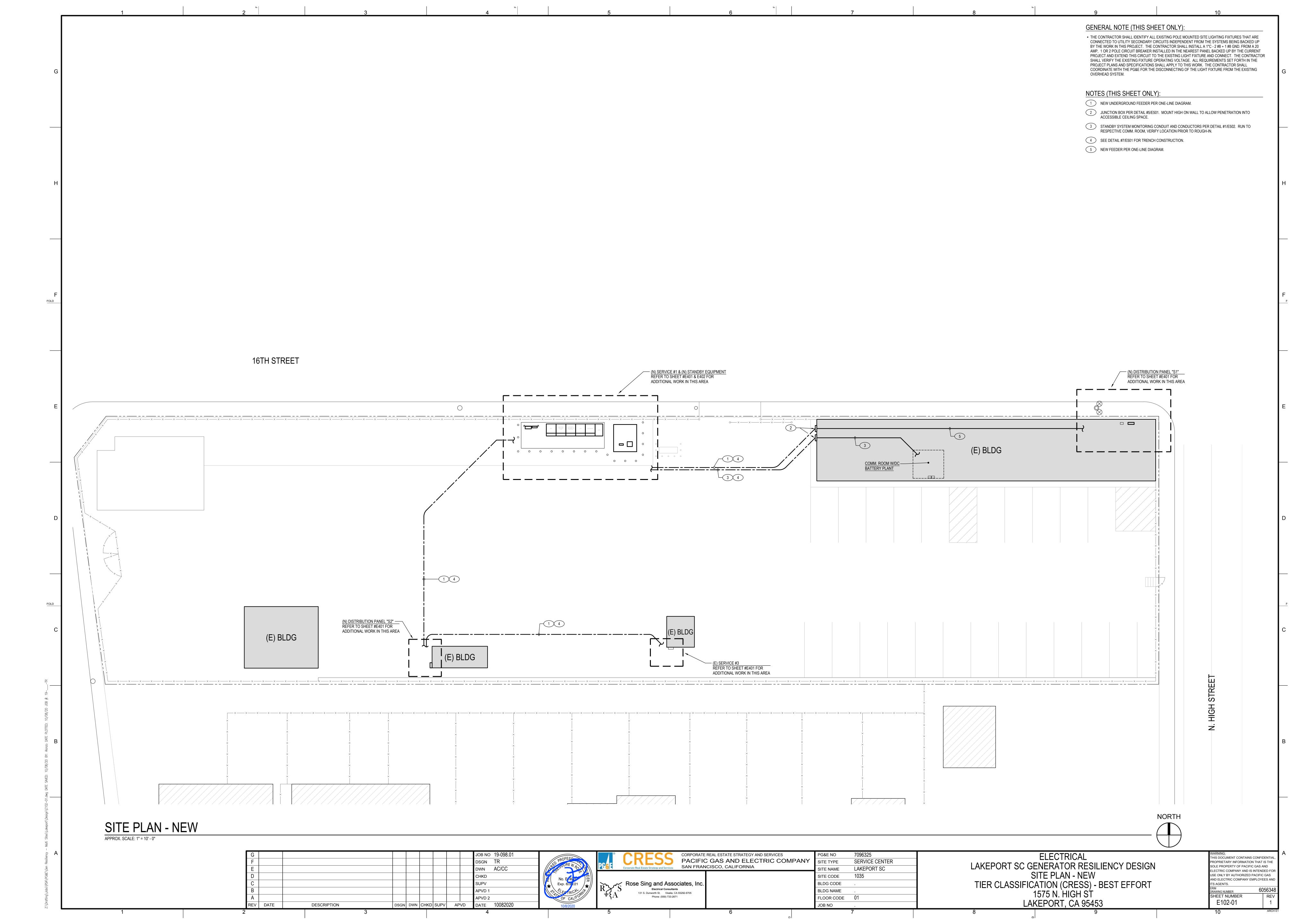
FLOOR CODE 01

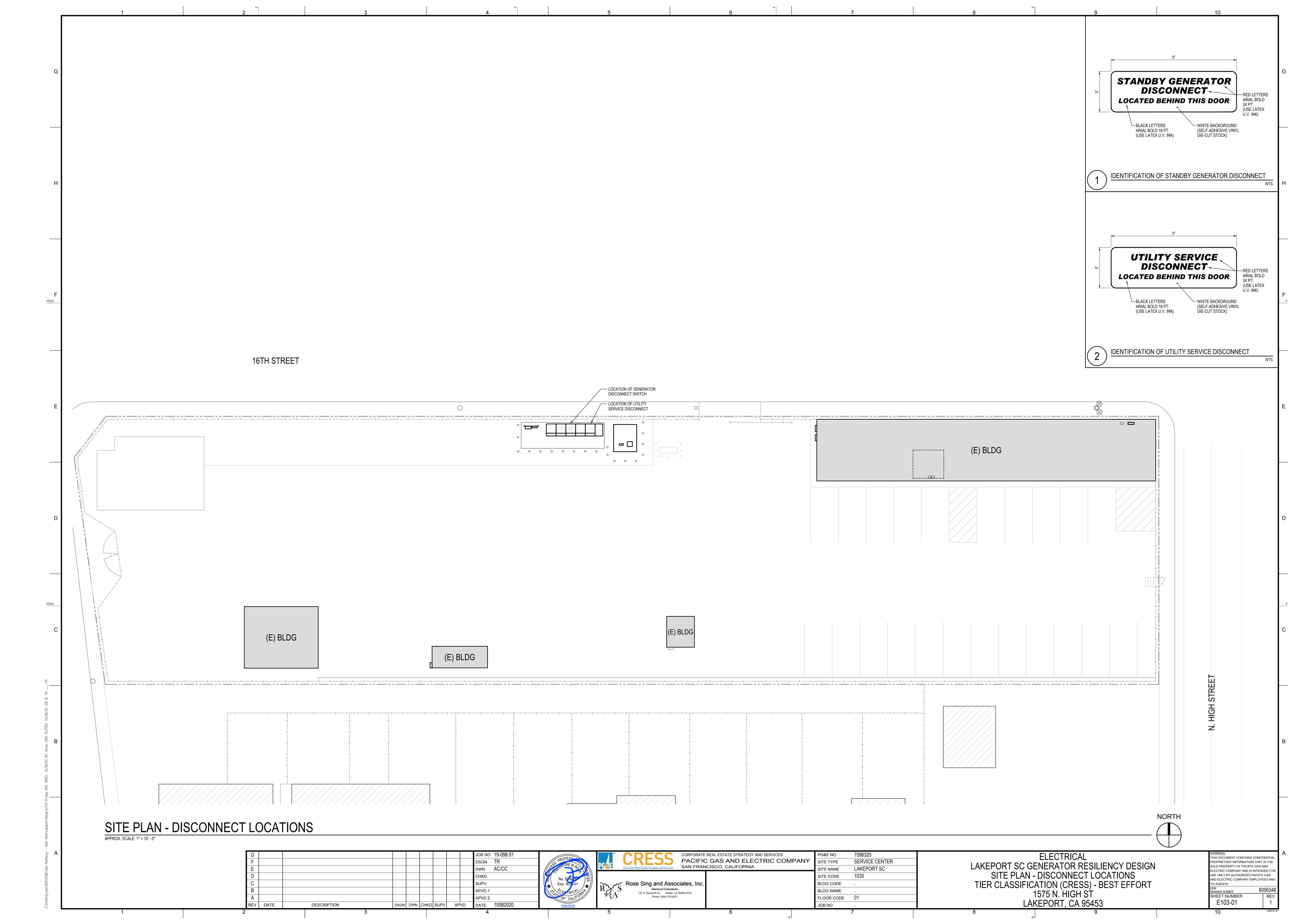
ELECTRICAL
LAKEPORT SC GENERATOR RESILIENCY DESIGN
COVER SHEET
TIER CLASSIFICATION (CRESS) - BEST EFFORT
1575 N. HIGH ST
LAKEPORT, CA 95453

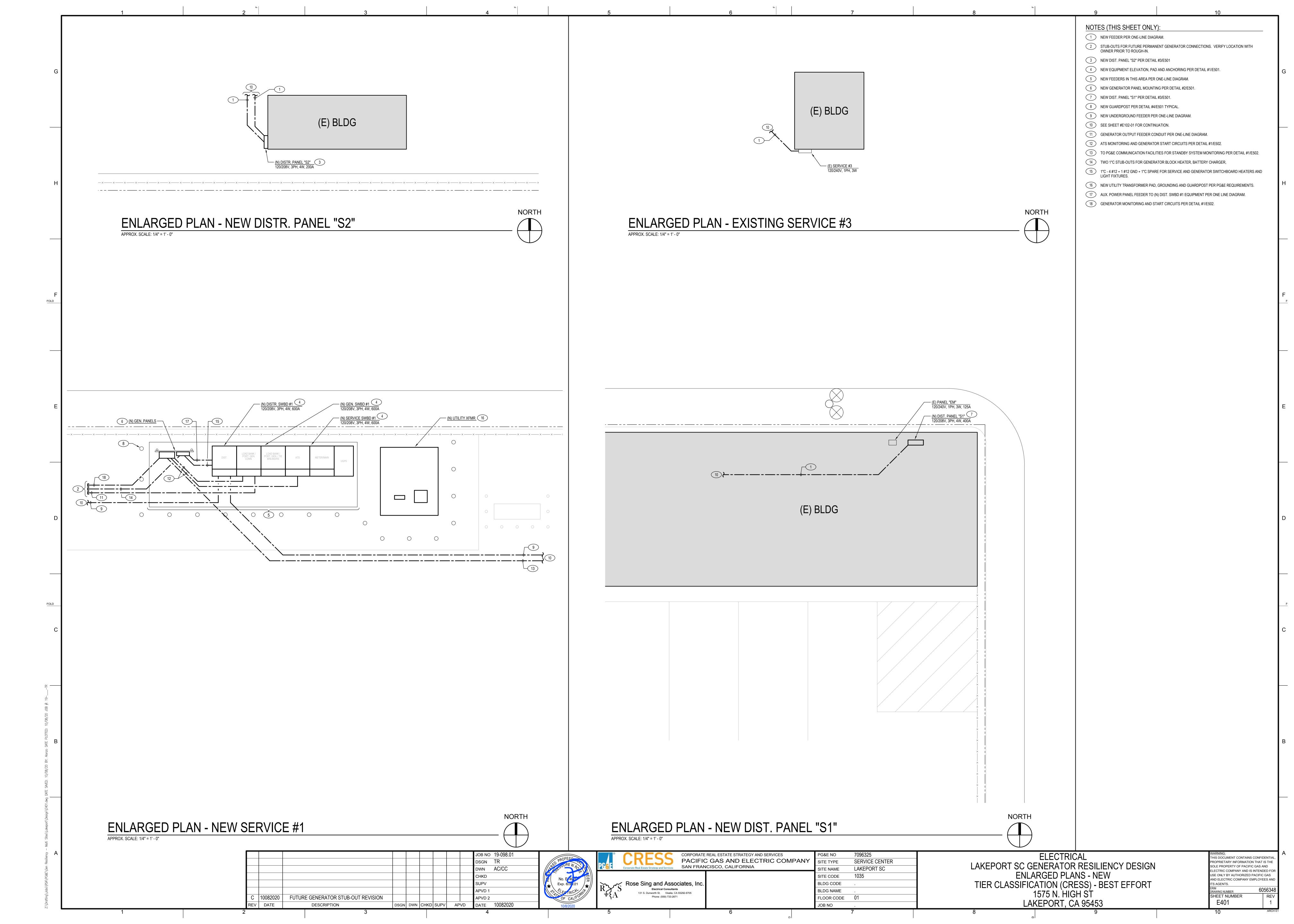
WARNING:
THIS DOCUMENT CONTAINS CONFIDENTIAL,
PROPRIETARY INFORMATION THAT IS THE
SOLE PROPERTY OF PACIFIC GAS AND
ELECTRIC COMPANY AND IS INTENDED FOR
USE ONLY BY AUTHORIZED PACIFIC GAS
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ITS AGENTS.

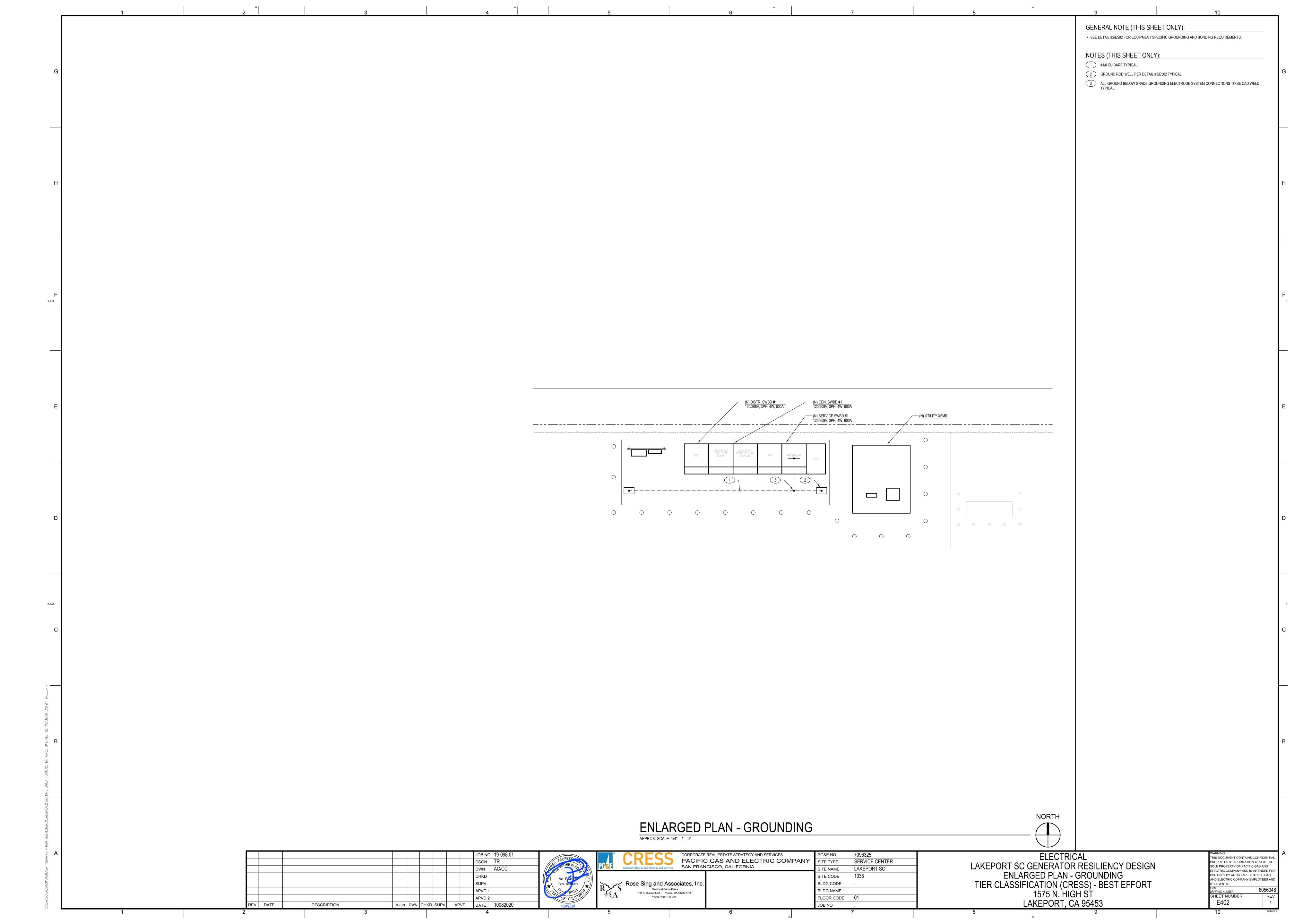
ERIM
DRAWING NUMBER
SHEET NUMBER
REV
E001
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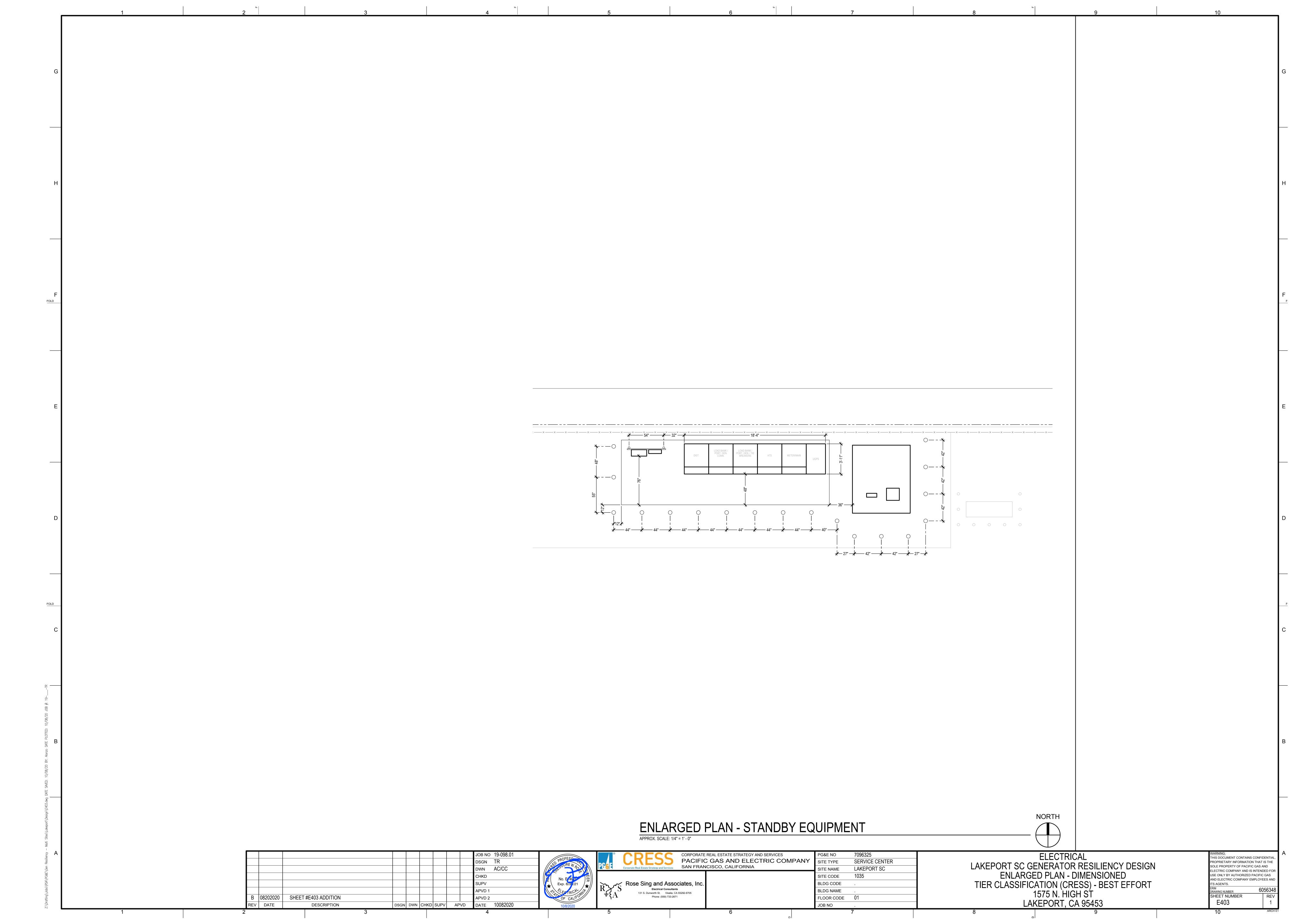


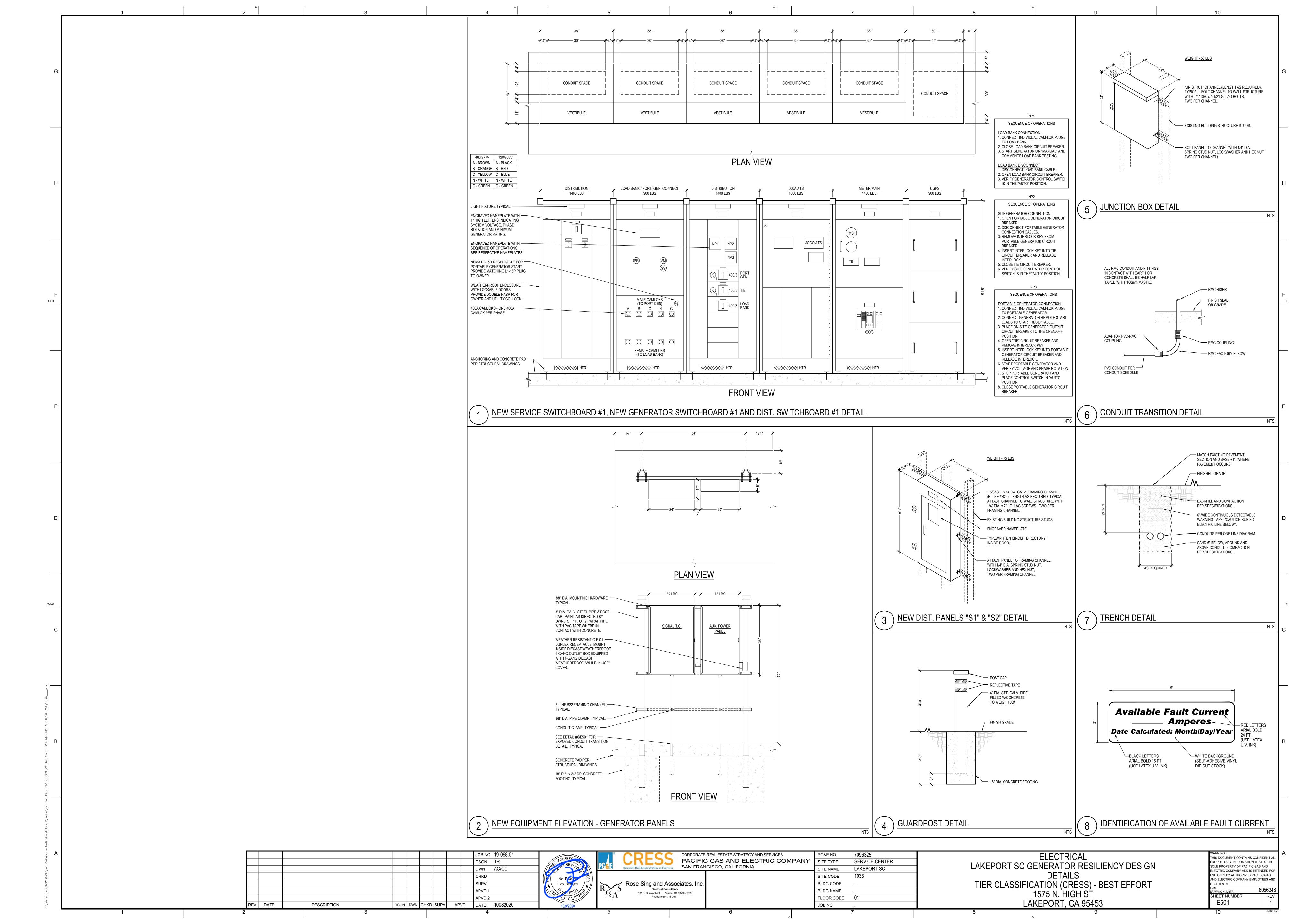


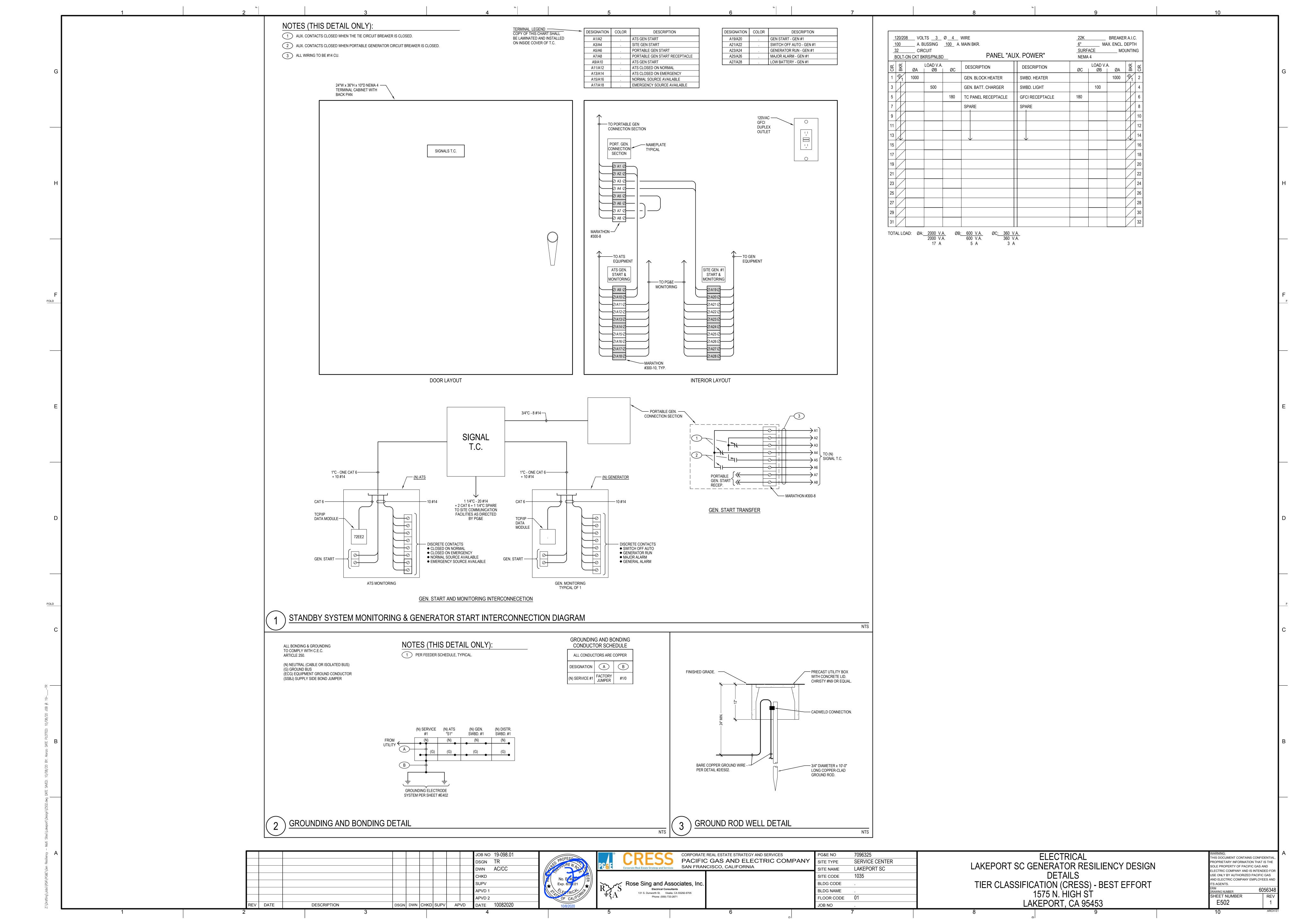


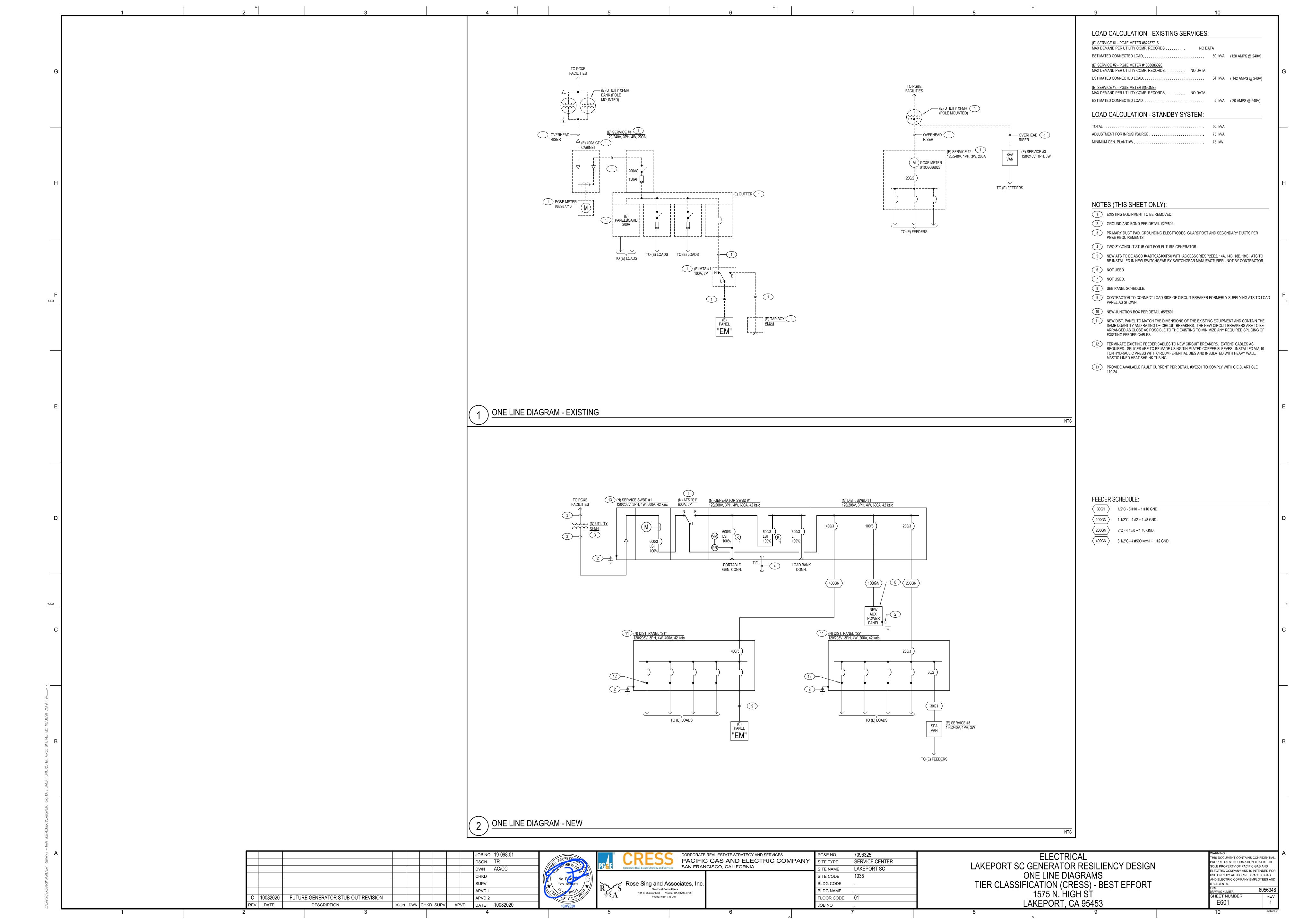












1. The California Code of Regulations, Titles 19 thru 24.

- 2. The California Electrical Code as applicable under current state
- and local regulations (latest edition and supplements).
- State Board of Health.

governing bodies listed.

- CAL-OSHA Regulations.
- 5. Nothing in these Specifications or shown on the plans, shall relieve the Contractor from full compliance with applicable portions of any of the above regulations pertaining to work which he is installing under this Contract.

B. PERMITS AND FEES

Pay for and obtain all permits, inspection fees, etc., as required for the completion of all work included in this Contract. Any inspection Certificates required shall be obtained and delivered to the Owner.

C. EXAMINATION OF DRAWINGS AND SITE

Before submitting his bid, the Contractor shall carefully examine the Ownerural, Structural, Mechanical and Plumbing drawings for this work, along with the Specifications for same in addition to the drawings and Specifications governing the work of this trade. He shall also visit the site of the proposed construction and familiarize himself with all the site conditions. No subsequent allowances will be made to the Contractor because of his negligence in complying with the above or his alleged inability to understand the requirements.

D. CONDUCT OF THE WORK

The Contractor shall maintain on the job a competent foreman or a superintendent at all times to superintend the work.

E. CONTRACTOR'S RESPONSIBILITY

1. The Contractor shall be responsible for the safety and good condition of all materials and equipment until final acceptance by the Owner. He shall erect and maintain suitable barriers, protective devices, lights and warning signs where required for the protection of the public and employees about the buildings. He shall be fully responsible for any loss or injury to persons or property resulting from his neglect or the carelessness and neglect of his employees.

2. All requests for quotation documents supplied shall be accompanied by disclaimer.

F. SUBMITTALS

- 1. Shop drawings of power and signal service and distribution equipment and lighting fixture catalog cuts shall be submitted electronically for approval.
- 2. All shop drawings shall be submitted at one time in a neat and orderly fashion with title sheet including Project, Engineer and Contractor, table of contents and indexed tabs dividing each group of materials or item of equipment. All items shall be identified by the specification paragraph number for which they are proposed. All equipment shall also be identical by the mark
- 3. Equipment or material furnished or incorporated in construction without prior approval of the Owner may be rejected and if rejected shall be removed from the structure and replaced with approved equipment or material at the Contractor's expense.

G. RECORD DRAWINGS

See General Conditions.

H. CATALOG DATA AND OPERATING INSTRUCTIONS

and one digital copy shall be provided.

Upon completion of the work in this Contract, the Owner shall be furnished with a complete set of catalog data which describes each piece of equipment installed under this Contract. Two hard copies

LOCATIONS

- 1. The work as laid out is to some extent diagrammatic, and the location thereon indicated may be approximate only. The Contractor, therefore, shall install all the equipment, apparatus, conduit runs and the like as follows:
- a. Adhere to the location indicated as far as possible.
- b. Maintain ample head room in all rooms and passageways, clearance around all apparatus and equipment and under pipe lines for unrestricted passage and for easy servicing of all apparatus, equipment, devices and the like.
- c. Verify the exact locations of all fixtures and other apparatus or devices as indicated on the drawings. In the event these drawings do not sufficiently indicate the locations for all such fixtures, apparatus or devices, the Contractor shall obtain the exact locations from the Owner.

J. VERIFICATION OF DIMENSIONS

- 1. The Contractor shall, as work progresses, verify the dimensions of the spaces available for the installation of the work and he shall assume full responsibility for the proper locations and grading of each portion thereof.
- Where the work requires connections to be made to equipment that is furnished and set in place by others, the Contractor shall obtain exact locations and rough-in dimensions from the manufacturer of such equipment and he shall install the

connections in a neat and workmanlike manner. K. CUTTING AND PATCHING

This Contractor shall do all cutting and patching of the work for the installation of the equipment and materials as approved by the Owner and/or Engineer. All patching shall accurately match the adjoining work.

L. <u>BORING</u>

FOL

- 1. Provide mechanical boring equipment to bore under existing asphalt, concrete, or other surfaces or objects as noted on the drawings. All borings shall be a minimum of 24" under the substrate material unless otherwise authorized by the Owner
- 2. Holes shall be bored not to exceed 1" larger diameter than the largest component remaining in the excavation.
- 3. Water or air pressure jetting are not permitted, unless they comply with the following requirements:
- a. All surfaces of the hole can be visually inspected with 6' maximum length.
- b. All objects shall be supported continuously to prevent
- c. The hole shall be filled with compacted damp sand and inspected by the Project Inspector of Materials Testing Lab

M. FOUNDATIONS AND SUPPORTS

The Contractor shall provide all foundations, supports and hangers, etc., as required to install the equipment as specified or shown on the drawings. All equipment shall be supported, braced and cross-braced in such manner as to prevent sway and/or lateral movement.

N. EXCAVATION AND BACKFILLING

- 1. Excavating required for the installation of the work shall be done by this Contractor. Underground lines outside the buildings shall be installed with a minimum cover of 24" except depth of utility services shall comply with respective utility company requirements.
- 2. The conduit shall be laid on material described below to afford bearing for the full length of the conduit. Any part of the trench excavated below grade shall be corrected with thoroughly compacted material approved by the Owner.
- 3. When the bottom uncovered at subgrade is soft and, in the opinion of the Owner, cannot support the conduit, a further depth shall be excavated and refilled to conduit foundation grade as required by the Owner.

Backfill.

- a. 6" Below, Around, and to 6" Above Conduit: Material shall be sand. Place carefully around and on top of conduit, taking care not to disturb conduit. Consolidate with vibrator.
- b. <u>6" Above Conduit to Grade</u>: Material shall be sandy or silty loam, free of lumps, laid in 6" layers, uniformly mixed to proper moisture and compacted to required density. If backfill is determined to be suitable and required compaction is demonstrated by laboratory test, water compaction in 6" layers may be used, subject to review by Engineer.
- 5. No excavation below the level of, or adjacent to, foundations of footings shall be made except in a manner approved by the
- A red or yellow tracer tape stating <u>"CAUTION ELECTRIC LINE"</u> BURIED BELOW" shall be installed 12" above conduit, full length
- 7. Electrical conduit shall not be run in excavations provided for plumbing or heating pipes, unless separated by a minimum of 12
- facilities are identified and located within the perimeter of the building, the Contractor shall stop work, promptly notify the Owner and secure his instructions. 9. Ten (10) days before doing any excavation or trenching contact

8. Verify location of all underground lines with Owner and utility

companies before starting excavation. If any utility company

"Underground Service Alert", 1-800-642-2444, advise them of work schedule and comply with their recommendations.

O. CLEANING UP

- 1. The Contractor shall keep the premises free from accumulations of his waste material or rubbish. At the completion of the work, he shall remove all his rubbish, tools, scaffolding and surplus materials from and about the buildings, leaving the premises in a clean condition.
- 2. All exterior surfaces of exposed equipment and material shall be thoroughly cleaned of all dirt, cement, plaster and other debris, including the exterior surfaces of all conduit, conduit fittings, conduit hangers, insulation and the like.
- 3. all surfaces to be painted shall be carefully wiped or otherwise cleaned; cracks and corners scraped out clean, grease and oil spots removed so that surfaces may receive paint without further
- 4. All fixtures and plated materials shall be thoroughly cleaned and

P. DAMAGE BY BREAKS

The Contractor shall be responsible for all damage to any part of the premises caused by breaks in conduit or fixtures furnished and/or installed by him under this specification for a period of one (1) year from date of acceptance of the project by the Owner.

Q. SITE CONDITIONS

- 1. Where existing utilities are shown on the plans, extreme care shall be exercised in excavating near these utilities to avoid any damage thereto, and the Contractor shall be held responsible for any such damage caused by this operation.
- The general location and arrangement of conduit, equipment, apparatus, etc., as shown in the drawings or herein specified and all installations shall be made in accordance therewith. Information on the drawings relative to existing services is approximate only. Minor deviations required to conform to actual locations shall be made without additional cost to the Owner.
- 3. Should existing utilities not shown on the plans be found during excavations, or identified, the Contractor shall promptly notify the Owner for instructions as to further action. Failure to do so will make the Contractor liable for any damage there arising from his operations after discovery of such not utilities not shown on the plans. These utilities shall be removed or relocated as directed by the Owner. An equitable adjustment in the Contract will be made for the additional work involved.
- 4. The Contractor shall use special precautions where excavations are made in the areas near electrical ducts since they may be high voltage ducts. All such ducts shall be exposed by careful hand excavation so as not to damage the ducts or cause injury to personnel and shall be suitably marked with warning signs, barricades, etc. as required.

R. STANDARD PRACTICE

All work not shown in complete details shall be installed in conformance with the best standard practice for the trade.

S. <u>INTENT</u>

It is the intention to provide systems that are complete in every respect without further cost to the Owner. Anything not shown in drawings, or indicated in the specifications, but required for complete operating systems shall be included as part of this Contract. This shall include all connections to existing services.

T. SPECIAL NOTE

Attention of Contractor is hereby called to all work covered by notes on the drawings. Work covered by notes must be furnished and installed whether it is specifically mentioned in these specifications or

U. <u>GUARANTEE</u>

Except as otherwise specified, all materials, apparatus equipment furnished and installed under the Electrical Section of this specification shall be new and free from all defects. Should any trouble develop within a period of one (1) year from date of acceptance of the work, due to inferior or faulty material and/or workmanship, the trouble shall be corrected and material and equipment replaced by the Contractor without expense to the Owner

V. <u>SERVICES</u>

The location of any existing utility services shown on the drawings is approximate and shall be checked by this Contractor for exact location. Refer to "EXCAVATION AND BACKFILLING" for additional

W. <u>LIST OF MATERIALS</u>

REV DATE

Within thirty (30) calendar days after the award of the Contract, the Contractor shall submit seven (7) copies of a complete list of materials to be installed under this Contract, giving, in the case of each item of material to be used, the name of the article. All substitutes must be approved by the Owner as stipulated in Section

X. ACCESS OPENINGS

It shall be the responsibility of the Contractor to provide sufficient and convenient access openings, panels, etc., in the building construction where required for the maintenance of, installation and/or removal of

all equipment, or other items of the various systems and equipment.

Y. PURCHASE ORDERS AND ACCEPTANCE

- 1. The Contractor shall file with the Owner two (2) certified copies of all purchase orders, for materials, equipment, appliances and rentals thereof within two (2) weeks from date of Notice to Proceed with the Contract if requested by the Owner.
- 2. The Contractor shall file with the Owner two (2) certified copies of acceptance of purchase orders for materials, equipment, and appliances by the manufacturer, distributor or wholesale house within six (6) weeks from the date of Notice to Proceed with the Contract if requested by the Owner.
- sufficient cause for the Owner to withhold certificates of by the Contractor or his subcontractors toward the completion of their Contracts.

END OF SECTION 16100

16200 - BASIC ELECTRICAL MATERIALS AND METHODS

PART 1.00 - GENERAL

Drawings and general provisions of Contract, including General and Supplementary conditions, Divisions 0 and 1 and Section 16100 specifications apply to work of this section.

A. SCOPE OF WORK

- 1. This portion of the work includes the furnishing of all labor and materials necessary for the complete wiring system to outlets and all equipment shown on the drawings or covered by this Section of the Specifications and other Division 16 sections of the Specifications. In general, the work includes the following:
- a. Complete system of conduits, substructures and equipment for power, telephone and cable television services.
- b. Complete system of branch circuit wiring, conduit and distribution equipment for lights, receptacles and power.
- c. Furnish and install lighting panelboards, lamps, lighting fixtures, wall switches, convenience outlets, etc. as shown on
- d. All hangers, anchors, sleeves, chases and supports for fixtures, all electrical equipment and materials.
- e. Furnish, install and connect wire, conduit and switches, etc. required for other equipment covered by other sections of
- f. All excavating and backfill as required for electrical work
- g. The patching and repair of all work modified or damaged by the installation of work under this Contract.
- h. Outlet boxes and conduit system for telecommunications (voice and data).

j. Demolition work.

- 2. The Contractor shall furnish and install all work necessary to make complete systems, whether or not such details are mentioned in these Specifications or shown on the drawings, but which are necessary in order to make complete working systems, excepting only those portions that are specifically mentioned therein or plainly marked on the accompanying drawings as being installed by other Contractors.
- 3. Electrical Contractor must coordinate his work with the work of other trades so as to provide raceways, conductors and outlets in the correct location for the equipment served, including all built-in appliances, mechanical, and signal equipment and connect same. Electrical Contractor must provide power of the correct voltage
- 4. Before construction starts, the Electrical Contractor shall arrange a coordination meeting with the General Contractor and all other subcontractors supplying equipment that requires electrical connections. All electrical requirements shall be verified and any problems shall be immediately reported to the Owner. Equipment items to verify shall include but not be limited to: Voltage, amps, phase, location, orientation, space requirements, type of connection, starter and disconnect location and provision, control system operation and requirements, etc.
- 5. The above list is given for the convenience of the Contractor and is not considered all-inclusive.

B. TEMPORARY CONSTRUCTION POWER

Provide a temporary construction power system that is adequate for this project. Coordinate requirements and details with the General Contractor. All 120V, 15A and 20A receptacles shall have ground

PART 2.00 - WORK NOT INCLUDED

- A. The furnishing and installation of motors.
- B. Access panels.

PART 3.00 - MATERIALS

- Owner shall be new, bear U.L. label and of the make, brand or quality specified or as accepted by the Owner as herein provided. This shall also apply to all parts of the work whether or not this
- B. All apparatus, conduit systems, etc., shall be installed and interconnected so as to form complete systems as herein specified and/or shown on all the accompanying drawings. This Contractor shall furnish and install all work necessary to make complete working systems, excepting only those portions that are specifically mentioned herein or plainly marked on accompanying drawings as as being furnished by other contractors.

C. RACEWAYS AND FITTINGS

- 1. Shall be as manufactured by Allied Tube and Conduit Corporation,
- 2. Galvanized rigid steel conduits (RSC) may be used in all
- 3. For underground runs in direct contact with earth, conduit shall be wrapped with PVC tape or shall have factory applied PVC coating.
- 4. Galvanized intermediate metallic conduit (IMC) may be used in indoor locations not in direct contact with earth.
- dry locations in which it is:

a. Not subject to physical damage.

b. Not in direct contact with earth.

- c. Not in concrete slabs.
- d. Not in hazardous areas. e. On roof or walk cover when specifically shown on drawings.
- f. In masonry walls, not in same cells as rebars. 6. Non-metallic rigid conduit shall be PVC Schedule 40 and may be
- a. Underground.
- b. Below concrete slab on grade.
- c. In concrete slab on floors above grade. d. In masonry walls, not in same cells as rebars.
- 7. Flexible steel conduit may be used in dry locations for final connections to:
- a. Motors, transformers and other mechanical equipment, not to exceed 18 inches.
- b. Lighting fixtures, not to exceed 72 inches.
- 8. Flexible aluminum conduit may be used in walls or in attics to

facilitate wiring in tight locations, when approved by the Engineer.

c. Facilitate wiring in tight locations, when approved by the

9. Liquid-tight flexible conduit shall be used in outdoor or wet interior locations for final connection to motors or other mechanical equipment, not to exceed 18 inches and not subject to physical damage.

10. Fittings:

- a. For rigid and intermediate steel conduits: fittings shall be galvanized rigid steel threaded type. Provide insulated grounding bushings at switchboard enclosures and panel enclosures for feeders.
- b. For electrical metallic tubing (EMT), fittings shall be:
- gaskets shall be used in all locations. All connectors shall have an insulated throat.

Zinc plated steel rain tight compression type installed with

type. Use PVC schedule 40 adapters at all boxes and panelboards.

d. Brush or dauber apply PVC cement.

steel/malleable iron squeeze type.

e. All PVC components (conduits, fittings and cement) shall be of same manufacturer.

c. For non-metallic conduits, fittings shall be PVC schedule 40

- f. For flexible metallic conduits, fittings shall be zinc plated
- g. For liquidtight flexible metallic conduits, fittings shall be zinc plated steel/malleable iron compression type.
- h. Use of the following is prohibited:
- Crimp-on, tap-on or indenter type fittings.
- ii. Spray (aerosol) PVC cement. iii. Set screw couplings and connectors for use with electrical

metal tubing (EMT). D. PULL BOXES

1. Pull Boxes shall meet all code requirements as to size for conduits terminating therein and to thickness of material used in fabrication and shall be weatherproof.

2. Weatherproof sheet steel pull boxes shall be fabricated of code

gauge galvanized sheet steel with two coats of rust resistant finish and shall be furnished with gasket and made completely 3. Approved manufacturers for metal boxes are Cooper B-Line, Milbank, Hoffman or approved equal.

4. Weatherproof concrete pull boxes, junction boxes and telephone

boxes shall be manufactured by Christy Concrete Products, Utility

Vault or approved equal. All pull boxes shall be H/20 rated and be

equipped with H/20 rated galvanized steel checker plate cover marked "Electrical" or "Signals".

before same is installed.

- E. CONDUCTORS 600V (Wire) 1. All wire installed in this contract shall be of a standard manufacturer as approved by the National Board of Fire Underwriters and be of the size as indicated on the drawings. All wire shall bear the Underwriter's label and shall be brought to the job in unbroken packages and approved by the Job Inspector
- 2. All power conductors #10 AWG and smaller shall be type THWN copper, unless otherwise noted. All conductors #8 AWG and larger shall be type THWN-2 copper, unless otherwise noted.
- 3. All underground 480 and 480/277 volt power conductors shall be type XHHW-2 copper, unless otherwise noted.
- 4. Number 12 AWG wire shall be the smallest gauge wire used, except for signal circuits, which shall be as shown on plans or as specified under other sections of these specifications.

5. All wire #8 AWG or larger shall be stranded.

6. The neutral conductor of all lighting feeders shall be of the same size as the phase conductors.

spring connectors, Ideal "Wing Nuts", 3M "Scotchlok" or equal.

8. Splices in wires #8 gauge and larger shall be made with crimp-on

7. Splices on all wire less than #8 gauge shall be with insulated

solderless connector, Scotch, Burndy or equal. Connectors to switches or bus bar shall be made with one-piece lugs for all wires, sized for conductors as shown on plans. 9. Each branch circuit shall be marked with the circuit number at the

panel and at the first outlet nearest the panel. E-Z Code Markers

(Thomas and Betts) or equal shall be used to label the circuits.

- F. TRANSFORMER, DRY TYPE 1. Transformer shall be Class H insulation with temperature rise not exceeding 115 degrees C in a maximum ambient of 40 degrees C, with rated nameplate load connected to the secondary side, at rated voltage. Unless otherwise noted, the transformer shall comply with NEMA TP1, Low Voltage Transformer Standard, in accordance with Title 20 and Assembly Bill 970.
- 2. Transformer shall be built in accordance with the latest revised IEEE, ANSI and NEMA standards.

3. Case temperature shall not exceed 35 degrees C above ambient.

4. Designs shall incorporate built-in vibration dampening systems.

5. Terminal compartment shall be located to insure termination of cable leads in temperature levels not to exceed 60 degrees C and to provide for side or bottom entrance of conduit. Enclosures shall be weatherproof and rodent proof. Ventilation openings shall be louvered type. Screening will not be acceptable.

- 6. Transformer shall be furnished with two taps above and below rated voltage, each 2 1/2%.
- 7. Transformer shall be suitable for non-linear loads and have a UL
- rating of K-4, when indicated on the drawings.
- 8. Acceptable manufacturers shall be Square D, General Electric, Eaton, Siemens or approved equal.

PART 4.00 - GENERAL REQUIREMENTS AND INSTALLATION

- A. CONDUIT SYSTEMS
- 1. PVC 40, galvanized rigid steel wrapped with PVC tape or galvanized rigid steel with factory applied PVC coating shall be used for underground runs.
- 2. Where underground conduit cannot be run below footings the Contractor shall provide PVC-80 sleeves through the footings.
- 3. All conduit risers through slab shall use a rigid steel sweep and riser (wrapped with PVC tape or with factory applied PVC coating).
- 4. All conduit shall be delivered to the site of construction in their original bundles. Each length of conduit shall bear the label of the National Board of Fire Underwriters. All conduit subjected to rough usage while on the job before installation and not acceptable to the Owner shall be removed from the premises upon notice.
- 5. The joints in all conduits installed under concrete slabs on the ground, or underground, or exposed to the weather, shall be made liquid- and gas-tight. All underground conduit outside of the buildings shall be buried to a depth of not less than 24" below finish grade. Utility services shall comply with utility company requirements. Two or more conduit runs installed in a common trench shall be separated horizontally by at least four inches (4"). Electrical conduit runs installed in a common trench with other utility lines shall be separated horizontally from such lines by at
- 6. Changes in direction shall be made with conduit sweep elbows or long radius bends made on the job. Where two or more conduits are grouped in exposed locations, the sweeps shall be struck from the same center forming concentric arcs.

least twelve inches (12").

of the Owner.

connections is 18".

capped.

- 7. All joints in conduit shall be made with standard coupling. In making joints, conduits must be truly and accurately cut and threaded (where applicable) with straight thread, smoothly reamed and squarely butted. All conduit shall be kept corked and dry during construction, using plastic caps or conduit pennies held in place with conduit bushings. Should dirt or moisture collect in any conduit, the Contractor shall swab them out to the satisfaction
- 8. All conduits where they enter panel enclosures, pull boxes or outlet boxes shall be secured in place by a galvanized locknut
- inside of box. 9. Where conduits are run exposed, the same shall be installed

straight and true with reference to the adjacent construction.

- 10. All empty conduit shall be equipped with a nylon pull rope continuous from outlet to outlet or end-to-end.
- 11. Flexible connections in outdoor and damp locations shall be flexible liquid-tight conduit with water-tight connections.

12. The maximum allowed length of flex conduit at equipment

- 12. Expansion joints for conduit shall be provided where required to compensate for thermal expansion and contraction.
- 14. Any conduit entering underground pull boxes shall be sealed to prohibit water from entering the conduit. Conduits with conductors shall be sealed with a sealing compound after all

conductors have been installed. Spare (empty) conduits shall be

circuit and the circuit tags show the number of the circuit and the

13. The use of a hole saw for making openings in enclosures is

E. CONDUCTOR IDENTIFICATION AND INSTALLATION 1. The drawings indicate the arrangement of outlets on each branch

board to which it will be connected.

- 2. Circuits indicated with the same numbers shall be connected to the same breaker on the panelboard.
- and in the gutters of all panels to which they connect. 4. All wiring shall be done in identified neutrals

3. All feeders and branch circuits shall be tagged in all pull boxes

5. No wire shall be installed until all work of other contractors that might cause injury to the said wire has been completed. Care shall be used to pull wires to insure that no damage occurs to the insulation. A wire lubricant shall be used for pulling in wires.

6. In making the connection of all branch circuits to the terminals of

switches, base plugs, etc., the wires shall be looped around the

binding screws or be fitted with connecting lugs. At the ceiling outlets, this Contractor shall leave not less than 6" of free ends on each wire for connections to the fixtures.

Neutral

7. No splices shall be permitted except in outlet boxes. 8. All power wiring shall be factory color-coded. Colors for each

nase and the neutra plor code shall be a		throughout the system
WIRE	120/208V	480Y/277V
Phase A	Black	Brown
Phase B	Red	Orange
Phase C	Blue	Yellow

Equip. Ground Green 9. Conductors having white, gray or green covering shall not be used to indicate other than neutral or grounding. This limitation

White

applies to all power, lighting and control circuits. 10. Installation of conductors shall be made in a neat and workmanlike manner to meet Code requirements and shall be run continuous without weld, splice or joint between boxes. Do not install wires in conduit unless the entire system of conduit and outlet boxes is permanently in place. All conductors shall be pulled using a UL approved wire lubricant. the bending radius of

any conductor shall not be less than what is allowed in C.E.C.

- Article 312. 11. On all bolted electrical connections, the contractor shall use
- Belleville washers. 12. All wiring to be neatly bundled and tied with nylon cord or plastic

13. Splices in underground boxes shall be made with crimp-on

compression connectors and insulated with heat shrink sleeves o with splice kits listed by the manufacturer for wet locations. Wire nuts are not permitted. Signal system conductors may only be spliced in underground boxes where specifically approved by the

14. All cable terminations shall be made using two hole, long barrel,

tin plated copper lugs installed with a hydraulic press using

termination if factory provisions do not allow for two hole lug

circumferential dies. Single hole lugs will be allowed at transformer

SERVICE CENTER

LAKEPORT SC

F. <u>GROUNDING</u>

- 1. The conduit system, supports, cabinets, switchboards, etc., and neutral conductors must be permanently and effectively grounded in accordance with Title 24 of the California Code of Regulations. The neutral shall only be grounded at the main service location unless specifically noted otherwise on the drawings or required by
- the California Electrical Code. 2. This Contractor shall exercise every precaution to obtain good contacts at all panel boxes, pull boxes, etc.; where it is not possible to obtain good contacts, the conduits shall be bonded around the boxes with a #6 AWG gauge conductor with ground

3. All equipment cases, generator frames, etc. shall be completely

1. Unless otherwise specified elsewhere or shown on the plans, the

2. All equipment support structures shall have framing channel backed,

3. The end of all framing channels shall have end caps manufactured

1. All switchboard circuits, externally operated switches and apparatus

equipment shall be properly identified with bakelite nameplates

with 1" x 3" black letters on white background. All such nameplates

secured on the apparatus by screws or rivets. Card holders in any

used for the operation of or control of circuits, appliances, or

shall be of the self-adhesive type. Nameplates may also be

2. All devices shall be labeled with supply panel and circuit

1. Contractor shall be responsible for electrical hook-up and

connections to all electrical equipment whether furnished by this

circuit breakers, etc., even if not shown on drawings. Verify all

1. Interruption of service in existing buildings shall not be made at a

final connections to the existing buildings or doing any other work

that will interrupt the service, the Contractor shall consult with the

necessary to make such connections after regular working hours.

2. This Contractor shall do all rerouting and reconnecting of existing

disrupted, this Contractor shall replace or repair them at his

expense and to the satisfaction of the Owner.

electrical facilities made necessary by this construction. Care

1. All electrical equipment testing and related costs shall be included

2. Contractor shall obtain approval from the Owner of proposed

to determine whether it fulfills the requirements of these

4. All bolted connections in the generator switchboard shall be

torque tested by an independent testing agency per NETA

5. Should any piece of apparatus or any material or work fail in any

with new material by this Contractor at his expense and the

portion of the work replaced be again tested by the Contractor.

6. The entire installation shall be free from short circuits and improper

equipment connected for proper operation. Ground tests shall

meet the requirements of the California Electrical Code. Upon

other interested authorities shall be conducted. This Contractor

equipment that develops defects or is determined not to be in

equipment shall be tested by an independent testing agency in

specified in IEEE Standard 81-1983. Maximum ground resistance shall be 25 Ohms. A copy of the test report shall be submitted to

tests shall be NETA or NICET certified or approved by the electrical

7. The Grounding Electrode System at the generator electrical

accordance with the three point fall of potential method as

one year after work is accepted by the Owner.

the Owner and engineer of record.

Engineer prior to the final job walk.

conformance with the plans and specifications, during a period of

shall guarantee to repair or replace at his expense any material or

completion of the work, a final inspection by the Owner and

shorts. Each individual circuit shall be tested at the panel with the

grounds. Panels and circuits shall be tested for grounds and

of these tests, it shall be immediately removed and be replaced

independent testing agencies before any testing is started.

3. Equipment of all kinds installed by this Contractor shall be tested

specifications. The Contractor shall furnish all labor necessary to

for the tests. After the tests have been completed, the Contractor

adjust the operation of the apparatus and make the connections

shall restore all connections, apparatus, etc., to their original

shall be taken not to disrupt existing facilities. If any facilities are

Owner and schedule the work at Owner's convenience even if it is

time which will inconvenience the Owner. Before making any

Contractor or others, including wiring, conduit, disconnects,

locations and requirements with equipment supplier before

of the equipment served.

.25" thick aluminum plate.

form are not acceptable.

PART 5.00 - MISCELLANEOUS

rough-in.

A. MISCELLANEOUS EQUIPMENT

B. INTERRUPTION OF SERVICE

C. GUARANTEE AND TESTS

condition.

requirements.

in the contractor's bid.

i. Panelboards:

G. MOUNTING HEIGHTS OF EQUIPMENT

following mounting heights shall apply:

by the framing channel manufacturer.

H. IDENTIFICATION OF SWITCHES AND APPARATUS

ii. Disconnect Switches: 4'-0" to center line.

- grounded to satisfy applicable code requirements.
- 4. Pull a green equipment ground conductor in all power conduits, both metallic and non-metallic.

6'-0" to top of box.

5. Each disconnect switch shall have a ground connector (lay-in wire under provisions of Section 01300. type) which shall be used for grounding the disconnect enclosure. The ground wire shall continue and be connected to the enclosure

arrangement and sizes.

B. <u>DESCRIPTION</u>

C. <u>REFERENCES</u>

1. Manufacturer: Company specializing in manufacturing products

specified in this Section with minimum five years documented experience.

A. SWITCHBOARDS - 100% RATED

- 1. Switchboard for indoor services, shall NEMA type 1, Switchboards for outdoor services shall NEMA type 3R.
 - Cu Ground Bus. 3. Bus to be Silver plated Cu, rated at not more than 1000A per square
 - inch, braced at 100KAIC RMS Symmetrical, ratings as shown on 4. All frames of Switchboards shall be a minimum of 11 gauge steel.
 - 5. Switchboards, including all steel members and boxes, shall be painted using electrostatically applied polyester powder coated paint. Color shall be manufacture's standard gray or specific color as shown on
 - drawings. 6. Provide full height Bussing in all sections tapped to accept hardware
- 7. Provide hinged wiring gutters for easy access to load side cables 8. All power connections shall be torqued and marked to equipmen
- 9. Align all switchboards from the front of the structures
- 1. Individually Mounted and Compartmented.
- 3. 65KAIC Minimum Rating or as noted on Drawings.
- insulated case design with solid state trip device. Main C.B.'s smaller than 2500A shall be of the Molded Case type containing solid state trip
- so that its removal automatically trips the breaker. Trip unit shall also employ the following function as indicated on plans.
- b. Adjustable Long Time Pickup and Delay (L).

operation.

- e. Visual indication of mode of trip following an automatic trip
- D. FEEDER CIRCUIT BREAKERS 1. Larger than 800A: Individually Mounted and Compartmented.
- 2. 800A and Smaller: Group Mounted and Chassis Mounted.
- 4. 65KAIC Minimum Rating or as noted on Drawings. 5. Solid State Trip Device shall be interchangeable between compatible breaker frames. Continuous ampere rating of breaker determinded
- employ the following functions.
- 8. The independent testing agency performing the above mentioned
- 9. All feeder cables #2 and larger shall be tested for insulation resistance. Test report must include number of cable per phase and type of cable insulation.
- F. UTILITY COMPANY SERVICE CHARGES

charges shall be paid by the General Contractor. G. <u>DEMOLITION</u>

Remove and/or relocate electrical facilities as required to clear areas

All service charges shall be paid by the Owner. Monthly energy

10. Three copies of test report shall be submitted to the Electrical

PART 1.00 - GENERAL

16425 - SWITCHBOARDS - 100% RATED

A. CONDITIONS AND REQUIREMENTS:

1. Refer to the drawings, general conditions, supplementary conditions,

and Division 01 requirements.

END OF SECTION 16200

LAKEPORT SC GENERATOR RESILIENCY DESIGN **SPECIFICATIONS**

ELECTRICAL

1. American National Standards Institute (ANSI) C12 for

1. Distribution switchboards (600 volts and below)

- Electricity Metering.
- 2. ANSI C57.13 Requirements for Instrument Transformers.
- 3. National Electrical Manufacturers' Association (NEMA) AB1 Molded Case Circuit Breakers.
- Underwriters Laboratories (UL) UL891
- D. SUBMITTALS 1. Submit shop drawings for equipment and component devices

4. NEMA PB2 Dead Front Distribution Switchboards.

2. Include outline and Support point dimensions, voltage, main bus, ampacity, integrated short circuit ampere rating, circuit breaker

E. QUALIFICATIONS

PART 2.00 - PRODUCTS

1. Acceptable Manufacturers:

a. Industrial Electrical Mfg. (IEM)

- B. <u>FABRICATION</u>
 - 2. Description: Switchboard manufactured to NEMA PB2, with full length
 - Provide added rigidity using steel member gussets in all corners of all structures.
- manufacturer's specification to insure structure rigidity before leaving assembly plant.
- C. MAIN CIRCUIT BREAKERS
- 4. Main C.B.'s rated at 2500A and larger, Circuit Breaker shall be of the
- 5. Solid State Trip Device shall be interchangeable between compatible
- a. Adjustable Ground Fault Pick-Up (G).
- c. Adjustable Short Time Pickup and Delay (S).
- 3. 100% Rated of Frame Size when individually Mounted or Mounted
- so that its removal automatically trips the breaker. Trip unit shall also
- b. Adjustable Long Time Pickup and Delay.
- PART 3.00 EXECUTION

c. Adjustable Short Time Pickup and Delay.

- Verify surfaces are ready to receive work. 2. Verify field measurements are as shown on drawings.
- 4. Beginning of installation means installer accepts conditions. B. INSTALLATION

1. Install in location shown on drawings in accordance with

END OF SECTION 16425

IS DOCUMENT CONTAINS CONFIDENTIA PROPRIETARY INFORMATION THAT IS THE SOLE PROPERTY OF PACIFIC GAS AND ECTRIC COMPANY AND IS INTENDED FO USE ONLY BY AUTHORIZED PACIFIC GAS AND ELECTRIC COMPANY EMPLOYEES AN

TIER CLASSIFICATION (CRESS) - BEST EFFORT 1575 N. HIGH ST

TS AGENTS. SHEET NUMBER E701

SITE TYPE SAN FRANCISCO, CALIFORNIA DWN AC/CC SITE CODE Rose Sing and Associates, Inc **BLDG CODE BLDG NAME** APVD 1 131 S. Dunworth St. Visalia, CA 93292-6705 Phone: (559) 733-2671 DESCRIPTION DSGN DWN CHKD SUPV APVD DATE 10082020 JOB NO

- 3. Failure to provide same within the stipulated time shall be deemed payment for work completed or materials and equipment provided

- these Specifications.
- Terminal cabinets and backboards.
- and phase to each item of equipment.

- fault circuit interrupter protection.
- A. All materials, appliances and equipment except that furnished by the particular paragraph is referred to by number.
 - AFC Cable Systems Inc., Carlon, Cantex, PW Pipe or approved
- 5. Galvanized electrical metallic tubing (EMT) may be used in indoor

CORPORATE REAL ESTATE STRATEGY AND SERVICES

PACIFIC GAS AND ELECTRIC COMPANY

FLOOR CODE

terminations.

LAKEPORT, CA 95453

2. 100% Rated of Frame Size when Mounted in Switchboard.

in unused space.

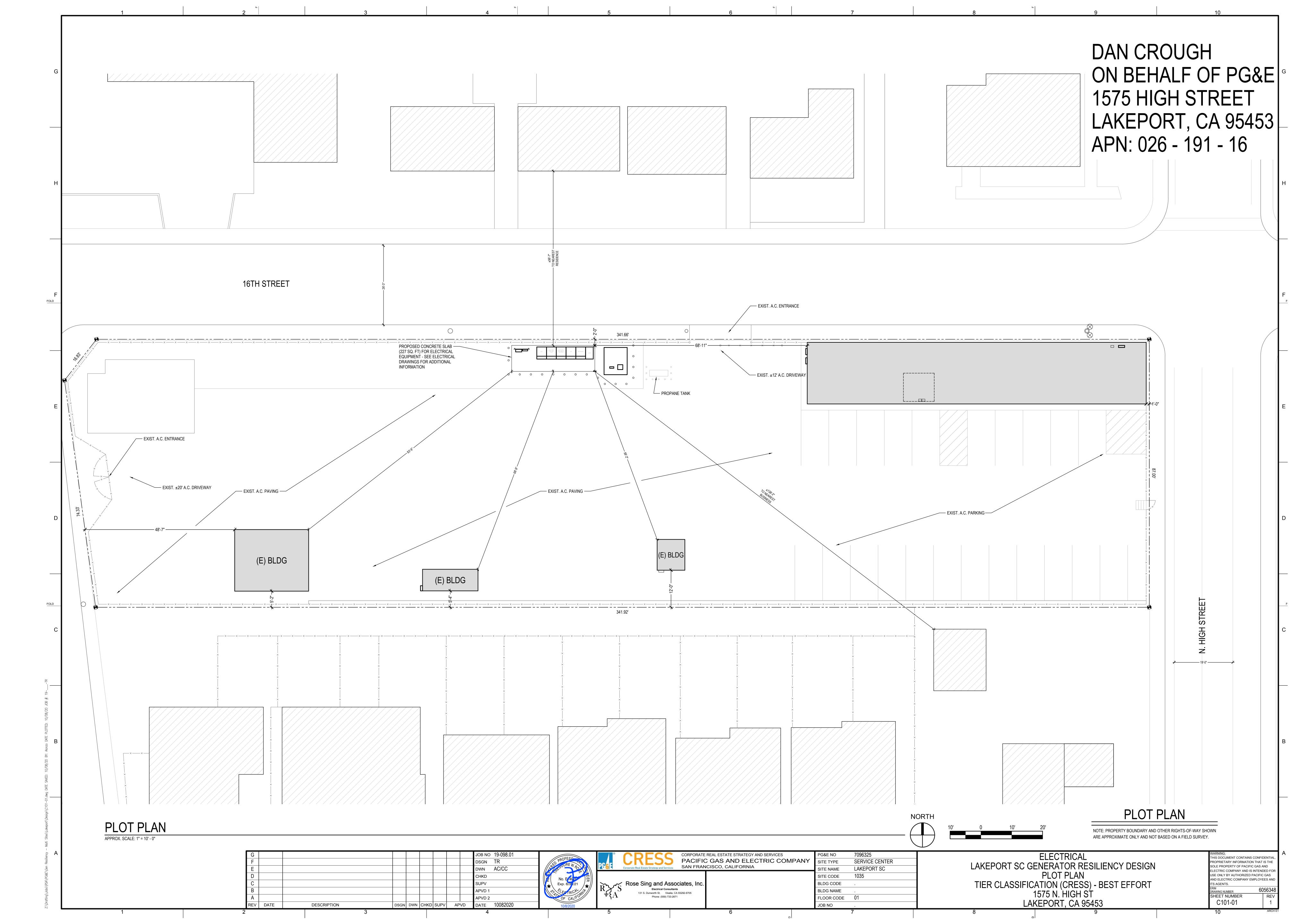
- breaker frames. Continuous ampere rating of breaker determinded by insertion of interchangeable rating plug. Rating plug interlocked
- d. Instantaneous trip (I).
- by insertion of interchangeable rating plug. Rating plug interlocked

a. Adjustable Ground Fault Pick-Up.

- d. Instantaneous trip. e. Visual indication of mode of trip following an automatic trip
- 3. Verify that required utilities are available, in proper location, and ready for use.

A. EXAMINATION

manufacturer's written instructions. 2. Tighten accessible bus connections and mechanical fasteners after placing switchboard.



FOUNDATION NOTES 1. OVER-EXCAVATION SHALL BE TO A MINIMUM DEPTH OF ONE FOOT BELOW STRIPPED 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL GROUND SURFACE. OVER-EXCAVATION SHALL EXTEND A MINIMUM OF 5 FEET BEYOND TRADES AND SHALL VERIFY ALL DIMENSIONS, CONDITIONS AND ELEVATIONS BEFORE THE PERIMETER OF THE SLAB. THE BOTTOM OF THE OVER-EXCAVATION SHALL BE STARTING WORK. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE SCARIFIED TO A DEPTH OF 6 INCHES, MOISTURE CONDITIONED TO NEAR OPTIMUM ENGINEER AND SHALL BE RESOLVED BEFORE PROCEEDING WITH THE WORK. ALL WORK MOISTURE CONTENT, AND COMPACTED TO AT LEAST 90% RELATIVE COMPACTION IN SHALL BE PERFORMED IN A WORKMANLIKE MANNER IN ACCORDANCE WITH ACCEPTED ACCORDANCE WITH ASTM D-1557. EXISTING SUBGRADE TO BE COMPACTED PRIOR TO CONSTRUCTION PRACTICES. PLACING FILL, CONCRETE OR AGGREGATE BASE. 2. NOTES AND DETAILS ON THESE DRAWINGS SHALL TAKE PRECEDENCE OVER THESE 2. ANY EXISTING FILL AT THE EQUIPMENT PAD SHALL MEET THE 90% COMPACTION GENERAL NOTES. REQUIREMENTS. ALL ORGANIC MATERIAL, RUBBLE OR OTHER DELETERIOUS MATERIAL 3. THE DETAILS ON THESE DRAWINGS SHALL APPLY IN ALL CASES UNLESS SPECIFICALLY SHALL BE REMOVED FROM THE SITE. SHOWN OTHERWISE. WHERE CONDITIONS ARE NOT SPECIFICALLY INDICATED, DETAILS 3. NOMINAL TOP OF FLOOR SLAB ELEVATION = DATUM +0'- 0" UNLESS NOTED OTHERWISE. OF A CHARACTER SIMILAR TO THOSE SHOWN SHALL BE USED, SUBJECT TO REVIEW. 4. CONSTRUCTION OR CONTROL JOINTS (C.J.) ARE TO BE PROVIDED AT INTERIOR NON-4. FOR OPENINGS NOT SHOWN AND/OR DETAILED ON THE STRUCTURAL DRAWINGS AND BEARING PARTITIONS AND AT HIGH OR LOW POINTS OF FLOOR SLOPES TO BREAK FLOOR WHICH PENETRATE STRUCTURAL ELEMENTS, OBTAIN APPROVAL FROM THE ENGINEER INTO WORKING AREAS NOT LARGER THAN 225 SQUARE FEET. BEFORE PROCEEDING WITH WORK. 5. FOUNDATION DESIGN IS BASED ON ALLOWABLE VALUES PER CLASS IV SOIL AS DEFINED 5. IT IS THE INTENTION OF THESE DRAWINGS TO SHOW THE COMPLETED INSTALLATION. THE IN TABLE 1806.2 OF THE 2019 C.B.C. IF SITE SOIL CONDITIONS DIFFER FROM THOSE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY BRACING, SHORING, TIES. FRAMEWORK, ETC. AS REQUIRED TO COMPLETE THE INSTALLATION IN ACCORDANCE DESCRIBED BELOW. CONTACT THE ENGINEER: WITH THESE DRAWINGS AND PROJECT SPECIFICATIONS. SAND SILTY-SAND CLAYEY-SAND SOIL TYPE CLASS IV: 6. THE CONTRACTOR SHALL USE ADEQUATE NUMBERS OF SKILLED WORKMEN WHO ARE SILTY-GRAVEL, CLAYEY-GRAVEL FOUND. PRESSURE: THOROUGHLY TRAINED AND EXPERIENCED IN THE NECESSARY CRAFTS AND WHO ARE 2000 PSF LATERAL BEARING: 150 PCF COMPLETELY FAMILIAR WITH THE SPECIFIED REQUIREMENTS AND METHODS NEEDED FOR PROPER PERFORMANCE OF THE WORK. 7. CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL BE MADE TO APPLY SWITCHBOARDS PER ELEC. DWGS. CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE - XFMR PAD PER PG&E GENERATOR PANELS - SEE EXIST. FENCE LINE -PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE REQUIREMENTS SOLE NEGLIGENCE OF DESIGN PROFESSIONAL. _____ 8. DESIGN DATA: GOVERNING CODE......2019 CALIFORNIA BUILDING CODE (C.B.C.) DESIGN LOADS: ROOF LIVE LOAD ... FLOOR LIVE LOAD RISK CATEGORY110 MPH ULTIMATE (3-SEC GUST), EXP. C WIND LOAD ... INTERNAL PRESSURE COEFFICIENT, GCpi = +/-0.18DESIGN CATEGORY D, le = 1.25, SITE CLASS D $S_S = 1.50$, $S_1 = 0.60$, $S_{DS} = 1.20$, $S_{D1} = N.A$. CONTROL / CONSTRUCTION — JOINT PER DETAILS **CONCRETE NOTES** 3/S101-01 AND 4/S101-01 1. THE QUALITY, DESIGN AND PLACEMENT OF CONCRETE SHALL BE IN ACCORDANCE WITH THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE (C.B.C.), EXCEPT ITEMS NOT SPECIFICALLY COVERED THEREIN SHALL ALSO CONFORM TO ACI 318, LATEST EDITION, MAXIMUM SLUMP SHALL BE 5 INCHES. 2. UNLESS NOTED OTHERWISE, ALL CONCRETE SHALL HAVE A MINIMUM ULTIMATE COMPRESSIVE STRENGTH IN 28 DAYS AS FOLLOWS: 6" CONC. SLAB OVER 2" SAND W/ #3 AT - GUARD POST PER ELEC. 18" O.C. EA. WAY (CENTERED IN SLAB) FOOTINGS, STEMWALLS & PIERS3000 PSI DWGS. (TYP. WHERE SHOWN) SLABS ON GRADE ... 0 3. THE DESIGN OF FOOTINGS AND SLABS ON GRADE ARE BASED ON F'C = 2500 PSI AT 28 DAYS, THEREFORE NO SPECIAL INSPECTION IS REQUIRED. 4. MATERIALS USED IN THE CONCRETE MIX SHALL COMPLY WITH THE FOLLOWING FOUNDATION PLAN - NEW SERVICE #1 AGGREGATE (NORMAL-WEIGHT CONCRETE, 1-1/2" MAX) ASTM C-33 PORTLAND CEMENT (TYPE II, U.N.O.) ASTM C-150 1/4" = 1'-0" ADMIXTURES NOT ALLOWED W/O 5. READY-MIXED CONCRETE SHALL BE MIXED AND DELIVERED IN ACCORDANCE WITH THE 1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS SHOWN W/ ELECTRICAL DWGS. PRIOR TO CONSTRUCTION. REQUIREMENTS OF ASTM C-94 OR C-685. 2. PROPOSED ELECTRICAL UNITS SHOWN HIDDEN AND FADED FOR CLARITY. SEE ELECTRICAL PLANS FOR ADD'L. INFORMATION. 6. UNLESS NOTED OTHERWISE, ALL EXPOSED EXTERIOR CONCRETE SLABS ARE TO RECEIVE 3. SEE ANCHORAGE SCHEDULE, DETAIL 1/S101-01 7. FORMS FOR PERMANENTLY EXPOSED SURFACES SHALL PRODUCE A SMOOTH, EVEN, LEVEL FINISH WITHOUT FINS. DESIGN OF FORM WORK SHALL TAKE INTO CONSIDERATION THE REQUIREMENTS OF ACI 318-14 SECTION 26.11.1.2. 8. UNLESS NOTED OTHERWISE, ALL EXPOSED EDGES OF CONCRETE SURFACES SHALL RECEIVE A 3/4" MINIMUM CHAMFER OR A 1/2" MINIMUM TOOLED RADIUS & THE TOP OF ALL EXPOSED FOOTINGS, PIERS AND COLUMNS SHALL RECEIVE A SMOOTH TROWELED FINISH. 9. ALL CONCRETE SHALL BE THOROUGHLY CONSOLIDATED BY SUITABLE MEANS DURING PLACEMENT AND SHALL BE THOROUGHLY WORKED AROUND REINFORCEMENT, ANCHOR BOLTS, OTHER EMBEDDED ITEMS AND INTO THE CORNERS OF FORMS. ANY "HONEYCOMB" CONCRETE AND/OR ROCK POCKETS SHALL BE REMOVED AND REPLACED WITH SOUND 1/4" = 1'-0" 10. ALL CONCRETE FLATWORK SHALL BE WET CURED BY MIST CURING, BY MOISTURE-RETAINING CURING, OR BY COMBINATIONS THEREOF IN ACCORDANCE WITH ACI 301 PROCEDURES. KEEP CONTINUOUSLY MOIST FOR NOT LESS THAN 7 DAYS AFTER THE FINISHING OPERATION IS COMPLETE. 11. ALTERNATELY, A CURING COMPOUND MEETING ASTM C-309 TYPE 1, CLASS B AND AASHTO 148, TYPE 1 SPECIFICATIONS AND STATE OF CALIFORNIA AIR REGULATION BOARD SOLVENT EMISSIONS STANDARDS MAY BE USED SUCH AS 'EUCLID' SUPER DIAMOND CLEAR VOX. 12. REINFORCING STEEL SHALL BE BILLET STEEL CONFORMING TO ASTM A615/A615M-96A AS ANCHORAGE SCHEDULE FOLLOWS, UNLESS NOTED OTHERWISE: #4 (13 MM) AND SMALLERGRADE 40 (GRADE 300) **EQUIPMENT** STAINLESS | EMBEDMENT | EDGE DISTANCE #5 (16 MM) AND LARGERGRADE 60 (GRADE 420) 13. FABRICATING DETAILS SHALL CONFORM TO ACI 315, "ACI DETAILING MANUAL" AND CRSI HILT KWIK | TYPE 316 ALL OTHERS 1/2" DIA. 3 1/4" ESR-1917 4, (1 EA. CORNER) "MANUAL OF STANDARD PRACTICE". - EVERY THIRD BAR SHALL PASS THROUGH BOLT TZ JOINT. WHEN USING WWF. NO SPECIAL 14. SPLICE LENGTHS OF REINFORCING BARS SHALL COMPLY WITH THE REQUIREMENTS OF ACI PLACEMENT RELATIVE TO THESE JOINTS 318. REFER TO DETAILS ON THESE PLANS. IS NECESSARY 15. ALL WELDING OF REINFORCING STEEL SHALL BE WITH LOW HYDROGEN ELECTRODES UNLESS OTHERWISE NOTED. WELDING OF REINFORCING ALLOWED ONLY WHERE SAWCUT OR "ZIP STRIP" -DETAILED ON THE DRAWINGS AND SHALL BE IN ACCORDANCE WITH SPECIFICATIONS PER CONCRETE SLAB - SEE ACI 318-14 SECTION 26.6.4.1 AND 25.5.7.2. FOUNDATION PLAN NOTES:

1. SPECIAL INSPECTION IS REQUIRED. 16. ALL REINFORCING STEEL, ANCHOR BOLTS, DOWELS AND OTHER INSERTS SHALL BE WELL SECURED IN POSITION PRIOR TO PLACING CONCRETE. 2. VERIFY BOLT SIZE AND QUANTITY. WITH EQUIPMENT MANUFACTURER. 17. ALL VERTICAL REINFORCING BARS AT WALLS, STEMWALLS, PEDESTALS, ETC. SHALL HAVE A STANDARD ACI 90° OR 180° HOOK INTO THE FOUNDATION BELOW WITH EMBEDMENT REQUIRED BY THE BUILDING CODE. ALSO SEE DETAILS, THESE PLANS. 18. UNLESS OTHERWISE NOTED, ALL REINFORCING SHALL HAVE A MINIMUM CONCRETE COVER SURFACES POURED AGAINST EARTH3 INCHES FORMED SURFACES EXPOSED TO GROUND OR WEATHER: ..1 1/2" INCHES #5 AND SMALLER . #6 AND LARGER2 INCHES FORMED CONCRETE NOT EXPOSED TO GROUND OR WEATHER.......3/4" INCH BEAMS, JOISTS & GIRDERS 1 1/2" INCHES COLUMNS1 1/2" INCHES 19. WHERE GROUT IS SPECIFIED ON THE DRAWINGS USE A HIGH STRENGTH, NON SHRINK, NON-METALLIC GROUT. USE MASTERBUILDERS "MASTERFLOW 713 GROUT" OR APPROVED — COMPACTED SUBGRADE 20. NO PIPES OR DUCTS SHALL BE PLACED IN CONCRETE WALLS OR SLAB UNLESS 1) ANCHORAGE SCHED SPECIFICALLY DETAILED. SPECIAL INSPECTION NOTES 1. SPECIAL INSPECTIONS REQUIRED BY THIS CODE ARE NOT REQUIRED WHERE THE WORK IS DONE ON THE PREMISE OF A FABRICATOR REGISTERED AND APPROVED TO PERFORM SUCH WORK WITHOUT SPECIAL INSPECTION. APPROVAL SHALL BE BASED UPON REVIEW OF THE FABRICATOR'S WRITTEN PROCEDURAL AND QUALITY CONTROL MANUALS AND PERIODIC AUDITING OF FABRICATION PRACTICES BY AN APPROVED INSPECTION 2. SPECIAL INSPECTOR'S BACKGROUND AND QUALIFICATIONS SHALL BE FORWARDED TO THE ENFORCEMENT AGENCY FOR APPROVAL AT LEAST 3 DAYS BEFORE ANY INSPECTIONS ARE MADE. EVERY THIRD BAR SHALL PASS — 3. INSPECTORS SHALL SUBMIT THEIR REPORTS DIRECTLY TO THE ENFORCEMENT AGENCY THROUGH JOINT. WHEN USING WWF WITH COPIES TO THE ARCHITECT, STRUCTURAL ENGINEER, GENERAL CONTRACTOR AND EXTEND MAT 24" PAST JOINT - FORMED OR PRE-MANUF. CONSTRUCTION JOINT 4. APPROVAL BY THE INSPECTOR DOES NOT MEAN APPROVAL OF FAILURE TO COMPLY CONC. SLAB - SEE -WITH THE PLANS OR SPECIFICATIONS. ANY WORK TO BE DONE OR ANY MATTER FOUNDATION PLAN RELATIVE THERETO THAT IS NOT SUFFICIENTLY DETAILED OR EXPLAINED ON THESE ELEC. EQUIP. (WHERE PLANS, THE CONTRACTOR SHALL CONTACT THE ARCHITECT FOR SUCH FURTHER EXPLANATIONS AS MAY BE NECESSARY. FOR ADD'L. INFO. 5. IN ACCORDANCE WITH 2019 C.B.C. SECTIONS 110 AND 1704.2, THE OWNER SHALL EMPLOY A SPECIAL INSPECTOR WHO SHALL PROVIDE SPECIAL INSPECTION DURING CONC. SLAB - SEE ---CONSTRUCTION ON THE FOLLOWING TYPES OF WORK: FOUNDATION PLAN FIN. GRADE A. CONCRETE: PER CBC SECTION 1705.3 AND TABLE 1705.3 WITH EXCPETIONS. THE FOLLOWING ITEMS REQUIRE SPECIAL INSPECTION: ALL CONCRETE EXCEPT: SLAB-ON-GRADES, SIDEWALKS AND DRIVEWAYS. B. EXPANSION BOLT, SCREW ANCHOR AND ADHESIVE ANCHORS: INSTALLATION TO VERIFY INSTALLATION IN ACCORDANCE WITH APPLICABLE ICC REPORTS NOTED ON NOTE SHEET OR DETAILS. MOISTURE BARRIER -2 EDGE OF SLAB
1 1/2" = 1'-0" — COMPACTED SUBGRADE 4 CONSTRUCTION JOINT NO SCALE GENERATOR RESILIENCY DESIGN DISCIPLINE STRUCTURAL CORPORATE REAL ESTATE STRATEGY AND SERVICES IS DOCUMENT CONTAINS CONFIDENTIAL PACIFIC GAS AND ELECTRIC COMPANY FACILITY TYPE SERVICE CENTER PROPRIETARY INFORMATION THAT IS THE SAN FRANCISCO, CALIFORNIA SOLE PROPERTY OF PACIFIC GAS AND FACILITY NAME LAKEPORT SERVICE CNTR. LECTRIC COMPANY AND IS INTENDED FOR FOUNDATION PLAN, NOTES AND DETAILS USE ONLY BY AUTHORIZED PACIFIC GAS 103502 LANE ENGINEERS INC. AND ELECTRIC COMPANY EMPLOYEES AND CIVIL • STRUCTURAL • SURVEYING Rose Sing and Associates, Inc. BUILDING ID TS AGENTS. 979 North Blackstone Street NDEX OF SHEETS DRAWING NUMBER Electrical Consultants TIER CLASSIFICATION (CRESS) - BEST EFFORT **BUILDING NAME** Tulare, California 93274
559.688.5263 131 S. Dunworth St. • Visalia, CA 93292-6705 Phone: (559) 733-2671 • Fax: (559) 733-0372 DRAWING NUMBER FLOOR ID 1575 N. HIGH ST., LAKEPORT, CA 95453 S101-01 DESCRIPTION APVD REV DATE DSGN DWN CHKD SUPV DATE ORDER NO

Lane Project No.: 20061



CITY OF LAKEPORT COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE:

December 9, 2020

FILE NO:

2020-06 PG&E Fence AR 20-06/ CE 20-12

OWNER/

Kathleen Monaghan

APPLICANT: Pacific Gas and Electric Company

1575 North High Street Lakeport, CA 95453

REPRESENTATIVE/

AGENT:

Zachery Hockett Blair, Church & Flynn

451 Clovis Avenue Clovis, CA 93612

LOCATION:

1575 North High Street (026-191-16)

GENERAL PLAN:

Light Retail

ZONING:

C-1, Light Retail

STAFF CONTACT:

Daniel D. Chance, Associate Planner

REQUESTED ACTION: The Planning Commission is being asked to review and approve an application for an Architectural and Design Review that allows replacing the existing 6-foot chain link fence with barbed wire along the top with an 8-foot decorative black metal fencing around the perimeter of the property and replacing an existing wood retaining wall with a concrete retaining wall along the Pacific Gas and Electric Company property at 1575 North High Street.

GENERAL PLAN AND ZONING DISTRICT: The subject property is designated Light Retail according to the City of Lakeport General Plan Land Use Map and is within the C-1, Light Retail zoning district according to the City Zoning Map. Approval of this Architectural and Design Review is consistent with the intent of the General Plan and Zoning Ordinance Section 17.27, Architectural and Design Review, in respect to community design.

Section 17.27.020 of the Municipal Code indicates that Architectural and Design Review is required for the proposed exterior remodel of commercial buildings that result in <u>altered appearances</u>, additions, extensions, or enlargements. It further indicates that no building permit or other entitlement for remodel shall be issued until the site plan; the

architectural elevations and related plans have been reviewed and approved by either the Planning Commission or Community Development Director as provided for in the Zoning Ordinance.

Based on the scale and scope of the project, staff determined the proposed project would require approval by the Planning Commission for the Architectural and Design Review (17.27.030.D).

As proposed, the allowance for the fence change at this site is consistent with the objective ED 2 of the General Plan which seeks to: "provide support for the promotion of businesses... (Page VI-3)"

PROJECT DESCRIPTION: The proposed project consists of a number of upgrades for the existing Pacific Gas and Electric service facility at 1575 North High Street. Over the past several months the City has had several conversations with a variety of consultants/contractors that have included redesigning the existing structure on the property, replacing the fence enclosing the perimeter of the property, and the placement of an emergency generator on the property. At this time, the City has received requests for the perimeter fence and resurfacing, as well as an application for the emergency generator on the Property (AR 20-04, which will also be reviewed by the Planning Commission as a separate Item). Discussions over the redesigning the building have been limited to interior improvements that may only require a building permit, however at this time, there have been no plans submitted for the building. Staff will review for compliance at that time. The proposed project associated with this portion of the project includes the following:

- A black metal perimeter fence, eight (8)-feet in height around the perimeter of the property, that would include gates along the Hartley Street frontage. The fence consists of metal slats, curving out at the top and ending in a sharp point. The color of the fence would be black.
- Replacing a wooden retaining wall along portions of the southern boundary with a concrete retaining wall of similar size.
- The proposed project would also include resurfacing the asphalt on the site. The resurfacing would include stormwater inlets and drainage valleys.

The total size of the existing parcel is 468-feet in length and 112-feet in width, the fence would extend along those property boundaries with the exception of the existing building at the corner of 16th Street and North High Street, as well as other small structures located on the property. The design of the fence represents a significant improvement from what has historically been on the property. Staff reviewed all criteria applicable to this project and has determined that the proposed improvements are in compliance with architectural and design review standards set forth in the Municipal Code at this location.

<u>Fence</u>: Pacific Gas and Electric Company (PG&E) has been impacted by copper theft associated with the storage of electrical lines at the site. Their consultant originally requested a 10-foot high chain link fence with concertina wire along the top. The City responded that the site is located in an urban area, along a primary roadway within the City and could not support that type of fencing or the height. Following that discussion, the consultant/PG&E presented a number of designs that would provide adequate security, that include the 8-foot high black metal slat fence that curves out to a point at the end that is part of this design. The replacement of the fencing reflects a design that improves the visual character of the immediate neighborhood.

Resurfacing the Site and Replacing Retaining Walls: The project would include replacing the wooden retaining wall along a portion of the southern property boundary with a concrete retaining wall. That wall would be the same height as the existing, which would range from one to four feet in height. The project includes resurfacing the paved areas on the site. Currently, the entire yard area is paved. The project would include tying into the existing drainage system. However, with the improvements as proposed on-site the project would be conditioned to meet all Storm Water Pollution Prevention Plan (SWPPP) requirements, as well as provide adequate oil/sediment interceptors/filters as part of the on-site stormwater conveyance system to keep those materials from flowing into the stormwater system and Clear Lake.

<u>Landscaping:</u> The project site currently has no landscaping on the property. As part of an Architectural and Design Review Permit application, City staff encouraged drought tolerant landscaping as part of this project. However, the location of the existing retaining walls along North High Street and the southern property line, as well as existing asphalt covering the majority of the property limits the potential to add landscaping on this property.

<u>Agency Review Comments:</u> The submitted plans were provided to the Building Official, City Engineer, City Public Works, Police and Fire District for their review.

- Building Official: Not located within in a flood zone. Will need building permits for fencing.
- City Engineer: Need a Drainage Report to address the reconstructed drainage system, which would include inlet and piping size, pre and post modification run-off calculations, etc. Additional information related to accessibility that includes; accessible path from street including details about access through security enclosures, and additional elevations demonstrating that all accessible parking and pedestrian travel paths are identified. Parking bumpers are not recommended.
- Public Works Roads: Public Works has no issues or comments, other than this will look better than chain link.
- Public Works Utilities: The site does not have any existing stormwater treatment facilities and stormwater sheet flows to the street. Given the industrial activities and types of materials stored at that site – and the proximity to Clear Lake—it's important that the site be provided with an on-site oil/sediment interceptor so that stormwater pollutants are captured before leaving the site and entering the City's collection system and, ultimately, deposited in Clear Lake.

Reducing the amount of sediment entering our collection system also likely reduces the amount of materials the City will collect and dispose as part of our annual storm drain maintenance activities.

- City Police: No Police concerns.
- Fire District: Recommend installation of keyed electric switch at entrance gate for Fire Department emergency access.

The conditions of approval would address many of the concerns raised, while other concerns raised would be addressed as part of the Building Permit process. Project Conditions of Approval and vicinity map are attached.

<u>ARCHITECTURAL AND DESIGN REVIEW APPLICATION FINDINGS:</u> As described, the attached plans depict the design change for replacing the perimeter fence, replacing the retaining wall, and resurfacing the site. The design changes compliment the overall design of the existing commercial building.

<u>Finding 1: The proposed project is consistent with the purpose of the Lakeport Zoning Ordinance.</u> The property is zoned C-1, Light Retail which allows commercial uses, with a design consistent with the performance standards as set forth in the Architectural and Design Review standards.

<u>Finding 2: The project is in substantial compliance with the design criteria.</u> The proposed design changes to the existing commercial site represents an enhancement to an existing property, reflecting a harmonious design within the immediate area, and compliments the overall design of the commercial North High Street area. The modified project is in compliance with the criteria and standards for 17.27.110 Architectural and Design Review.

<u>Finding 3: The project is consistent with the Lakeport General Plan.</u> The project as proposed is consistent with the objectives and policies of the Lakeport General Plan. Objective CD-2 of the General Plan encourages commercial development designs which foster economic growth, reduce land consumption, and compliment adjacent land uses. Furthermore, the enhancement of this commercial building promotes commercial success along North High Street commercial region in our community consistent with objective ED 2 of the General Plan. The proposed replacement of at its proposed location reflects that objective by fostering economic growth, while complimenting adjacent land uses.

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:

<u>Finding 4: The project is categorically exempt of the California Environmental Quality Act.</u> The proposed project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act according to Section 15301(a) of the CEQA guidelines. This section allows interior and exterior alterations to existing facilities that do not increase the size of structure.

CONCLUSION, RECOMMENDATION, AND CONDITIONS: Based on the information provided by the applicant and the comments received from City staff, a finding was made that the design changes that include the commercial fence, retaining wall and site resurfacing at 1575 North High Street is in general conformance with the Lakeport Municipal Code Section 17.27.110 (Architectural and Design Review criteria and standards). The proposed improvements will not significantly impact the appearance of the site and will improve the functionality of the existing service facility. The fence, retaining wall and resurfacing is consistent with the requirements of the Zoning Ordinance. The proposed project has been determined to be exempt from the provisions of the California Environmental Quality Act according to Section 15301(a) of the CEQA guidelines. This section exempts small projects at existing facilities.

Staff recommends that the Planning Commission approve the Architectural and Design Review application subject to the conditions of approval set forth in the staff report (Attachment B).

SAMPLE MOTION

Categorical exemption Approval

I move that the Planning Commission find that AR 20-06 as applied for by Zachery Hockett / PG&E is categorically exempt pursuant to Section 15301(a) of the CEQA Guidelines.

<u>Architectural and Design Review Approval</u>

I move that the Planning Commission find that the Architectural and Design Review applied for by Zachery Hockett / PG&E, on property located at 1575 North High Street does meet the requirements of Section 17.27.080 of the Lakeport Zoning Ordinance; consistent with the objectives and policies of the Lakeport General Plan; and subject to the project conditions of approval (Attachment B), and with the findings listed in the December 9, 2020 staff report.

The Planning Commission's approval of the applications shall be subject to the conditions of approval specified in the staff report and/or as amended by the Planning Commission at the public hearing.

Attachment A:

Vicinity Map

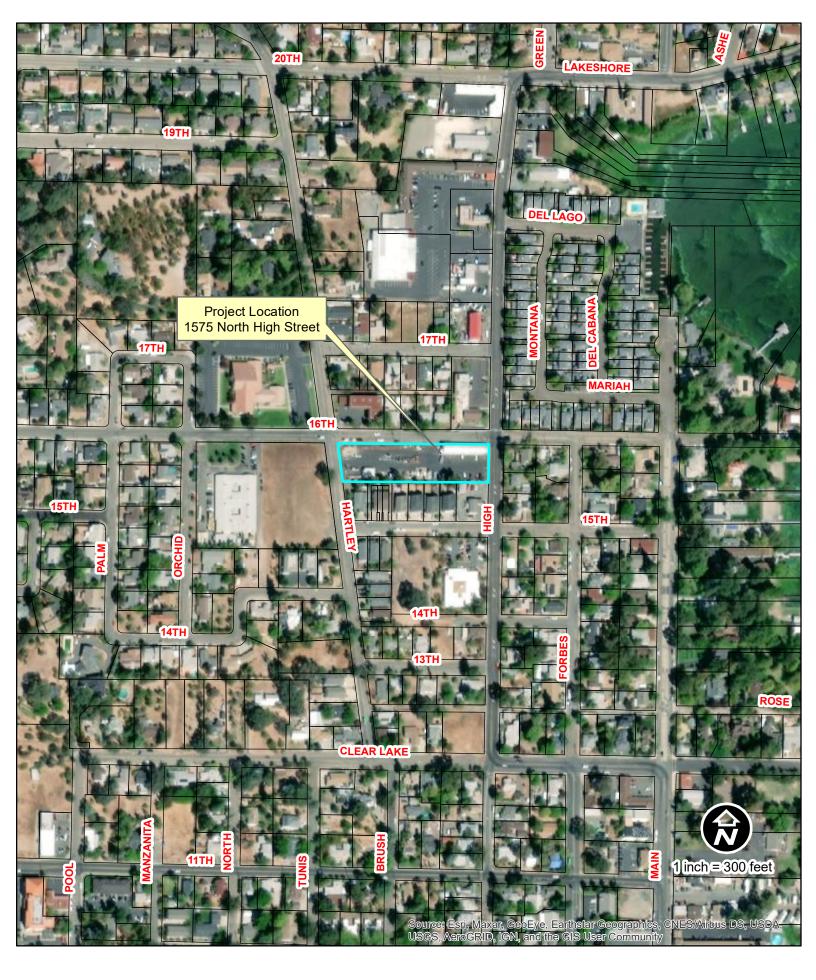
Attachment B:

Project Conditions Agreement

Attachment C:

Application; Site Plan & Elevation

Attachment A: Vicinity Map



PG&E Lakeport Yard Fence/Wall (AR 2020-06) Vicinity Map

Attachment B: Project Conditions Agreement



CITY OF LAKEPORT
Community Development Department
225 Park Street
Lakeport, Ca 95453

PROJECT CONDITIONS AGREEMENT

Land Use Application File No. AR 20-06

This Agreement is entered into by **Zachery Hocket/Pacific Gas**and Electric Company

(hereinafter Applicant/Owner).

RECITALS

WHEREAS, Applicant/Owner applied to the City of Lakeport for an Architectural and Design Review approval for 8-foot decorative black metal perimeter fencing, concrete retaining wall and site resurfacing of service yard of an existing commercial building; and

WHEREAS, the City of Lakeport has reviewed and approved the project for conformance with the Architectural and Design Review criteria and standards set forth in Section 17.27.110 of the Lakeport Municipal Code; and

WHEREAS, the proposed project is hereby approved subject to the following conditions:

- 1. The applicant/owner shall sign a standard City of Lakeport Project Conditions Agreement which lists the conditions of approval and shall agree to said conditions. A copy of the signed agreement shall be returned to the Community Development Department.
- 2. The project shall be developed in accordance with the plans and specifications received by the City on September 28, 2020 and approved by the Planning Commission on December 9, 2020. Minor alterations may be approved in writing by the City of Lakeport Community Development Director or designee.
- 3. The Building Permit plans shall include a keyed electric switch at entrance gate for Fire Department access and shall be installed prior to the issuance of the Building Permit Final.
- 4. The applicant/owner/developer shall submit an engineered stormwater drainage plan prior to the issuance of a building permit. The drainage plan shall address the onsite hydrology flows and include the provision of a system capable of collecting and detaining the stormwater generated

from the proposed project so that there is no net increase in the flow rate of off-site runoff. Details regarding the proposed collection, conveyance and detention facilities shall be included in the drainage plan. The stormwater drainage plan shall be reviewed and approved by the City Engineer.

- 5. The applicant/owner/developer shall comply with Lakeport Municipal Code Chapter 8.40 (Stormwater Management), the Lake County Clean Water Program Storm Water Management Plan and the requirements of the California Water Resources Control Board (NPDES Phase II/Construction Activities Storm Water General Permit requirements) prior to the issuance of a development permits. Copies of the Central Valley Regional Water Quality Control Board Notice of Intent (NOI), Stormwater Management Plan (SWMP), and Storm Water Pollution Prevention Plan (SWPPP) shall be provided to the City prior to any construction activities. All erosion control measures and construction activities shall be completed in accordance with the project's Storm Water Pollution Prevention Plan.
- 6. The applicant/owner/developer shall provide oil/sediment interceptors /filters as part of the on-site stormwater conveyance system. Said interceptors/filters shall be installed at each drop inlet and shall be capable of separating petroleum products and other sediments from stormwater runoff. The applicant/owner/developer shall maintain all interceptors/filters on a regular basis to ensure their functional use. Plan and details for the interceptors/filters shall be included with the on-site stormwater drainage plans or as approved by the City Engineer.
- 7. The stormwater drainage collection, conveyance and detention facilities shall be developed in accordance with the approved plans and shall be completed prior to the issuance of any final occupancy permit.
- 8. The applicant/owner/developer shall be subject to all requirements of Lakeport Municipal Code Chapter 8.40 (Stormwater Management) and any subsequent revision or modifications thereof. All erosion control measures and construction and post-construction stormwater Best Management Practices shall be completed in accordance with the approved plans.
- 9. The Building Permit plans shall identify ADA accessibility from the street through the enclosed site, path of travel from accessible parking and pedestrian travel paths.
- 10. The applicant/owner shall maintain the outdoor service area in good condition for the life of the project. All storage of outdoor equipment associated with the use on this site shall be neat and orderly.
- 11. The applicant/owner shall maintain the fence in good condition for the period of use with this project. Damaged or dilapidated portions of the

structure or related improvements shall be repaired or replaced as necessary.

NOW, THEREFORE, IT IS AGREED:

- 1. That the applicant/owner has read and agrees to each and every item and condition herein.
- 2. That the development and use of the real property described herein shall conform to the conditions listed above and all City of Lakeport Ordinances and Resolutions where applicable.
- 3. That said conditions shall be binding on all owners or persons having or acquiring any right, title, or interest in said real property, or any part thereof, subject to this agreement.

Dated:	APPLICANT/OWNER				
	SIGNATURE- Kathleen Monaghan Pacific Gas and Electric Company				
	PLEASE PRINT NAME				
Dated:	APPLICANT/REPRESENTATIVE				
	SIGNATURE- Zachery Hockett Blair, Church & Flynn				
	PLEASE PRINT NAME				

cc: Project File

Attachment C: Application; Site Plan and Fence Plan



City of Lakeport 225 Park St – Lakeport CA 95453 Phone: (707) 263-5613 EXT. 205 FAX: (707) 263-9314 www.cityoflakeport.com

LAND USE APPLICATION

WITH OR WITHOUT CATEGORICAL EXEMPTION

	APPLICANT'S INFORMATION			LAND OWNER'S INFORMATION			
Name			Name				
Company Name							
Mailing Address			Mailing Address				
City, State, Zip							
Phone Fax		Phone	PhoneFax				
mail							
AG	ENT, ENGINEER, OR AR	CHITECT	S INFORMATIO	ON (if anv)			
ame			any Name				
ailing Address		Phone					
ity, State, Zip		Emai	Email				
	PROJEC	T INFORM	MATION				
roject location:			Assessor Parcel No.	(s):			
urrent land use:			Size of existing parc	el:			
urrent Zoning:			Current General Plan Designation:				
Subdivision tract name:			Lot and block numbers:				
escription of proposed proje							
	ATTACH SUPPLEMENTA	I <i>L INFORI</i>	MATION AS RE	QUIRED			
July After	ATTACH SUPPLEMENTA	SIGN	NATURE OF LAN	ID OWNER DATE			
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Revised 7/1/2019



Community Development Department City of Lakeport 225 Parks Street Lakeport, CA 95453 September 14, 2020 BC&F Project No. 220-0141

Dear Community Development Department:

Blair, Church & Flynn is pleased to submit Applications for the Fencing and Site Improvements Project at PG&E's Lakeport Service Center located at 1575 North High Street.

Project Narrative

PG&E plan to rehabilitate the existing asphalt pavement and replace the perimeter fencing and security/access controls at the Lakeport Service Center at 1575 North High Street, Lakeport, CA 95453. This will include the following site work:

- 1. Full depth removal and replacement of asphalt pavement
- 2. Connection of new storm drain piping to the public infrastructure in 16th Street
- 3. Storm water quality treatment infrastructure installation
- 4. Removal of existing 6' tall chain link fence and installation of 8' decorative metal fencing
- 5. Removal of existing chain-link entry/egress gates and installation of decorative metal fencing entry/egress gates
- 6. Installation of new card readers, pedestals, and intercoms at entry and exit gates for security and access control

Project Justification

The intention of this project is two-fold: (1) to provide a rehabilitated working surface for PG&E employees as they operate out of the Lakeport Service Yard, and (2) to meet the updated, statewide security requirements for PG&E service yards.

This project will help to create a safer working environment for PG&E employees, it will provide a secure perimeter for the site, and it will replace the existing, rusted fence with a new fence.

Response to Land Use Checklist Comments

The PG&E team received a preliminary Land Use Checklist from the City of Lakeport that is attached to this letter for reference. In the checklist, a variety of comments were made that the design team looked into and endeavored to address in the design. Below is a list of the major comments and our feedback on how/if those comments were incorporated into the design submittal:

 Incorporation of Landscaping As part of the design process, the site layout and functionality was assessed for storage and circulation requirements within the site to serve PG&E's use requirements and vehicle sizes. The required vehicle paths are laid out on the Site Accessibility Plan. The small size of the site and required use and circulation patterns prevent us

from being able to shift fencing back away from the property line to install landscaping buffers.

2. Material Samples

Our proposed fencing design will use pre-galvanized with a black powder coat finish posts, fittings, rails, etc. The decorative metal will be a pre-galvanized and black powder coat finished high tensile G90 steel. Due to the "typical" nature of these materials, we do not plan to submit samples.

3. Stormwater Management

This was not mentioned as a requirement in the checklist, but the existing design drains the site via sheet flow across the property lines. As part of this project, we will re-direct the majority of the site run-off into drain inlets on site, which will be connected to the public storm drain system through a Contech Vortex separator to mitigate sediment, hydrocarbon, and debris infiltration.

Closing Remarks

Thank you for your consideration of this project; we look forward to moving forward on this project together. If you have any questions, I can be reached at the office at (559) 326-1400 or by email at zhockett@bcf-engr.com.

Best regards,

BLAIR, CHURCH & FLYNN/CONSULTING ENGINEERS

cmclaughin, PE Project Engineer

Attachments:

Attachment A: Land Use Checklist with City comments (dated 4/13/2020) Attachment B: Land Use Checklist with City comments (dated 09/01/2020)



IMIPASSIE III



HIGH SECURITY STEEL PALISADE FENCING











AESTHETIC APPEAL. UNPARALLELED PROTECTION.

Traditional security fences of chain link or wire mesh are no longer enough to meet todays increased security demands. Ameristar's Impasse II security fence offers the resistive strength of heavy-duty steel pales secured vertically to a framework of specially formed rails and I-beam posts. The stylish design of the Impasse II, combined with its strength and security, provides a successful first line of defense.













Primary applications for Impasse II ornamental steel fence systems include:

- Military Sites
- > Government Facilities
- **▶ Petroleum & Chemical Facilities**
- **Power Plants & Substations**
- > Airports
- > Data Centers
- > Ports of Entry
- > Water Treatment & Storage

IMPASSE III

HIGH SECURITY STEEL PALISADE FENCE





TRIDENT™

The Impasse Trident *pale rises above the topmost rail and* terminates with a menacing triple-pointed splayed spear tip. The intimidating look of the Trident corrugated pale is a visual deterrent to any who would dare to intrude.

- **▶ 3-RAIL PANELS** | 6', 7', 8', 9' & 10' HEIGHTS
- **▶ 2-RAIL PANELS** | 6', 7' & 8' HEIGHTS





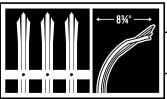
STRONGHOLD™

The blunt, slightly rounded tip of the Stronghold offers strength when necessary, while providing safety and security to the general public. The Stronghold features the same structural configurations of its high-security counterparts.

- ▶ 3-RAIL PANELS | 6'. 7'. 8'. 9' & 10' HEIGHTS
- ▶ 2-RAIL PANELS | 6', 7' & 8' HEIGHTS

2.75"w x 14ga PALES | 2"x 2"x 11ga RAILS | 3"x 2.75" x 12ga & 4"x 2.75" x 11ga I-BEAM POSTS





GAUNTLETTM

Gauntlet is designed with *high-tensile steel corrugated pales that rise above the topmost rail with an outward curve* and terminate with a triple-pointed splayed spear tip. The outward curved pales *discourage attempts to gain access* by would be intruders.

- **▶ 3-RAIL PANELS** | 6', 7', 8', 9' & 10' HEIGHTS
- > 2-RAIL PANELS | 6', 7' & 8' HEIGHTS

ANTI-SCALE OPTION

The Impasse II *Anti-Scale fence system* has *decreased pale spacing*, which helps deter the assailant from climbing, and *increases the delay time when trying to cut or pry through the fence.*

COLOR OPTIONS



Custom colors also available

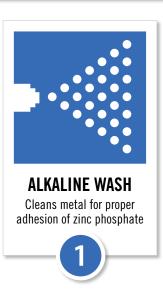
WHITE



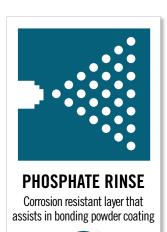
PERMACOATTM

Impasse II is protected by the unique PermaCoat process. Our **PRE-GALVANIZED STEEL BASE MATERIAL** is subjected to an **11-STAGE PROCESS** to cleanse & prepare the steel for a **DUAL TOP-COAT FINISH**. PermaCoat's corrosion resistant abilities far surpass those of painted surfaces and have a "no-mar" polyester powder top coat. This dual coating not only provides **RESISTANCE FROM WEATHERING** but also reduces scratch & burnishing marks typically encountered during shipping.

PRE-TREATMENT



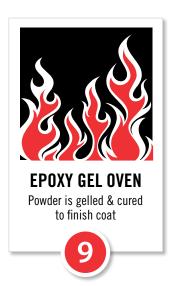


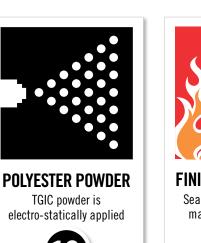
























Barrier to prevent moisture from reaching base metal





Final wash in H2O to remove any excess debris or particles





DRYING OVEN

Eliminates all moisture prior to double coating



ONCE COMPLETED, THESE **7-STAGES** WILL HAVE **REMOVED EVERYTHING** FROM THE SURFACE OF THE STEEL THAT **MIGHT INHIBIT** THE FINISH FROM **PROPERLY ADHERING** DURING THE **NEXT 4-STAGES** OF THE COATING PROCESS.

Corrosion occurs more easily without the proper preparation & protection, which is why Ameristar has put our fence products to the test based on ASTM B117 standards. *The results speak for themselves*.



168 HOURS

PRIMED & PAINTED STEEL SII



SINGLE COAT PROCESS
Iron Phosphate +
Polyester Powder Coat



SINGLE COAT PROCESS

Zinc Phosphate +

Polyester Powder Coat



PERMACOAT PROCESS

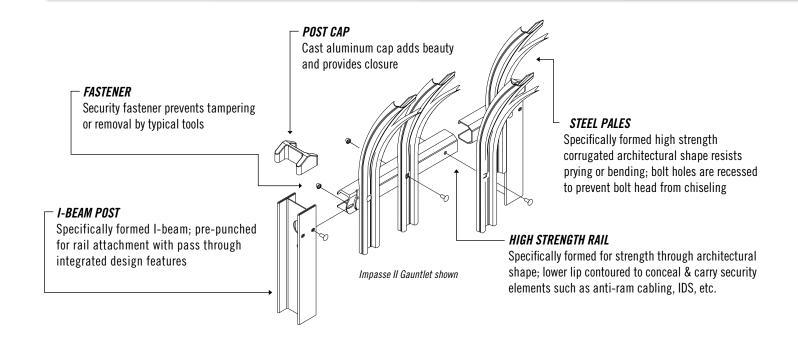
Zinc Phosphate +

Epoxy Powder Coat +

Polyester Powder Coat

IMPASSABLE **DESIGN**

Impasse II panels and posts are manufactured using HIGH-TENSILE PRE-GALVANIZED G-90 STEEL. Each component has been ROLL-FORMED into a unique profile that yields significant strength properties. Impasse II's distinct design enables the fence to TRAVERSE AGGRESSIVE CHANGES IN GRADE IN ORDER TO MAINTAIN SECURITY along any perimeter. Each connection point of the Impasse II system is secured with TAMPER-PROOF FASTENERS providing the HIGHEST LEVEL OF SECURITY & VERSATILITY.





PRIVACY SCREENING OPTION

A security fence should cover multiple aspects of perimeter security, which is why Ameristar created the steel privacy screening option for its Impasse high security fence system. Secured by each adjacent pale, the overlapping design achieves the maximum level of opacity for visual screening.





Certified by the US Department of Homeland Security as a method of risk management against acts of terrorism



Ameristar's Impasse II is backed by over 30 years of excellence in the fencing industry



Ameristar is committed to providing products that meet the Buy American Act



Ameristar products have the opportunity to earn LEED points

RAKEABLE VS STAIR-STEP

Biasability at a minimum of 25% that requires no additional assembly. This unique feature eliminates unsightly stair-stepping panels.



Fully rakeable panels



Stair-stepping panels

DESIGN INTEGRATION

The Impasse II framework is a raceway for wiring, conduits & security cabling required around the perimeter of a project. This integrated design eliminates the need for costly trenching & boring becoming a value added solution for perimeter security upgrades.



(inside of rail shown above / view from protected side)

When installing these security elements use Impasse II as a platform:

- Communication & Video Cables
- Intrusion Detection / Fiber Optic Cables
- Access Control Wiring
- **Conduits**
- > Anti-Ram Cabling (Stalwart IS)

STALWART IS

ANTI-RAM BARRIER + SECURITY FENCE

Stalwart IS unites the *strongest security fence available* with the *most widely used anti-ram perimeter barrier*. The appearance of Stalwart IS is a great *visual deterrent* that delivers strength and fortitude for keeping any assailant from easily breaching the perimeter.



M50 M40 M30 PU60 PU50 K12 K8 K4

Stalwart IS offers *multiple anti-ram ratings*. Each installation can be designed with the most appropriate standoff distance from the asset.



ARCHITECTURAL SUPPORT SOLUTION SPECIALISTS



Ameristar's *Project Solution Specialists* are *experienced in every facet of perimeter security design*. Our goal is to assist the architectural community in finding the *best perimeter* & *entry solutions* for their projects. Ameristar's extensive library of project photos, CAD drawings, architectural specifications & project budget quotes are just a few of the services *our team offers to complete your project design*.

SLIDE GATES SWING GATES

Egress & ingress requirements are unique to each application.

Managing traffic flow & usage demands are of the utmost importance, which is why Impasse II is manufactured in a variety of gate types built to balance function, security & beauty.

Ameristar *Transport*™ & *Passport*™ sliding gates perfectly match the perimeter fence system to create a *seamless* & *stunning design* while exuding a *commanding presence* of security built to unite perimeter and entry.







WHY CHOOSE AMERISTAR

KNOWLEDGE & EXPERIENCE

Ameristar was chartered over 30 years ago in response to the demand by consumers & specifiers for specialty fence products. Ameristar offers an aesthetically pleasing product that is both high in quality & affordability. This has been achieved by maximizing high-volume productivity, increasing product design strength, and promoting simplistic installation.

PROVEN CAPABILITY

Ameristar's integrated *in-house process* & *extensive raw material inventory* results in much improved productivity and availability compared to the competition. By having a *vast finished goods inventory*, Ameristar is capable of *delivering finished products faster* than competitors who sublet the majority of their operations.

▶ INDUSTRY LEADERSHIP

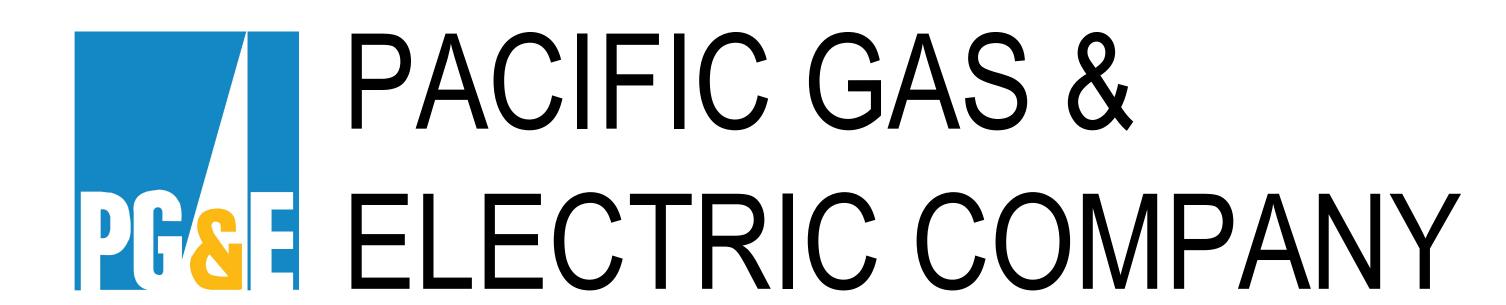
Over the years Ameristar has continually *raised the bar* across the board in the *manufacturing of high quality*, innovative fencing products. Our demonstrated commitment to *upholding higher values* translates into superior products that *go far beyond* merely meeting minimum industry standards.



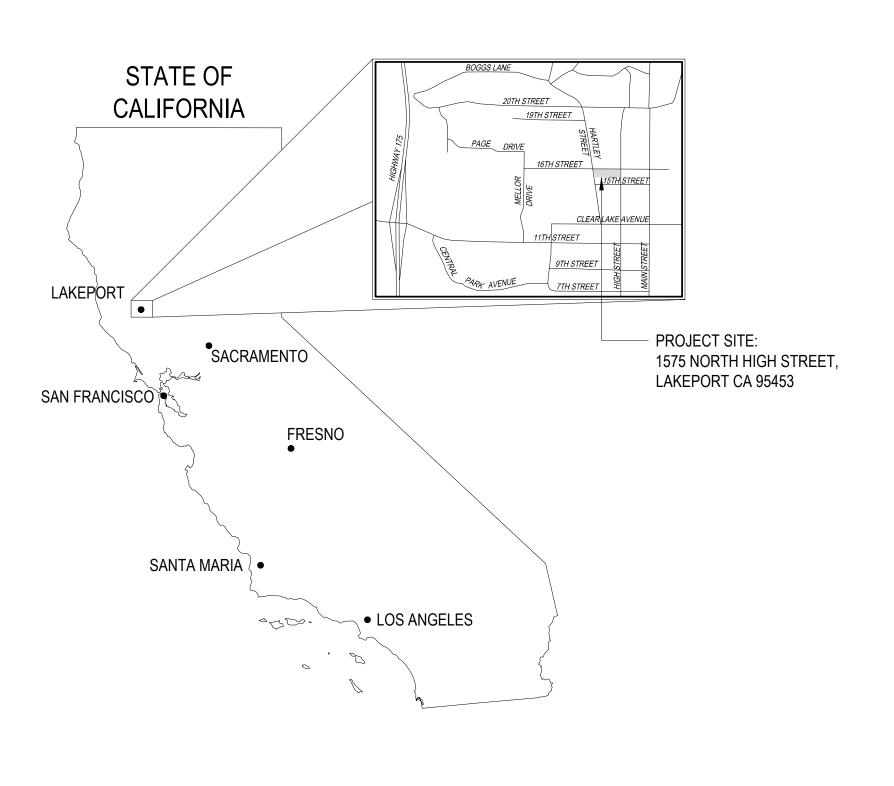




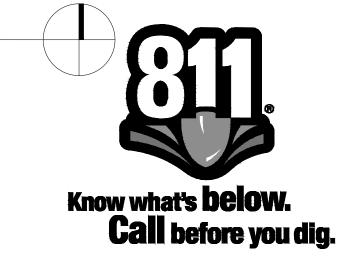
SITE IMPROVEMENTS FOR:



LAKEPORT SERVICE CENTER SECURITY FENCE IMPROVEMENTS 1575 NORTH HIGH STREET, LAKEPORT CA. 95453



LOCATION MAP





CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONTRACTOR ASSUMES SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE PERFORMANCE OF WORK, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, ON A CONTINUOUS BASIS NOT LIMITED TO NORMAL WORKING HOURS. CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD HARMLESS BLAIR, CHURCH & FLYNN CONSULTING ENGINEERS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE S NEGLIGENCE OF BLAIR, CHURCH & FLYNN CONSULTING ENGINEERS.

100% CONSTRUCTION DOCUMENTS

JOB NO 220-0128

DSGN S. DUNCAN

DWN S. DUNCAN

CHKD C. MCLAUGHLIN

SUPV Z. HOCKETT

APVD 1

APVD 2

REV DATE

DESCRIPTION

DSGN DWN CHKD SUPV APVD DATE 2020.08.21

Roebbelen

QUALITY CONSTRUCTION SINCE 1959

INSTITUTIONAL COMMERCIAL INDUSTRIAL

WWW.ROEBBHEN.COM. | DVBF #1012610 | CA HCENSF #774124

PACIFIC GAS AND ELECTRIC COMPANY SAN FRANCISCO, CALIFORNIA

Blair,
Church
CLOVIS AVE., SUITE 200
CLOVIS, CALIFORNIA 93612
TEL (559) 326-1400
FAX (559) 326-1500

CORPORATE REAL ESTATE STRATEGY AND SERVICES

FACILITY TYPE SERVICE CENTER

FACILITY NAME LAKEPORT

SITE ID

BUILDING ID

BUILDING NAME

FLOOR ID

ORDER NO

PG&E LAKEPORT SERVICE CENTER SECURITY FENCE IMPROVEMENTS

TITLE SHEET

1575 NORTH HIGH STREET, LAKEPORT, CA. 95453

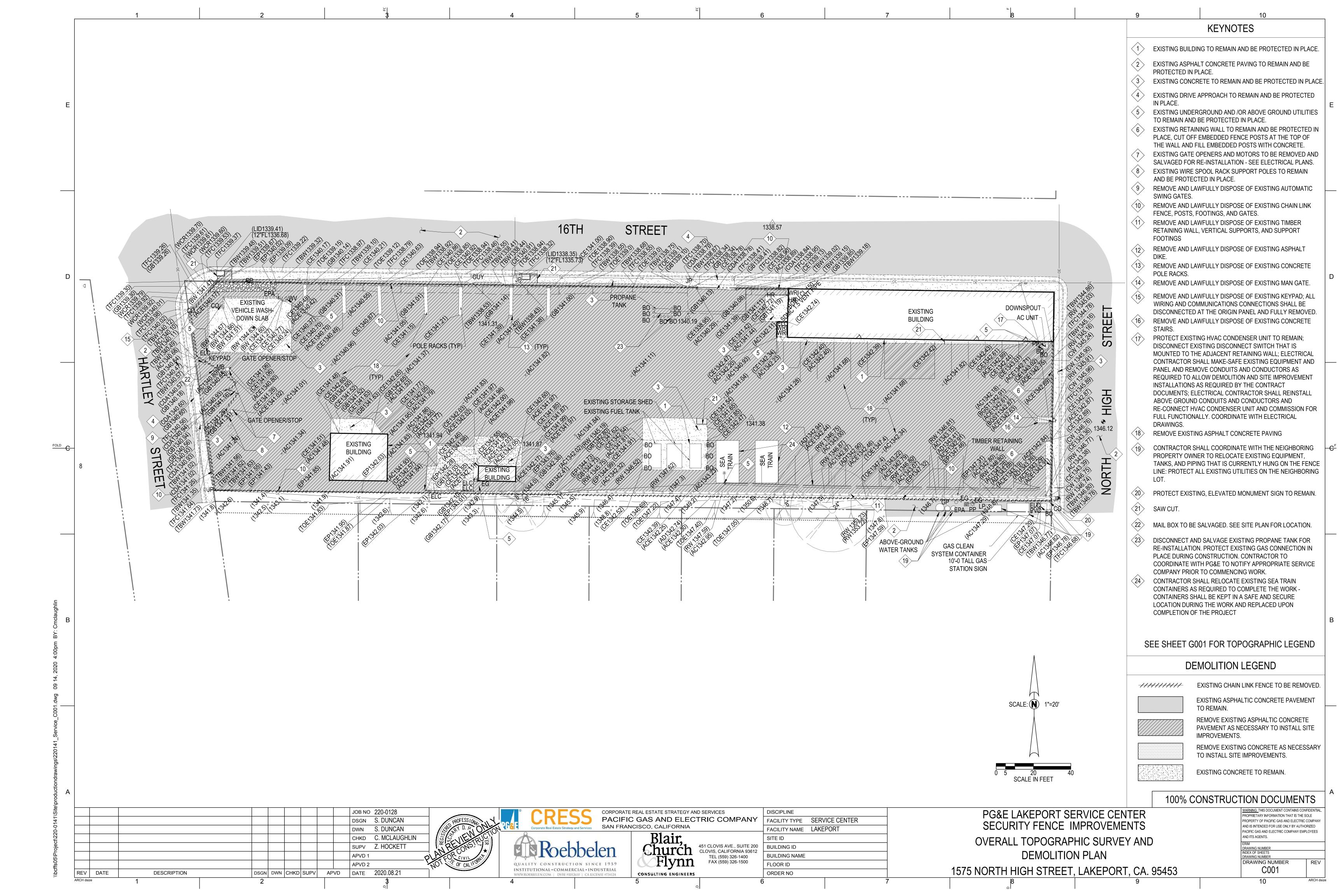
WARNING: THIS DOCUMENT CONTAINS CONFIDENTIA
PROPRIETARY INFORMATION THAT IS THE SOLE
PROPERTY OF PACIFIC GAS AND ELECTRIC COMPAN
AND IS INTENDED FOR USE ONLY BY AUTHORIZED
PACIFIC GAS AND ELECTRIC COMPANY EMPLOYEES
AND ITS AGENTS.

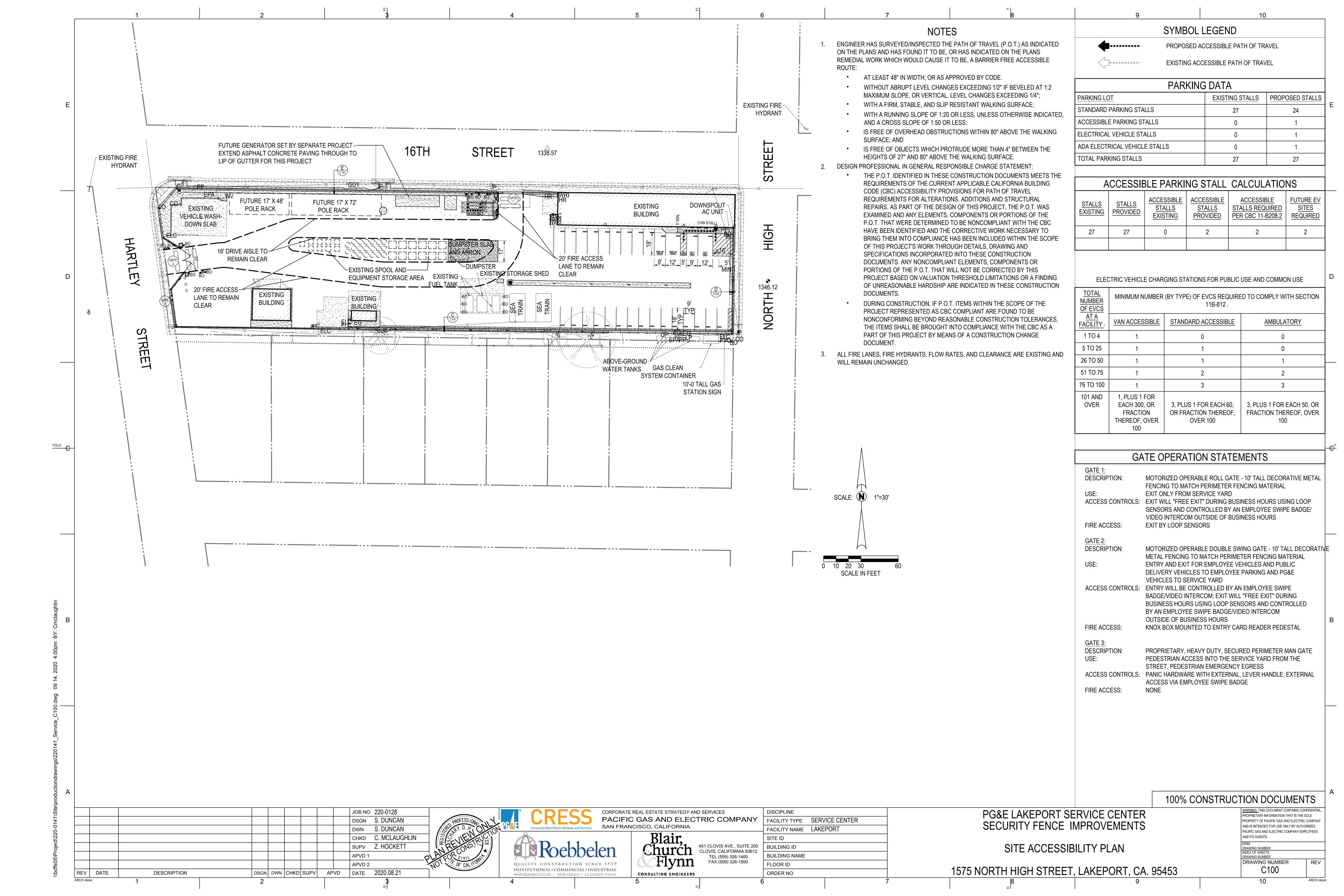
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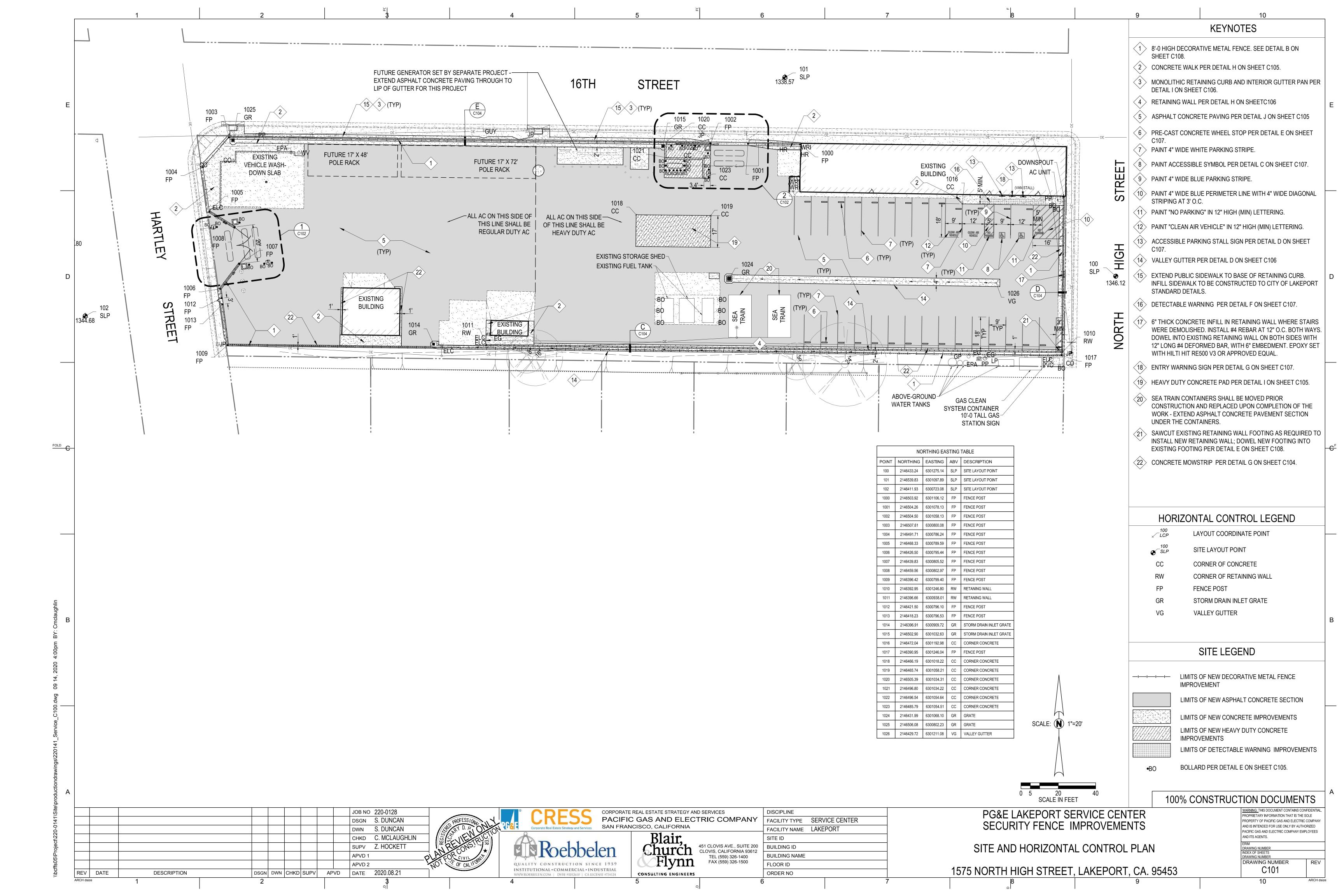
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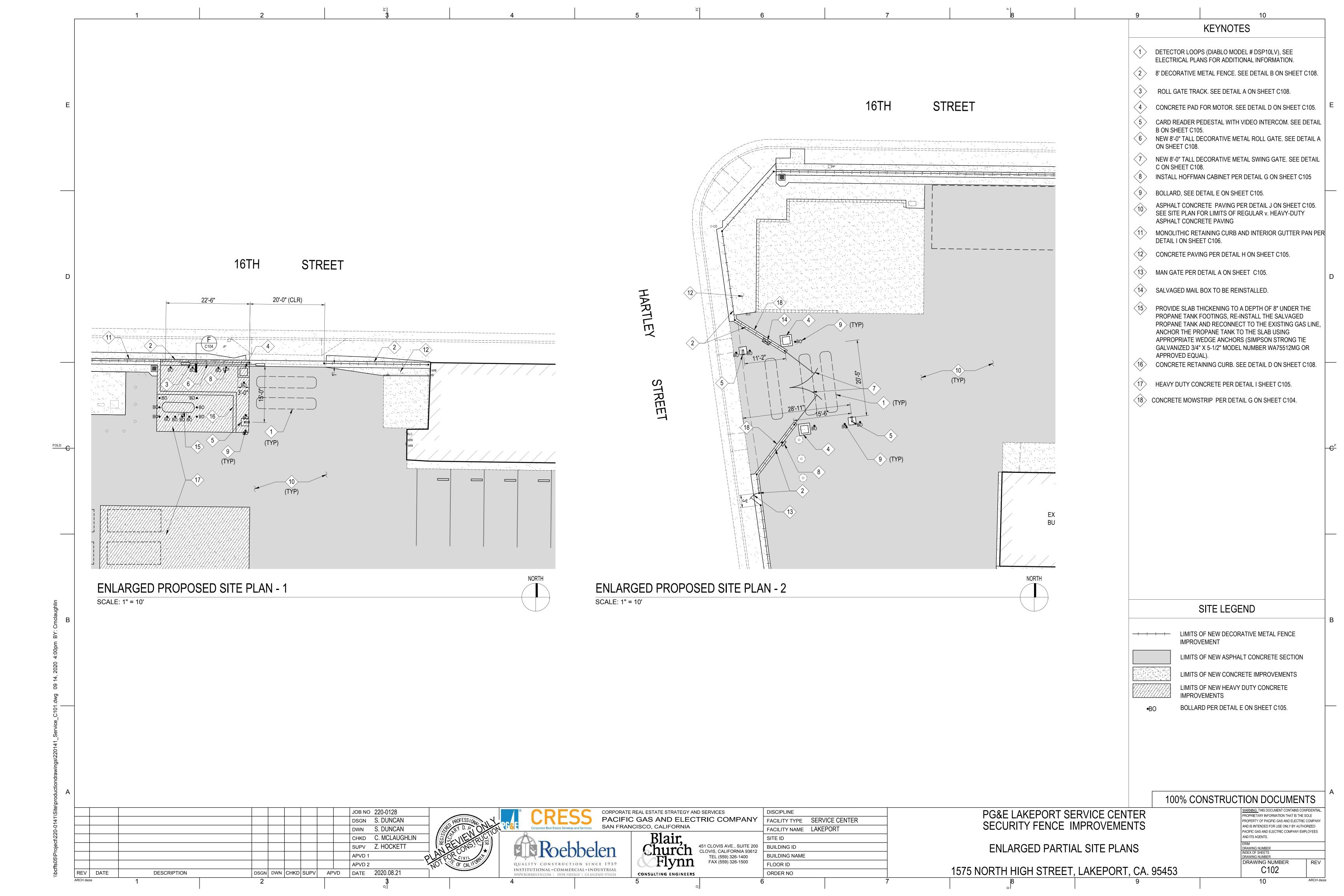
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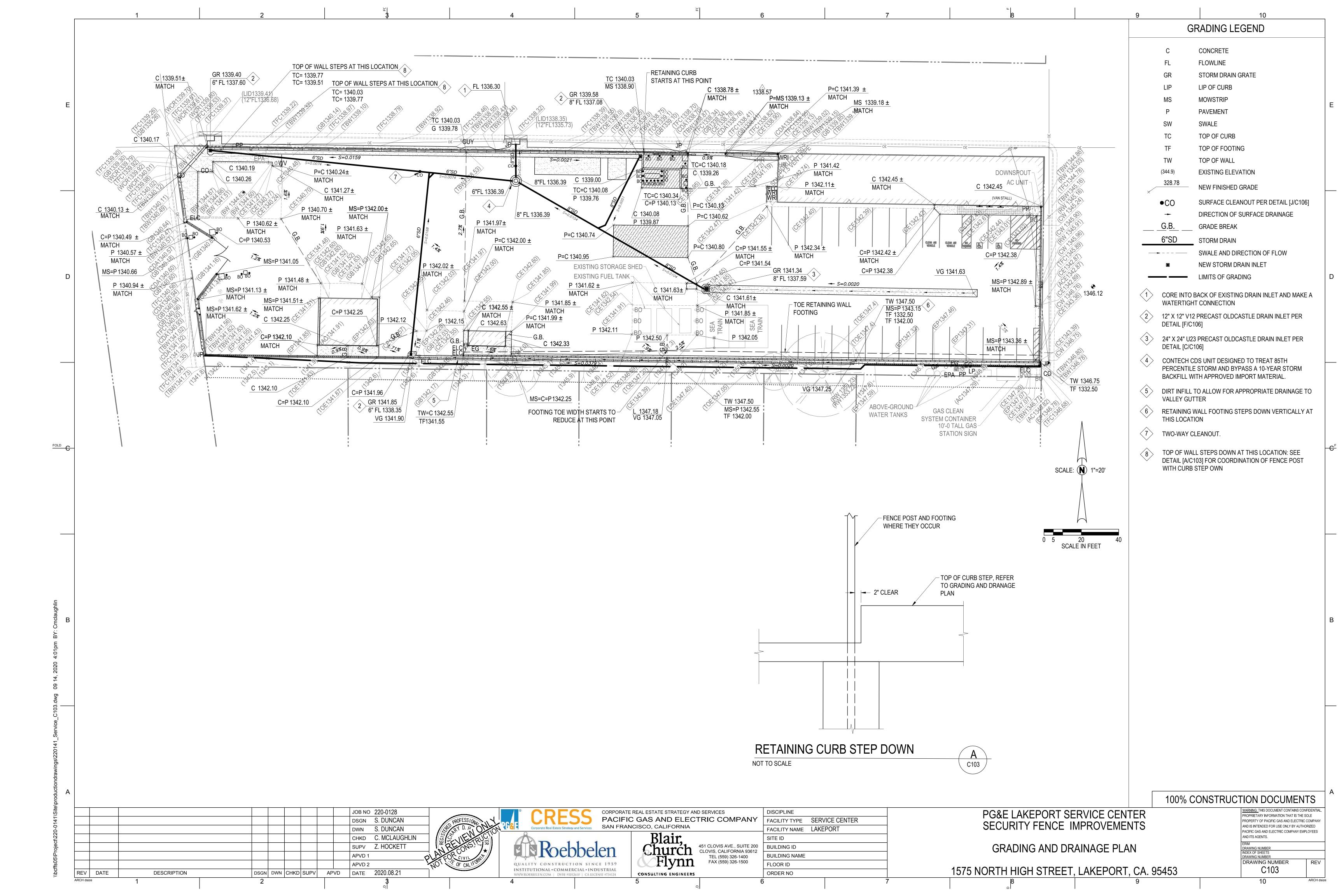
TOPO	GRAPHIC LEGEND	GENERAL CONSTRUCTION NOTES	GENERAL SITE NOTES	GENERAL HORIZONTAL CONTROL NOTES	9 PROJECT DATA
AC	ASPHALTIC CONCRETE	CAST-IN-PLACE CONCRETE SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE	4 ALL CONCRETE MOMOTDIDO DAMO AND CIDENAM KO CHALL HAVE MEAKENED	1. ALIGNMENT OF THE SITE LAYOUT IS BASED ON AN ASSUMED COORDINATE SYSTEM.	GENERAL DATA:
AD	ASPHALTIC CONCRETE DIKE ASPHALTIC CONCRETE EDGE	STRENGTH OF 3,000 PSI. 2. REINFORCING STEEL SHALL HAVE A TENSILE STRENGTH OF 60 KSI.	ALL CONCRETE MOWSTRIPS, RAMP AND SIDEWALKS SHALL HAVE WEAKENED PLANE JOINTS AT 15 FEET MAXIMUM ON CENTER AND ONE HALF INCH EXPANSION	2. SITE LAYOUT POINT 100 IS A NAIL AND TIN LOCATED AT CENTER OF NORTH HIGH	SITE ADDRESS:
ACE BW	BLOCK WALL	3. FURNISH AND INSTALL SLURRY DIG BARRIER PER DETAIL	JOINTS AT 45 FEET MAXIMUM ON CENTER PER DETAIL [H/C105] 2. NO CONCRETE MAY BE POURED UNTIL THE FORMS HAVE BEEN REVIEWED AND	STREET APPROXIMATELY ±22 FEET EAST OF THE WESTERN CURB LINE ON NORTH HIGH STREET, ±75 FEET SOUTH OF THE INTERSECTION OF 16 AND NORTH HIGH	APN:
С	CONCRETE		APPROVED BY THE PROJECT INSPECTOR.	STREET. 3. SITE LAYOUT POINT 101 IS A NAIL AND TIN LOCATED AT CENTER OF 16TH STREET	LOT AREA:
CE CW	CONCRETE EDGE CONCRETE WALL	GENERAL GRADING AND DRAINAGE NOTES	3. ALL BURIED METALLIC OBJECTS SHALL HAVE A PROTECTIVE COATING OR BE WRAPPED WITH APPROVED PROTECTIVE WRAP.	APPROXIMATELY ±36' NORTHWEST OF THE NORTHWEST CORNER OF EXISTING	JURISDICTION:
EP	EDGE OF PAVEMENT	THE REQUIREMENTS AND INFORMATION SET OUT BELOW ARE PROVIDED FOR THE	4. 2 WORKING DAYS BEFORE COMMENCING EXCAVATION OPERATIONS WITHIN THE	BUILDING LOCATED AT NORTHEAST CORNER OF THE SITE. 4. SITE LAYOUT POINT 102 IS A NAIL AND TIN LOCATED AT WEST SIDE OF HARTLEY	ZONING:
GFL	GUTTER FLOWLINE	CONTRACTOR'S CONVENIENCE AND DO NOT ENCOMPASS ALL PROJECT REQUIREMENTS DESCRIBED BY THE PROJECT PLANS AND SPECIFICATIONS AND/OR	STREET RIGHT-OF-WAY AND/OR UTILITY EASEMENTS, ALL EXISTING UNDERGROUND FACILITIES SHALL HAVE BEEN LOCATED BY UNDERGROUND SERVICES ALERT (USA).	STREET APPROXIMATELY ±72' NORTHWEST OF POWER POLE LOCATED AT	TOTAL EXISTING FENCE LENGTH TO BE REMOVED:
LIP RW	LIP OF GUTTER RETAINING WALL	APPLICABLE LAWS, REGULATIONS AND/OR BUILDING CODES.	CALL 1-800-642-2444	SOUTHWEST CORNER OF THE SITE. 5. DIMENSIONS AND POINTS ARE TO CENTER OF FENCE POSTS, FACE OF BUILDINGS,	TOTAL NEW DECORATIVE METAL FENCE LENGTH:
SDGR	STORM DRAIN GRATE	 CONSTRUCTION OF ALL PROJECT SITE IMPROVEMENTS SUBJECT TO ADA ACCESS COMPLIANCE, INCLUDING ACCESSIBLE PATH OF TRAVEL, CURB 	5. ANY SURVEY MONUMENTS WITHIN THE AREA OF CONSTRUCTION SHALL BE PRESERVED OR RESET BY A PERSON LICENSED TO PRACTICE LAND SURVEYING IN	TOP FACE OF CURB, OR EDGE OF CONCRETE, UNLESS SHOWN OTHERWISE.	PROJECT SCOPE:
TOE	TOE OF SLOPE	RETURNS, PARKING STALL(S) AND UNLOADING AREAS, BARRIER FREE AMENITIES AND/OR OTHER APPLICABLE SITE IMPROVEMENTS SHALL CONFORM	THE STATE OF CALIFORNIA	GENERAL NOTES	DEMOLISH APPROXIMATELY 926 FOOT LONG EXISTING PERIMETER DECORATIVE METAL
TBW TFW	TOP BACK OF WALK TOP FACE OF WALK	TO THE AMERICANS WITH DISABILITIES ACT, CALIFORNIA TITLE 24, AND THE	BENCHMARK		FENCE WITH BARBED WIRE AROUND THE PROPERTY AND REPLACE IN SAME LOCATION WITH 10 FOOT TALL DECORATIVE METAL FENCE. REMOVE AND REPLACE ONE MANUAL
TFC	TOP OF CURB	CALIFORNIA BUILDING CODE, CURRENT EDITION(S). 2. CONTRACTOR SHALL FIELD VERIFY ALL GRADES AND SLOPES PRIOR TO THE	CP# 11	1. THE DESIGNER DOES NOT HAVE CONTROL OR CHARGE OF, AND IS NOT RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCE OF PROCEDURES,	ROLL GATE WITH AN AUTOMATIC ROLL GATE AND ONE AUTOMATIC SWING GATES WITH AUTOMATIC SWING GATE TO MATCH SURROUNDING FENCING. REMOVE AND REPLACE
TOP	TOP OF SLOPE UTILITY BOX	PLACEMENT OF CONCRETE AND/OR PAVEMENT FOR CONFORMANCE WITH ADA ACCESS COMPLIANCE REQUIREMENTS. EXAMPLES OF MINIMUM AND MAXIMUM		OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK, ALL OF WHICH ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.	ONE MAN GATE. REMOVE 260 LINEAR FEET OF RETAINING WALL AND REPLACE WITH 310
• (ВМ55.48)	BENCHMARK	LIMITS RELATED TO ADA ACCESS COMPLIANCE INCLUDE, BUT ARE NOT LIMITED	NAIL AND TIN IN AC	2. JOB SITE MEASUREMENTS ARE THE FULL RESPONSIBILITY OF THE CONTRACTOR	LINEAR FEET OF NEW RETAINING WALL. RE-PAVE 41,011 SF EXISTING ASPHALT PAVING AND REPLACE STRIPING. GRADING AND DRAINAGE ALTERATION TO EXISTING CONDITION
° BO	BOLLARD	a) ACCESSIBLE PATH OF TRAVEL CROSS-SLOPE SHALL NOT EXCEED 2%	±22 FEET EAST OF THE WESTERN CURB LINE ON NORTH HIGH STREET, ±75 FEET SOUTH OF THE INTERSECTION OF 16 AND NORTH HIGH STREET.	AND/OR SUBCONTRACTOR. MEASUREMENTS OF ALL ITEMS MUST BE TAKEN BY ALL SUBCONTRACTORS PRIOR TO FABRICATION.	IS NOT REQUIRED.
	DOOR/GATE	b) ACCESSIBLE PATH OF TRAVEL LONGITUDINAL SLOPES SHALL NOT EXCEED 5%		3. SHOWN DIMENSION MUST BE USED FOR LAY-OUT. DO NOT SCALE DRAWINGS.	
∘ 2"ELC ∘ EG	ELECTRICAL CONDUIT ELECTRICAL GROUNDING	c) RAMP LONGITUDINAL SLOPES SHALL NOT EXCEED 8.33%	ELEV: 1346.12 FT (NAVD88)	4. THE CONTRACTOR MUST VISIT THE JOB SITE AND BE RESPONSIBLE FOR THE VERIFICATION OF ALL EXISTING CONDITIONS, ELEVATIONS AND DIMENSIONS PRIOR	PLANNING AND DEVELOPMENT APPROVAL
Ē	ELECTRICAL GROUNDING ELECTRICAL METER	d) ACCESSIBLE WALKS SHALL NOT HAVE LESS THAN 48 INCHES IN UNOBSTRUCTED WIDTH	ELEVATIONS ARE BASED ON NAVD88 AND DERIVED FROM AN AVERAGED GPS OBSERVATION UTILIZING THE LEICA SMARTNET NETWORK.	TO COMMENCING CONSTRUCTION. NOTIFY BLAIR, CHURCH & FLYNN CONSULTING	CITY OF LAKEPORT DEVELOPMENT PERMIT NO:
□ EPA	ELECTRICAL PANEL	e) ACCESSIBLE PARKING SPACES AND ACCESS AISLES SHALL NOT EXCEED 2% SLOPE IN ANY DIRECTION		ENGINEERS IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND. 5. THE CONTRACTOR IS RESPONSIBLE FOR LEAVING ALL FINISHED SURFACES CLEAN AT	
□ EPB	ELECTRICAL PULL BOX	f) LANDINGS AT THE TOP AND BOTTOM OF ACCESSIBLE RAMPS SHALL NOT EXCEED 2% SLOPE IN ANY DIRECTION	SURVEY NOTE	THE COMPLETION OF THE WORK AND MUST REMOVE ALL EXCESS MATERIAL AND DEBRIS FROM THE JOB SITE REGULARLY. EACH SUB-CONTRACTOR IMMEDIATELY	
∘ ELR (335.21)	ELECTRICAL RISER EXISTING ELEVATION	g) GUTTERS AND ROAD SURFACES DIRECTLY ADJACENT TO AND WITHIN 2	THIS TOPOGRAPHIC SURVEY LOCATES SPECIFIC PHYSICAL FEATURES OF THE	UPON COMPLETION OF EACH PHASE OF HIS WORK MUST REMOVE ALL TRASH AND	PROJECT TEAM
(555.21)	FIRE HYDRANT	FEET OF A CURB RAMP SHALL HAVE A COUNTER SLOPE NOT TO EXCEED 5% 3. CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER OF RECORD,	SITE AND THEIR ELEVATION AS DETERMINED NECESSARY BY THE PROJECT ENGINEER. IT IS NOT A COMPLETE TOPOGRAPHIC SURVEY OF THE SITE. THE	DEBRIS AS A RESULT OF HIS OPERATIONS. 6. THE CONTRACTOR MUST, IN THE WORK OF ALL TRADES, PERFORM ANY AND ALL	
G	GAS METER	IDENTIFIED BY THE PROFESSIONAL ENGINEERING SEAL AND SIGNATURE ON	INFORMATION SHOWN REFLECTS THE DATA OBTAINED BY FIELD SURVEY CONDUCTED ON APRIL 30 - MAY 1, 2020.	CUTTING AND PATCHING NECESSARY TO COMPLETE THE WORK, AND MUST PROTECT THE EXISTING SITE FROM DAMAGE CAUSED BY THE WORK. THE CONTRACTOR MUST	PROPERTY OWNER: PACIFIC GAS & ELECTRIC COMPANY
∘ GRI	GAS RISER GAS VALVE	THESE PLANS, OF ANY SITE CONDITION(S) AND/OR DESIGN INFORMATION THAT PREVENTS THE CONTRACTOR FROM COMPLYING WITH THE LAWS, REGULATIONS		REPAIR AND RESTORE THE EXISTING CONSTRUCTION TO IT'S ORIGINAL CONDITION	1575 NORTH HIGH STREET LAKEPORT CA. 95453
⊕ GV GUY	GAS VALVE GUY WIRE ANCHOR	AND/OR BUILDING CODES GOVERNING ADA ACCESS COMPLIANCE. 4. GROUND SLOPES AWAY FROM BUILDING PADS IN LANDSCAPED OR DIRT AREAS	UTILITY NOTE	TO THE SATISFACTION OF THE OWNER. 7. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL APPLICABLE PERMITS.	CONTACT: ANDREW SOUZA
⊖ GP	GUY WIRE POLE	SHALL BE NO LESS THAN 5% FOR AT LEAST TEN (10) FEET, OR AS OTHERWISE	OTIETT IN ONWATION OF ONE THE BROLD ON THE OTHER TOTAL	8. ALL NEW CONSTRUCTION MATERIALS MUST BE 100% ASBESTOS FREE.	PHONE: (925) 819-8026 GENERAL CONTRACTOR:
IVA	IRRIGATION VALVE	NOTED ON THE PLANS. 5. DRAINAGE SHALL NOT BE ALLOWED ONTO ADJACENT PROPERTY.	SUPPLIED TO THE ENGINEER BY UTILITY COMPANIES, PUBLIC AGENCIES AND THE PROPERTY OWNER, TOGETHER WITH EVIDENCE GATHERED FROM GPR LOCATING	9. GENERAL CONTRACTOR MUST NOTIFY THE DESIGNER OF RECORD OF ANY AND ALL DIMENSIONAL DISCREPANCIES BETWEEN FIELD CONDITIONS AND DIMENSIONS	ROEBBELEN CONTRACTING, INC. 1241 HAWKS FLIGHT COURT
‡LP ⊄ PP	LIGHT POLE POWER POLE	6. ALL FILL MATERIAL USED TO SUPPORT THE FOUNDATIONS OF ANY BUILDING OR	METHODS AND OBSERVATION OF VISIBLE EVIDENCE BY A FIELD SURVEY. THE	SHOWN WITHIN THE PLANS.	EL DORADO HILLS, CA 95762
∞ FF ∘ RD	ROOF DRAIN	STRUCTURE SHALL BE PLACED UNDER THE DIRECTION OF A LICENSED GEOTECHNICAL ENGINEER, AND IN COMPLIANCE WITH THE PROJECT	OF THE UNDERGROUND UTILITY FACILITIES SHOWN. PRIOR TO ANY SITE	10. GENERAL CONTRACTOR MUST ENSURE, PROVIDE AND MAINTAIN SERVICEABLE EXIT PATHS FOR PROPERTY OCCUPANTS THROUGHOUT CONSTRUCTION.	CONTACT: PAUL ROMITO PHONE: (925) 216-1516
· RDU	ROOF DRAIN UNDERGROUND	SPECIFICATIONS. A SOILS COMPACTION REPORT SHALL BE SUBMITTED TO THE ENGINEER OF RECORD.	UNDERGROUND SERVICE ALERT (USA) AND REQUEST THAT THEY IDENTIFY THE	11. CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONTRACTOR ASSUMES SOLE AND COMPLETE	DESIGN CONSULTANT (APPLICANT):
∘ CO ∘ ST	SEWER CLEANOUT STUMP	7. THE CONTRACTOR SHALL IMPLEMENT DUST CONTROL MEASURES AS REQUIRED	LOCATION OF ALL UNDERGROUND UTILITIES AT THE SITE. SEE SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.	RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE PERFORMANCE OF WORK,	BLAIR, CHURCH & FLYNN CONSULTING ENGINEERS 451 CLOVIS AVE., STE 200
	SIGN	BY THE PROJECT SPECIFICATIONS, AND BY GOVERNING PUBLIC AGENCIES.	. SITABBITION ETTERONIENTO.	INCLUDING SAFETY OF ALL PERSONS AND PROPERTY ON A CONTINUOUS BASIS NOT LIMITED TO NORMAL WORKING HOURS. CONTRACTOR FURTHER AGREES TO DEFEND,	CLOVIS, CA 93612 CONTACT: ZACHARY HOCKETT
(D)	STORM DRAIN MANHOLE	8. THE CONTRACTOR SHALL IMPLEMENT A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AS REQUIRED BY THE PROJECT SPECIFICATIONS AND THE STATE	GENERAL DEMOLITION NOTES	INDEMNIFY AND HOLD HARMLESS BLAIR, CHURCH AND FLYNN CONSULTING ENGINEERS FROM ANY AND ALL LIABILITY. REAL OR ALLEGED. IN CONNECTION WITH	PHONE: (559) 326-1400
≡ △312.55	STORM DRAIN INLET SURVEY CONTROL POINT	WATER RESOURCES CONTROL BOARD'S CONSTRUCTION GENERAL PERMIT. IMPLEMENT BEST MANAGEMENT PRACTICES WITHIN PUBLIC RIGHT OF WAY PER	THE "LIMIT OF DEMOLITION" SHOWN IS APPROXIMATE AND IS GENERALLY	THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING	SHEET INDEX
△→312.55	TELEPHONE MAHNHOLE	LOCAL JURISDICTION REQUIREMENTS.	CONSIDERED TO BE THE MINIMUM REMOVAL REQUIREMENTS. CONTRACTOR MUST	FROM THE SOLE NEGLIGENCE OF BLAIR, CHURCH & FLYNN CONSULTING ENGINEERS. 12. THESE DRAWINGS MUST BE CONSIDERED SUBSTANTIALLY COMPLETE. HOWEVER, IT	DRAWING SHEET DRAWING SHEET NAME REVISION
(II	TREE; SPREAD SHOWN	9. AS A FIRST ORDER OF WORK, THE CONTRACTOR SHALL POT HOLE THE EXISTING UTILITY LINES AT THE POINT OF CONNECTION TO VERIFY THE	COORDINATE AS NOTED IN THE PLAN LEGEND. 2. CONTRACTOR SHALL LEGALLY DISPOSE OF ALL DEMOLISHED MATERIALS OFF SITE.	IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ALL LABOR AND MATERIALS NECESSARY TO RENDER THE WORK COMPLETE, AS IS THE INTENT OF	GENERAL DRAWINGS
	GRAPHICALLY AND TRUNK DIAMETER AS SHOWN	LOCATION, SIZE, PIPE MATERIAL AND ELEVATION SO THAT THE ENGINEER CAN MAKE ELEVATION AND/OR ALIGNMENT ADJUSTMENTS IF NECESSARY. SHOULD	CONTRACTOR SHALL PROTECT ALL EXISTING UTILITY IMPROVEMENTS NOT	THESE DRAWINGS, EITHER SHOWN OR INFERRED HEREIN, THROUGH PROPER AND	G000 TITLE SHEET G001 NOTES AND SHEETS INDEX
MH)	UNIDENTIFIED MANHOLE	POT HOLING DISCOVER ANY DISCREPANCIES, CONTACT THE ENGINEER AND	SPECIFICALLY DESIGNATED FOR REMOVAL.	ESTABLISHED CONSTRUCTION PRACTICES. 13. THE ORGANIZATION OF THESE DRAWINGS IS NOT INTENDED TO CONTROL THE	SITE DRAWINGS C001 OVERALL TOPOGRAPHIC SURVEY AND DEMOLITION PLAN
⊕ UV ==	UNIDENTIFIED VALVE WHEELSTOP	OBTAIN WRITTEN DIRECTION BEFORE PROCEEDING. 10. ADJUST UTILITY LIDS WITHIN NEW CONSTRUCTION AREA TO FINISHED GRADE	4. THE ON-SITE UNDERGROUND UTILITIES SHOWN ON THIS SHEET ARE AT AN APPROXIMATE LOCATION. THE EXTENT, LOCATIONS AND SIZES ARE UNKNOWN. THE	DIVISION OF WORK AMONG SUB-CONTRACTORS. IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO DIVIDE THE WORK.	C100 SITE ACCESSIBILITY PLAN C101 SITE AND HORIZONTAL CONTROL PLAN
W	WATER METER	PER DETAIL [A/C106]. REPLACE ALL BROKEN LIDS WITH NEW. PROVIDE TRAFFIC RATED LIDS WITHIN VEHICLE LOADING AREAS.	CONTRACTOR SHALL POTHOLE TO LOCATE AND VERIFY THE UNDERGROUND UTILITY LINES PRIOR TO REMOVAL.	14. ALL MATERIAL STORED ON THE SITE MUST BE PROPERLY STACKED AND PROTECTED	C102 ENLARGED SITE PLAN C103 GRADING AND DRAINAGE PLAN
∘ WRI	WATER NALVE	11. WATER TEST PAVEMENT WITHIN NEW IMPROVEMENT AREA. REPLACE	5. CONTRACTOR TO PROTECT AND PRESERVE IN PLACE ANY FOUND SURVEY	TO PREVENT DAMAGE AND DETERIORATION UNTIL USE. 15. IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO ENSURE ALL	C104 FENCE ELEVATIONS AND SECTIONS C105 DETAILS
⊕ WV	WATER VALVE AC PAVING IMPROVEMENTS	PAVEMENT WHERE BIRD BATHS OCCUR AFTER TEST AS DIRECTED BY THE INSPECTOR OR ENGINEER.	MONUMENTS. ANY MONUMENTS DISTURBED SHALL BE RESET BY A LICENSED SURVEYOR AND THE APPROPRIATE PAPERWORK FILED WITH THE CITY OR COUNTY.	SUB-CONTRACTORS HAVE ACCESS TO ALL OF THE VARIOUS DISCIPLINE DRAWINGS	C106 DETAILS C107 DETAILS
	BUILDING		ALL HAZADDONO MATERIALO ENCOUNTERER RUDINO OUTE REMOLITION OUALL RE	TO ACCOMPLISH THE WORK SPECIFIED IN THE CONTRACT DOCUMENTS. 16. GENERAL CONTRACTOR MUST NOTIFY THE DESIGNER OF RECORD PRIOR TO	C107 DETAILS C108 DETAILS
	CONCRETE IMPROVEMENTS TRUNCATED DOMES		REMEDIATED AND DISPOSED OF PER STATE AND EPA REQUIREMENTS.	CONSTRUCTION OR TASK (2 WEEK NOTICE) IF ANY AMBIGUOUS OR UNCLEAR	ELECTRICAL DRAWINGS E100 OVERALL ELECTRICAL SITE PLAN
0	TRUNCATED DOMES CHAIN LINK FENCE		7. CONTRACTOR SHALL CONTACT AND COORDINATE WITH ALL UTILITY AGENCIES PRIOR TO THE START OF ANY DEMOLITION OR CONSTRUCTION.	CONDITIONS ARE ENCOUNTERED. 17. ALL PRODUCTS MARKED "OR APPROVED EQUAL" SHALL BE APPROVED BY THE	E101 ENLARGED ELECTRICAL SITE PLANS
	EDGE OF AC PAVING EDGE OF CONCRETE		8. ANY EXISTING UTILITIES AND/OR IMPROVEMENTS THAT BECOME DAMAGED DURING	OWNER PRIOR TO PURCHASING AND INSTALLING OF WORK AND SHALL MEET THE REQUIREMENTS OF ALL GOVERNING CODES AND AGENCIES.	E102 ELECTRICAL DETAILS E103 T24 DOCUMENTS
	PROPERTY LINE		CONSTRUCTION SHALL BE COMPLETELY RESTORED TO THE SATISFACTION OF THE OWNER AND AGENCY HAVING AUTHORITY, AT THE CONTRACTOR'S SOLE EXPENSE.	18. SAMPLES OF ALL COLORS AND MATERIALS SHALL BE SUBMITTED TO THE DESIGNER	
	RIGHT OF WAY LINE		9. REMOVE TREES TO A MINIMUM DEPTH OF 3' OR TO BOTTOM OF ROOT BALL,	OF RECORD FOR REVIEW AND APPROVAL PRIOR TO ORDERING OF PRODUCTS OR COMMENCING RELATED WORK.	
			WHICHEVER IS DEEPER. 10. REMOVE EXISTING IMPROVEMENTS AS NECESSARY TO CONSTRUCT NEW	19. PROVIDE SAFEGUARDS DURING CONSTRUCTION AS REQUIRED BY CBC CHAPTER 33.	CODE TABULATION
			IMPROVEMENTS SHOWN ON THESE PLANS.	PROVIDE PEDESTRIAN PROTECTION AS REQUIRED BY CBC SECTION 3306. 20. GENERAL CONTRACTOR MUST SALVAGE ALL EXISTING SIGNS ATTACHED TO THE	ALL WORK AND MATERIAL SHALL BE PERFORMED AND INSTALLED IN COMPLIANCE WITH
			a) FOR CONCRETE REMOVAL, REMOVE TO THE NEXT NEAREST TOOLED JOINT OR EXPANSION JOINT OF IMPROVEMENTS DESIGNATED TO REMAIN.	FENCING TO BE REMOVED AND RELOCATE SIGNS TO THE SAME LOCATION ON THE	THE FOLLOWING CODES AS ADOPTED AND AMENDED BY THE GOVERNING JURISDICTION.
			b) FOR ASPHALTIC PAVEMENT REMOVAL. SAWCUT TO A STRAIGHT, CLEAN EDGE	NEW FENCING.	NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE 2019 CALIFORNIA CODE OF REGULATIONS, TITLE 24. AND THE LAKEPORT MUNICIPAL
			AT LOCATIONS INDICATED ON THE PLANS.		CODE.
		JOB NO 220-0128	CORPORATE REAL ESTATE STRATEGY AND SERVICES DISCIPLINE	PG&E LAKEPORT SI	100% CONSTRUCTION DOCUMENTS FRVICE CENTER WARNING: THIS DOCUMENT CONTAINS CONFIDENTIAL, PROPRIETARY INFORMATION THAT IS THE SOLE
		DSGN S. DUNCAN DWN S. DUNCAN Corporate Real Estate Strategy	PACIFIC GAS AND ELECTRIC COMPANY SAN FRANCISCO, CALIFORNIA FACILITY TYPE SERVICE FACILITY NAME LAKEP	CECHDITY CENCE I	PROPERTY OF PACIFIC GAS AND FLECTRIC COMPANY
		CHKD C. MCLAUGHLIN	Blair, SITE ID		AND ITS AGENTS.
		SUPV Z. HOCKETT APVD 1 PLEOR CIVIL CONTROL OF THE PROPERTY O	church Save., Suite 200 Building ID CLOVIS, CALIFORNIA 93612 CLOVIS, CALIFORNIA 93612 BUILDING NAME	NOTES AND SH	DRAWING NUMBER
DATE DESCR	PTION	APVD 2 NOT FOR CALIFORNIA QUALITY CONSTRUCT	FLOOR ID RCIAL - INDUSTRIAL	1575 NORTH HIGH STREET	T LAKEPORT CA 95453 DRAWING NUMBER REV G001
' DATE DESCR	PTION DSGN DWN CH	HKD SUPV APVD DATE 2020.08.21	12619 CA LICENSE #734124 CONSULTING ENGINEERS ORDER NO		

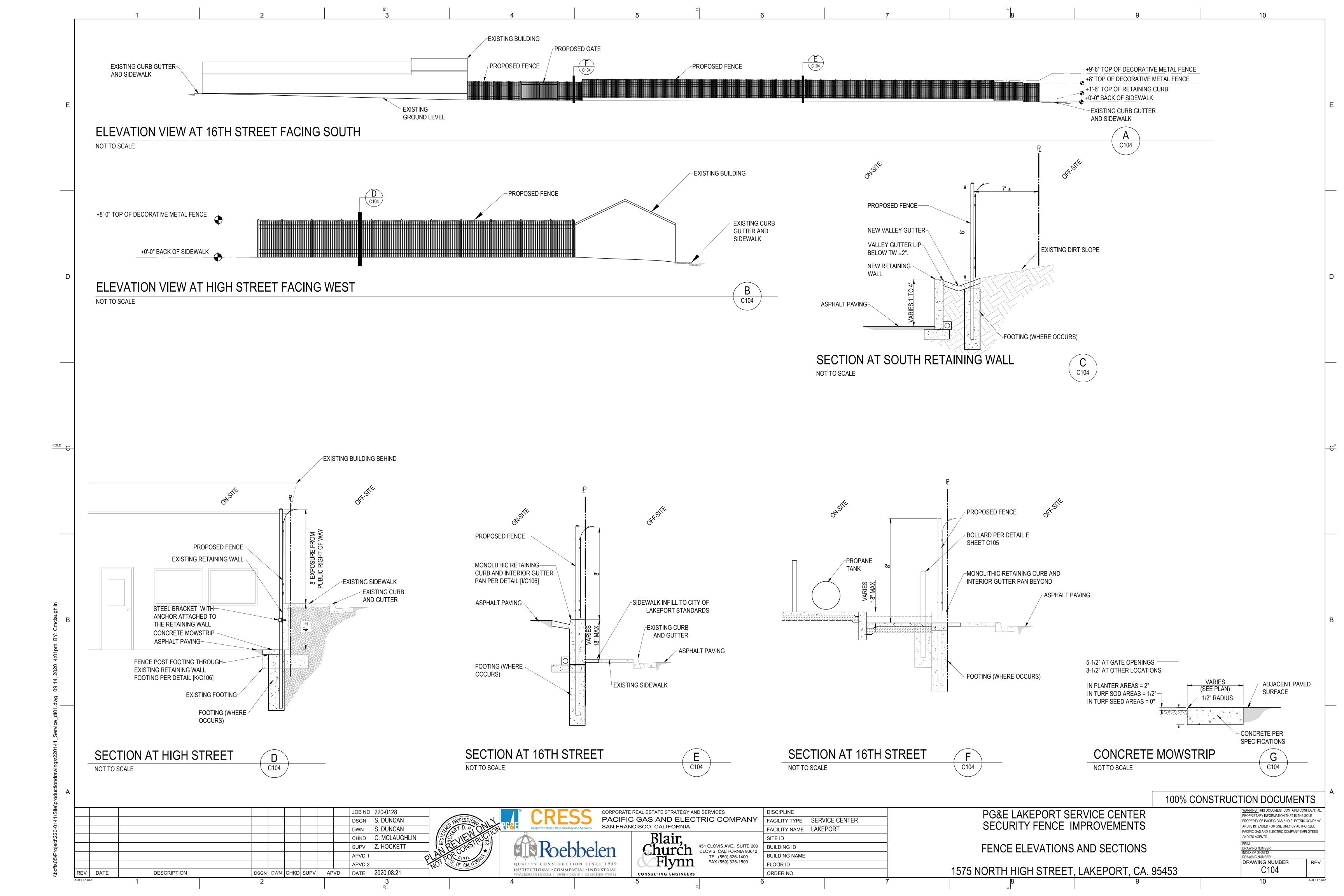


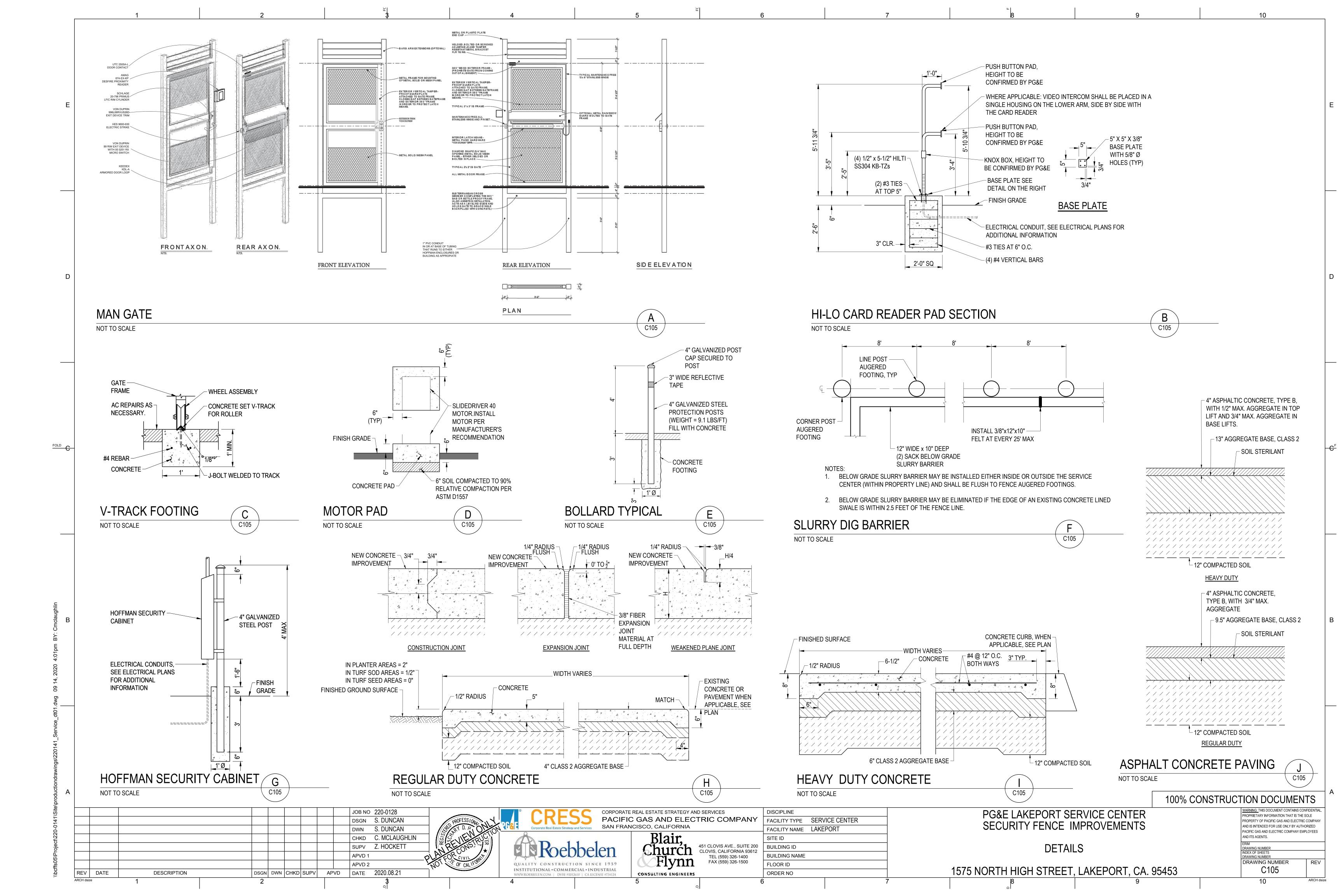


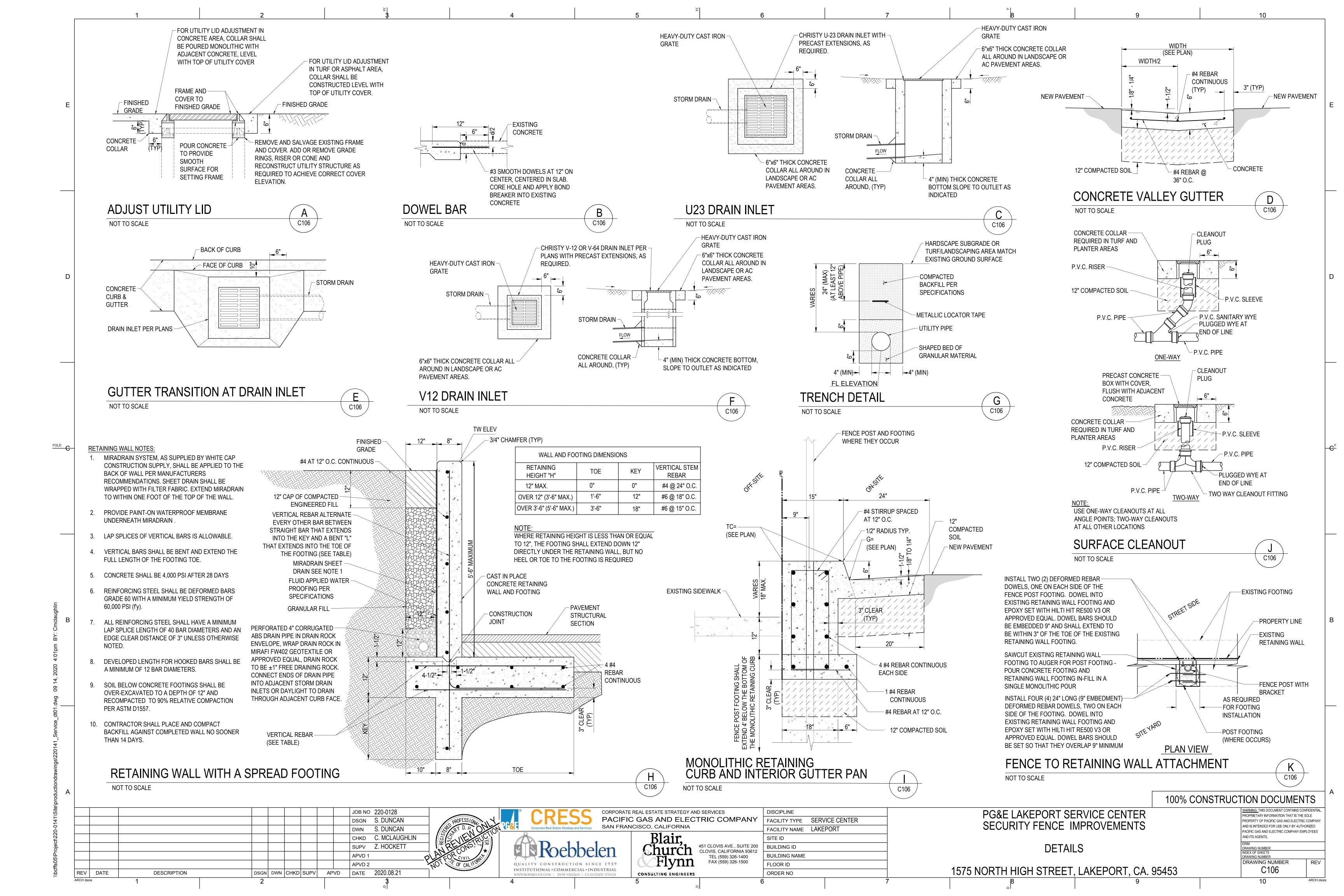


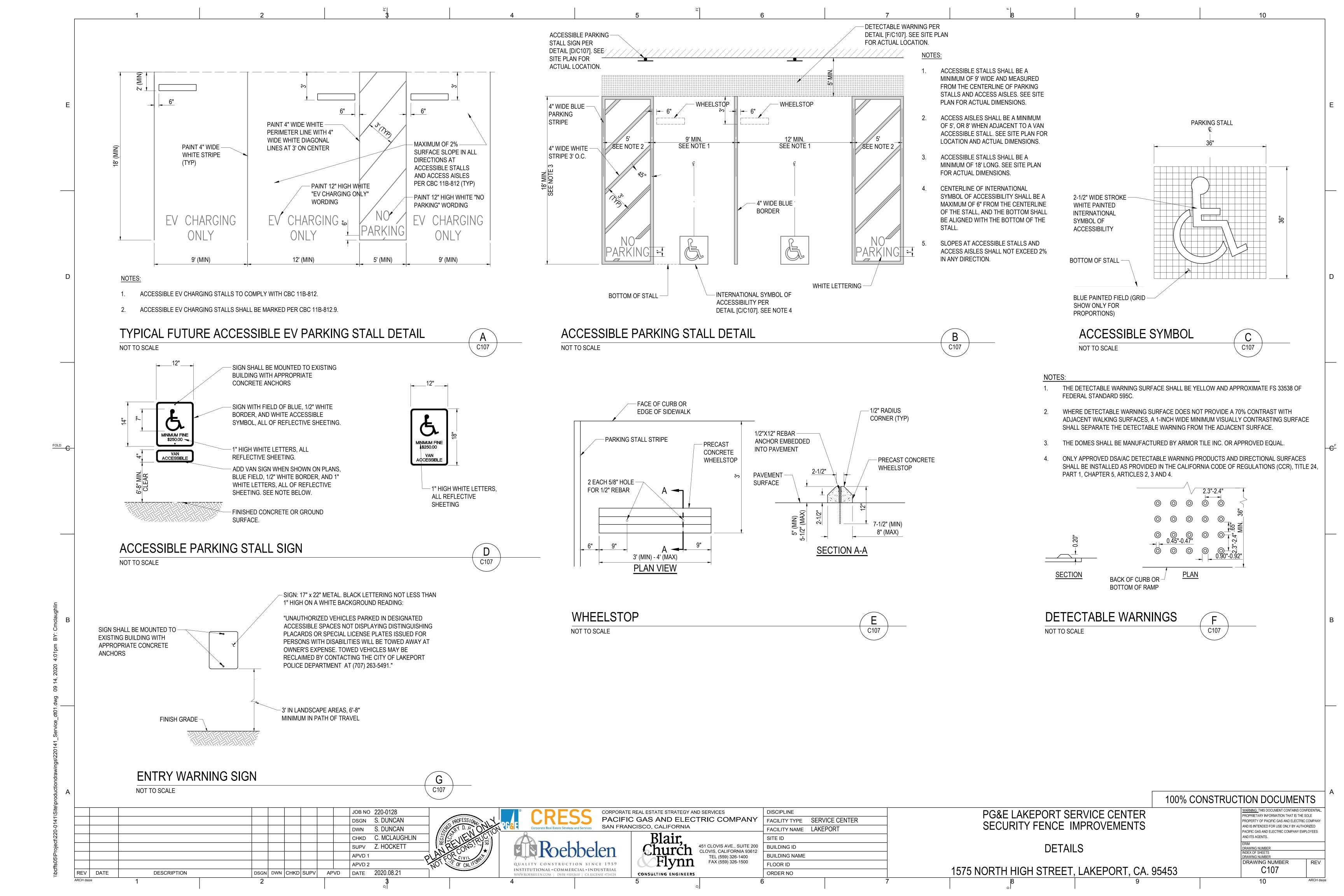


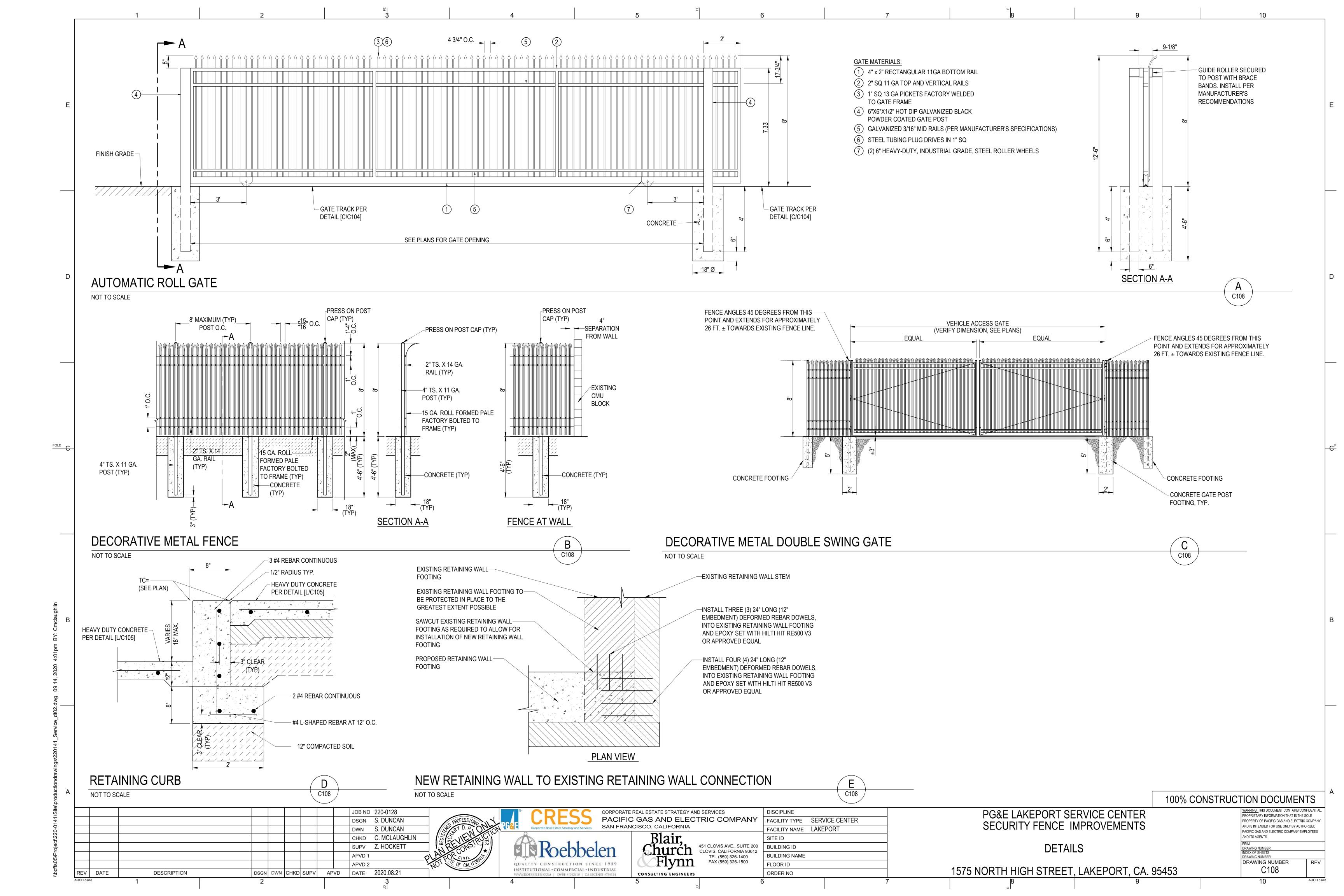


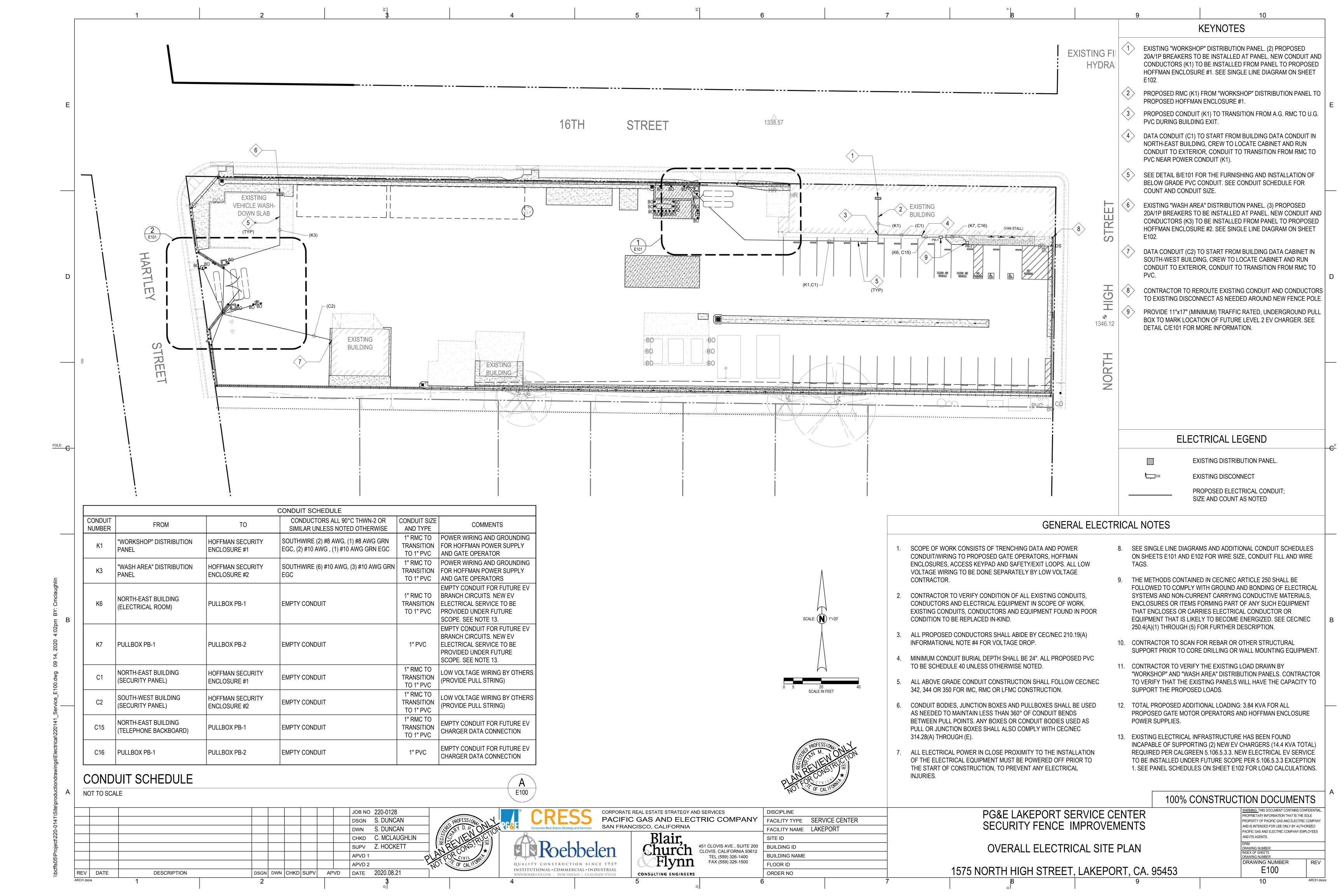


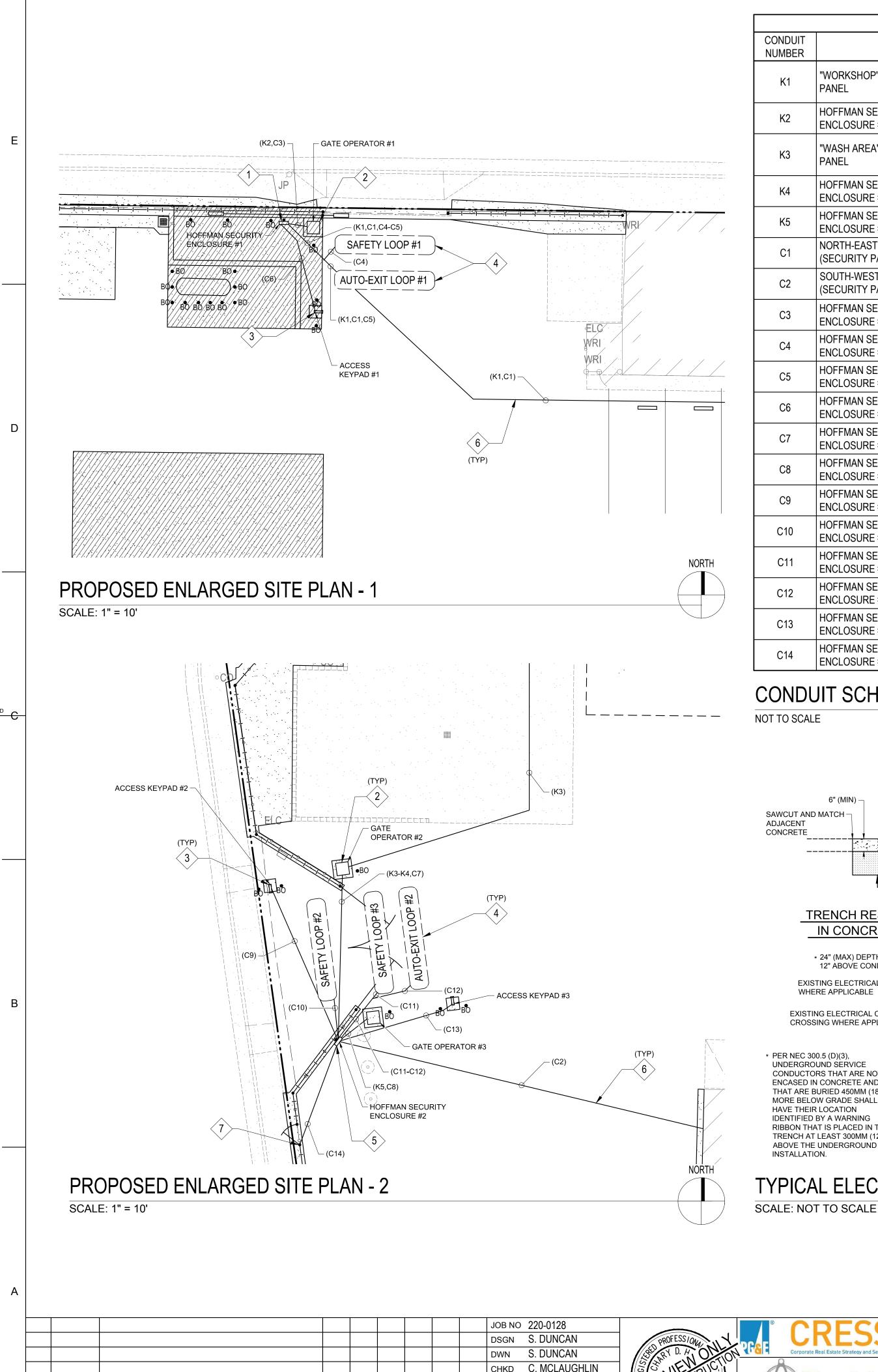












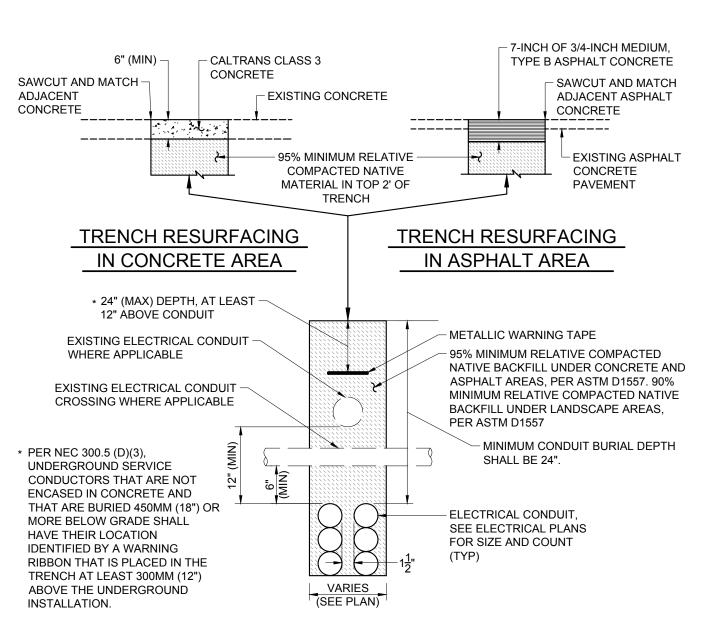
DSGN DWN CHKD SUPV APVD DATE 2020.08.21

REV DATE

DESCRIPTION

CONDUIT			CONDUIT SCHEDULE CONDUCTORS ALL 90°C THWN-2 OR SIMILAR	CONDUIT SIZE AND		
NUMBER	FROM	ТО	UNLESS NOTED OTHERWISE	TYPE TYPE	COMMENTS	
K1		HOFFMAN SECURITY ENCLOSURE #1	SOUTHWIRE (2) #8 AWG, (1) #8 AWG GRN EGC, (2) #10 AWG, (1) #10 AWG GRN EGC	1" RMC TO TRANSITION TO 1" PVC	POWER WIRING AND GROUNDING FOR HOFFMAN POWER SUPPLY AND GATE OPERATOR	
K2	HOFFMAN SECURITY ENCLOSURE #1	GATE OPERATOR #1	SOUTHWIRE (2) #10 AWG, (1) #10 AWG GRN EGC, TAGGED (L1, N, G)	1" RMC TO TRANSITION TO 1" PVC	POWER WIRING AND GROUNDING TO GATE OPERATOR	
K3 "WASH AREA" DISTRIBUTION PANEL		HOFFMAN SECURITY ENCLOSURE #2	SOUTHWIRE (6) #10 AWG, (3) #10 AWG GRN EGC	1" RMC TO TRANSITION TO 1" PVC	POWER WIRING AND GROUNDING FOR HOFFMAN POWER SUPPLY AND GATE OPERATORS	
K4	1 C / 1 L / D L D / 1 / D + 1 / D / D / D / D / D / D / D / D / D /		SOUTHWIRE (2) #10 AWG, (1) #10 AWG GRN EGC, TAGGED (L1, N, G)			
K5	HOFFMAN SECURITY ENCLOSURE #2	GATE OPERATOR #3	SOUTHWIRE (2) #10 AWG, (1) #10 AWG GRN EGC, TAGGED (L1, N, G)	1" RMC TO TRANSITION TO 1" PVC	POWER WIRING AND GROUNDING TO GATE OPERATOR	
C1	NORTH-EAST BUILDING (SECURITY PANEL)	HOFFMAN SECURITY ENCLOSURE #1	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER: (PROVIDE PULL STRING)	
C2	SOUTH-WEST BUILDING (SECURITY PANEL)	HOFFMAN SECURITY ENCLOSURE #2	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C3	HOFFMAN SECURITY ENCLOSURE #1	GATE OPERATOR #1	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C4	HOFFMAN SECURITY ENCLOSURE #1	SAFETY LOOP #1	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C5	HOFFMAN SECURITY ENCLOSURE #1	AUTO-EXIT LOOP #1	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C6	HOFFMAN SECURITY ENCLOSURE #1	ACCESS KEYPAD #1	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C7	HOFFMAN SECURITY ENCLOSURE #2	GATE OPERATOR #2	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C8	HOFFMAN SECURITY ENCLOSURE #2	GATE OPERATOR #3	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C9	HOFFMAN SECURITY ENCLOSURE #2	ACCESS KEYPAD #2	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C10	HOFFMAN SECURITY ENCLOSURE #2	SAFETY LOOP #2	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C11	HOFFMAN SECURITY ENCLOSURE #2	SAFETY LOOP #3	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C12	HOFFMAN SECURITY ENCLOSURE #2	AUTO-EXIT LOOP #2	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C13	HOFFMAN SECURITY ENCLOSURE #2	ACCESS KEYPAD #3	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	
C14	HOFFMAN SECURITY ENCLOSURE #2	MAIN GATE #1	EMPTY CONDUIT	1" RMC TO TRANSITION TO 1" PVC	LOW VOLTAGE WIRING BY OTHER (PROVIDE PULL STRING)	

CONDUIT SCHEDULE



CONSULTING ENGINEERS

TYPICAL ELECTRICAL UTILITY TRENCH

B E101

DISCIPLINE

ORDER NO

** 5/8 x 8' COPPER -LOCATION. GROUND ROD. IF BOX IS COMPOSITE CONTRACTOR TO WITH COMPOSITE **CUT HOLES** LID, GROUND ROD REQUIRED FOR IS NOT NEEDED CONDUIT AND GROUND ROD. (WIDTH TO MATCH PULLBOX)

(SEE CONDUIT PLAN AND BILL OF MATERIALS FOR DETAILS)

- (2) 5/8" DIA. BOLTDOWN

- 1/2" THICK STEEL

DIAMOND PLATE

COVER FOR H-20

PULL BOX LID TO -BE SECURELY

GROUND ROD IF

BONDED TO

METALLIC

TRAFFIC LOADING,

MARKED "ELECTRIC"

HOLES WITH BOLTS

CONCRETE AREAS -

PULLBOX TO BE

OF COMPOSITE

ROOFING

PAPER LAYER

CRUSHED ROCK

Α

E101

- ASPHALT CONCRETE

COMPACT 12" OF NATIVE

MINIMUM 95% RELATIVE

COMPACTION PER ASTM

SEE SHEET # FOR

PULLBOX SIZE AND

SOIL MATERIAL TO

NOTES:

PAVEMENT AREAS

OPEN BOTTOM PULLBOX (TRAFFIC RATED) SCALE: NOT TO SCALE

ELECTRICAL NOTES

ELECTRICAL CALLOUTS

PROPOSED ACCESS KEYPAD TO HAVE (1) 1" CONDUIT INSTALLED PER

PROPOSED SAFETY/EXIT LOOP TO HAVE (1) 1" CONDUIT INSTALLED PER

MANUFACTURER'S INSTRUCTIONS. TYPICAL FOR EACH LOOP.

MANUFACTURER'S INSTRUCTIONS. TYPICAL FOR EACH ACCESS KEYPAD. SEE

PROPOSED HOFFMAN SECURITY ENCLOSURE #2 TO BE FED BY POWER CONDUIT

(K3) AND DATA CONDUIT (C2), SEE DETAIL G/C105. ELECTRICAL TERMINATION BY

SEE DETAIL E/E102 FOR THE FURNISHING AND INSTALLATION OF BELOW GRADE

PVC CONDUIT. SEE CONDUIT SCHEDULE FOR COUNT AND CONDUIT SIZE.

PROPOSED MAIN GATE TO HAVE (1) 1" CONDUIT (C14) INSTALLED PER

MANUFACTURER'S INSTRUCTIONS, SEE DETAIL A/C105.

PAD. TYPICAL FOR EACH PROPOSED GATE OPERATOR.

DETAIL B/C105.

PROPOSED HOFFMAN SECURITY ENCLOSURE #1 TO BE FED BY POWER CONDUIT (K1) AND DATA CONDUIT (C1). SEE DETAIL G/C105. ELECTRICAL TERMINATION BY

PROPOSED GATE OPERATOR TO BE FED BY POWER CONDUIT AND DATA CONDUIT SEE CONDUIT SCHEDULE. SEE DETAIL D/C105 FOR INSTALLATION OF CONCRETE

- 2. CONTRACTOR TO VERIFY CONDITION OF ALL EXISTING CONDUITS, CONDUCTORS AND ELECTRICAL EQUIPMENT IN SCOPE OF WORK. EXISTING CONDUITS, CONDUCTORS AND EQUIPMENT FOUND IN POOR CONDITION TO BE REPLACED
- 4. SEE SINGLE LINE DIAGRAMS ON SHEET E102 AND CONDUIT SCHEDULE FOR WIRE SIZE, CONDUIT FILL AND WIRE TAGS.
- 5. CONTRACTOR TO VERIFY THE EXISTING LOAD DRAWN BY "WORKSHOP" AND "WASH AREA" DISTRIBUTION PANELS. CONTRACTOR TO VERIFY THAT THE EXISTING PANELS WILL HAVE THE CAPACITY TO SUPPORT THE PROPOSED
- 6. MAXIMUM VOLTAGE DROP FOR CONDUCTORS: #8 WIRES = 2.4%, #10 WIRES = 2%.
- 7. TOTAL PROPOSED ADDITIONAL LOADING: 3.84 KVA FOR ALL PROPOSED GATE MOTOR OPERATORS AND HOFFMAN ENCLOSURE POWER SUPPLIES.

SEE SHEET E100 FOR



100% CONSTRUCTION DOCUMENTS

PG&E LAKEPORT SERVICE CENTER CORPORATE REAL ESTATE STRATEGY AND SERVICES PACIFIC GAS AND ELECTRIC COMPANY FACILITY TYPE SERVICE CENTER SECURITY FENCE IMPROVEMENTS SAN FRANCISCO, CALIFORNIA FACILITY NAME LAKEPORT <u>B</u>lair, CHKD C. MCLAUGHLIN SITE ID SUPV Z. HOCKETT 451 CLOVIS AVE., SUITE 200 **BUILDING ID** CLOVIS, CALIFORNIA 93612 APVD 1 **BUILDING NAME** TEL (559) 326-1400 Flynn FAX (559) 326-1500 FLOOR ID QUALITY CONSTRUCTION SINCE 1959 APVD 2

INSTITUTIONAL · COMMERCIAL · INDUSTRIAL

ENLARGED ELECTRICAL SITE PLANS

C

E101

PROPRIETARY INFORMATION THAT IS THE SOLE PROPERTY OF PACIFIC GAS AND ELECTRIC COMPANY AND IS INTENDED FOR USE ONLY BY AUTHORIZED PACIFIC GAS AND ELECTRIC COMPANY EMPLOYEES AND ITS AGENTS.

DRAWING NUMBER

1575 NORTH HIGH STREET, LAKEPORT, CA. 95453

3. ALL PROPOSED CONDUCTORS SHALL ABIDE BY CEC/NEC 210.19(A) INFORMATIONAL NOTE #4 FOR VOLTAGE DROP.

ELECTRICAL LEGEND

MAIN ELECTRICAL PANEL BUS AMPS: <u>200</u> MFR: CUTLER-HAMMER LOCATION: ELECTRICAL ROOM MTG: SURFACE MAIN AMPS: <u>200</u> VOLTS: <u>240Y/120V</u> <u>OPEN DELTA</u> WIRES: <u>4</u> FEEDER ENTRY AT: BOTTOM AIC RATING: 42,000A SYM. PHASE: <u>3</u> FEEDER: EXISTING **VOLT-AMPS VOLT-AMPS** BKR TRIP CKT CKT BKR TRIP DESCRIPTION DESCRIPTION L2 L2 | L3 L2 L3 L1 L3 20A / 1P 1000 LIGHTING - CHANGING ROOM TOILETS 20A / 1P FOREMAN ROOM RADIO CONSOLE 900 20A / 1P 1200 RECEPTACLES - OFFICE 0 20A / 1P LIGHTING - WAREHOUSE 900 0 1200 RECEPTACLES - GARAGE 20A / 1P 20A / 1P LIGHTING - ENGINE ROOM LIGHTS LIGHTING - GARAGE 1200 0 0 20A / 1P 20A / 1P 1000 0 LIGHTING - FLOOD LIGHTS 2160 10 20A / 1P 1000 LIGHTING - FLOOD LIGHTS WATER HEATER 2160 0 25A / 2P CHANGE ROOM WEST HEATER 2400 14 0 0 13 0 0 50A / 2P 240V RECEPTACLE - KITCHEN 0 4800 0 15 2880 16 0 0 CHANGE ROOM HEATER 30A / 2P 18 2880 4800 0 0 0 TOOL ROOM HEATER 19 20 20A / 1P 900 ENGINE ROOM PLUGS 0 22 23 15A / 1P 1200 GAS PUMP AND LIGHTS CONNECTED LOAD > 12000 7860 7860 ESTIMATED TOTAL VOLT-AMPERES 5300 5080 7680 < CONNECTED LOAD PROPOSED LINE 1 AMP: 144.2A L1 L3 PROPOSED LINE 2 AMP: 107.8A 45.8KVA TOTAL ESTIMATED CONNECTED LOAD: 127.1A @ 3PH, 208V, 124.1% OF PANEL 15540 VA 17300 VA 12940 VA PROPOSED LINE 3 AMP: 129.5A "MAIN" PANEL SCHEDULE E102 NOT TO SCALE NOT TO SCALE "WORKSHOP" DISTRIBUTION PANEL (SEE NOTE 6) MFR: BRYANT MTG: <u>SURFACE</u> BUS AMPS: <u>100</u> LOCATION: WORKSHOP MAIN AMPS: M.L.O FEEDER: EXISTING PHASE: 1 FEEDER ENTRY AT: TOP AIC RATING: 10,000A SYM. WIRES: 3 VOLTS: <u>240/120V</u> **VOLT-AMPS** VOLT-AMPS

"WORKSHOP" DISTRIBUTION PANEL, 100 AMP BUS, MLO, 240/120V, 1Ø, 3W, 10 KAIC MINIMUM **EXISTING CONDUIT -**(NO CHANGES) 1" A.G. RMC ——— TO TRANSITION TO — 1" A.G. RMC TO TRANSITION TO 1" U.G. PVC WITH 1" U.G. PVC WITH (2) #8 Cu AND (2) #10 Cu AND (1) #8 Cu GND (1) #10 Cu GND TO PROPOSED HOFFMAN ENCLOSURE #1

SINGLE LINE DIAGRAM ("WORKSHOP" PANEL)

METER SECTION —

COMPATIBLE WITH EXISTING PANELS.

ELECTRICAL NOTES

2. CONTRACTOR TO VERIFY CONDITION OF ALL EXISTING CONDUITS, CONDUCTORS AND ELECTRICAL EQUIPMENT IN SCOPE OF WORK. EXISTING CONDUITS,

CONDUCTORS AND EQUIPMENT FOUND IN POOR CONDITION TO BE REPLACED

4. SEE SINGLE LINE DIAGRAMS AND CONDUIT SCHEDULES ON SHEETS E100 AND

5. CONTRACTOR TO VERIFY THE EXISTING LOAD DRAWN BY "WORKSHOP" AND

"WASH AREA" DISTRIBUTION PANELS. CONTRACTOR TO VERIFY THAT THE

EXISTING PANELS WILL HAVE THE CAPACITY TO SUPPORT THE PROPOSED

CONTRACTOR TO VERIFY MAKE AND MODEL OF EXISTING "WORKSHOP" AND

"WASH AREA" DISTRIBUTION PANELS. PROPOSED BRANCH BREAKERS TO BE

7. MAXIMUM VOLTAGE DROP FOR CONDUCTORS: #8 WIRES = 2.4%, #10 WIRES = 2%.

8. TOTAL PROPOSED ADDITIONAL LOADING: 3.84 KVA FOR ALL PROPOSED GATE

MOTORS OPERATORS AND HOFFMAN ENCLOSURE POWER SUPPLIES.

3. ALL PROPOSED CONDUCTORS SHALL ABIDE BY CEC/NEC 210.19(A)

1. SEE GENERAL ELECTRICAL NOTES ON SHEET E100.

INFORMATIONAL NOTE #4 FOR VOLTAGE DROP.

E101 FOR WIRE SIZE, CONDUIT FILL AND WIRE TAGS.

"WORKSHOP" PANEL SCHEDULE

DESCRIPTION

RECEPTACLES - CLERKS OFFICE

RECEPTACLES - OFFICE

DISTRIBUTION PANEL "GARAGE"

COMM ROOM

NOT TO SCALE

PROPOSED LINE 1 AMP: 109.7A

PROPOSED LINE 2 AMP: 79.7A

"WASH AREA" DISTRIBUTION PANEL BUS AMPS: <u>100</u> (SEE NOTE 6) MFR: WESTINGHOUSE LOCATION: WASH AREA MTG: SURFACE MAIN AMPS: M.L.O PHASE: 1 FEEDER ENTRY AT: SIDE AIC RATING: 10,000A SYM. WIRES: 3 VOLTS: <u>240/120V</u> FEEDER: EXISTING **VOLT-AMPS** VOLT-AMPS DESCRIPTION DESCRIPTION L2 L2 L1 1920 SUMP PUMP 20A / 1P WASH EQUIPMENT 1920 30A / 1P 2880 WASH EQUIPMENT WASH EQUIPMENT 1920 SPACE WASH EQUIPMENT 3840 40A / 1P 0 SPACE WASH EQUIPMENT 40A / 1P 0 SPACE SPACE (PROPOSED) HOFFMAN ENCLOSURE #2 1200 SPACE (PROPOSED) GATE OPERATOR #2 20A / 1P (PROPOSED) GATE OPERATOR #3 20A / 1P SPACE 480 0 SPACE CONNECTED LOAD > 8160 7440 ESTIMATED TOTAL VOLT-AMPERES 1920 2880 < CONNECTED LOAD PROPOSED LINE 1 AMP: 84.0A PROPOSED LINE 2 AMP: 86.0A 20.4KVA TOTAL ESTIMATED CONNECTED LOAD: 85.0A @ 1PH, 240V, 85% OF PANEL 10320 VA 10080 VA

ESTIMATED TOTAL VOLT-AMPERES

EXISTING "SOUTH-WEST BUILDING" SERVICE PULL SECTION — METER AND MAIN PANELBOARD, 200 AMP BUS, 200 AMP MAIN, 240/120V, 3Ø, 4W, 10 kAIC EXISTING UTILITY -LANDING LUGS + TRANSFORMER **EXISTING CONDUIT** (NO CHANGES) _ --- --- ---"WASH AREA" DISTRIBUTION PANEL, 100 AMP BUS, MLO, 240/120V, 1Ø, 3W, 10 kAIC 1" A.G. RMC ——— TO TRANSITION TO TO TRANSITION TO 1" U.G. PVC WITH 1" U.G. PVC WITH (2) #10 Cu AND (2) #10 Cu AND (1) #10 Cu GND (1) #10 Cu GND (TYPICAL FOR GATE OPERATOR #2 AND #3

SINGLE LINE DIAGRAM ("WASH AREA" PANEL)

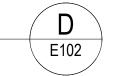
NOT TO SCALE

E E102

В E102

"WASH AREA" PANEL SCHEDULE

NOT TO SCALE



E102

DESCRIPTION

(PROPOSED) HOFFMAN ENCLOSURE #1

(PROPOSED) GATE OPERATOR #1

SPACE

L1 L2

480

2640

3120 < CONNECTED LOAD

22.7KVA TOTAL ESTIMATED CONNECTED LOAD: 94.7A @ 1PH, 240V, 94.7% OF PANEL

1200

2640

0

REMARKS:

0

3840

20A / 1P

L2

9560 VA

100% CONSTRUCTION DOCUMENTS

JOB NO 220-0128 DSGN S. DUNCAN DWN S. DUNCAN CHKD C. MCLAUGHLIN SUPV Z. HOCKETT APVD 1 DSGN DWN CHKD SUPV APVD DATE 2020.08.21 REV DATE DESCRIPTION

BKR TRIP

20A / 1P

20A / 1P

20A / 1P

L1

13160 VA

L2

0

5000

1440

1440

5000

CONNECTED LOAD > 9320 6440

QUALITY CONSTRUCTION SINCE 1959

INSTITUTIONAL · COMMERCIAL · INDUSTRIAL

CORPORATE REAL ESTATE STRATEGY AND SERVICES PACIFIC GAS AND ELECTRIC COMPANY SAN FRANCISCO, CALIFORNIA

<u>B</u>lair, TEL (559) 326-1400 FAX (559) 326-1500 CONSULTING ENGINEERS

DISCIPLINE FACILITY TYPE SERVICE CENTER FACILITY NAME LAKEPORT SITE ID **BUILDING ID BUILDING NAME** FLOOR ID ORDER NO

PG&E LAKEPORT SERVICE CENTER SECURITY FENCE IMPROVEMENTS

ELECTRICAL DETAILS

1575 NORTH HIGH STREET, LAKEPORT, CA. 95453

PROPERTY OF PACIFIC GAS AND ELECTRIC COMPAN PACIFIC GAS AND ELECTRIC COMPANY EMPLOYEES AND ITS AGENTS.

DRAWING NUMBER

451 CLOVIS AVE., SUITE 200 CLOVIS, CALIFORNIA 93612

Parking Garage B. PROJECT SCOPE	Retail Lakeport, CA Warehouse		Occupancy Type	es Within Projec		Support Areas	
	High-Rise Residential Relocatable		ealthcare Facilit		ner (Write In):	Utility Service Center	
						2	
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Electrical Service Designation/ Description	Scope of Work ¹	Rating (kVA)	Utility Provided Metering System Exception to §130.5(a)²	System subject to CA Elec Code Article 517 Exception to §130.5(a)&(b)	Demand Response Controls Where required, demand response controls reporting and automatically responding to at least one standards based messaging protocol which enables demand response after receiving a		
Existing Building Service	Add/Alt to feeders and branch circuits only				1 '	e controls are required.	
Existing Workshop Service	Add/Alt to feeders and branch circuits only				-		
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STATE OF CALIFORNIA **Electrical Power Distribution** NRCC-ELC-E (Created 11/19) CALIFORNIA ENERGY COMMISS CERTIFICATE OF COMPLIANCE NRCC-ELC-E Project Name: PG&E Lakeport Service Center Security Fence Improvements Report Page: Page 2 of 4 Project Address: 1575 North High Street, Lakeport CA. 95453 Date Prepared: 8/6/2020 Service Electrical Separation for Controlled Voltage Drop Metering Monitoring Receptacles §130.5(c) **Compliance Results** §130.5(a) §130.5(b) §130.5(d) (See Table F) (See Table G) (See Table H) (See Table I) COMPLIES D. EXCEPTIONAL CONDITIONS This table is auto-filled with uneditable comments because of selections made or data entered in tables throughout the form. No exceptional conditions apply to this project. E. ADDITIONAL REMARKS This table includes remarks made by the permit applicant to the Authority Having Jurisdiction. F. SERVICE ELECTRICAL METERING This Section Does Not Apply G. SEPARATION OF ELECTRICAL CIRCUITS FOR ENERGY MONITORING This Section Does Not Apply H. VOLTAGE DROP Table Instructions: Please complete this table for entirely new or complete replacement electrical power distribution systems, or alterations that add, modify or replace both feeders and branch circuits to demonstrate compliance with §130.5(c). For alterations, only the altered circuits must demonstrate compliance per §141.0(b)2Piii. 05 Sheet Number for Voltage Drop Field Inspector Combined Voltage Drop on Installed Feeder/Branch **Electrical Service** Location of Voltage Drop Calculations in Construction Circuit Conductors Compliance Method Calculations¹ Designation/ Description Documents Pass Fail Permitted by CA Elec Existing Building Service ✓ Voltage drop < 5% Code (Exception to In construction documents Sheet E102 §130.5(c))* Table Continued

CA Building Energy Efficiency Standards - 2019 Nonresidential Compliance: http://www.energy.ca.gov/title24/2019standards

STATE OF CALIFORNIA **Electrical Power Distribution** NRCC-ELC-E (Created 11/19) CERTIFICATE OF COMPLIANCE NRCC-ELC-E Project Name: PG&E Lakeport Service Center Security Fence Improvements Report Page: Page 3 of 4 Project Address: 1575 North High Street, Lakeport CA. 95453 Date Prepared: 8/6/2020 05 Sheet Number for Voltage Drop Combined Voltage Drop on Installed Feeder/Branch Location of Voltage Drop Field Inspector **Electrical Service** Calculations in Construction Circuit Conductors Compliance Method Designation/ Description Calculations¹ Documents Pass Fail Permitted by CA Elec Existing Workshop Service ✓ Voltage drop < 5% Code (Exception to In construction documents Sheet E102 §130.5(c))* *NOTES If "Permitted by CA Elec Code*" is selected under Compliance Method above, please indicate where the exception applies in the space provided below. ¹ FOOTNOTES: Voltage drop calculations may be attached to the permit application outside the construction documents if allowed by the Authority Having Jurisdiction. Select "attached" if applicable. If calculations will be the responsibility of the installing contractor, select "Contractor Responsible". I. CIRCUIT CONTROLS FOR 120-VOLT RECEPTACLES AND CONTROLLED RECEPTACLES This Section Does Not Apply J. DECLARATION OF REQUIRED CERTIFICATES OF INSTALLATION Table Instructions: Selections have been made based on information provided in previous tables of this document. If any selection needs to be changed, please explain why in Table E. Additional Remarks. These documents must be provided to the building inspector during construction and can be found online at https://ww2.energy.ca.gov/ title24/2019standards/2019_compliance_documents/Nonresidential_Documents/NRCI/ Field Inspector YES Form/Title Pass Fail NRCI-ELC-01-E - Must be submitted for all buildings. K. DECLARATION OF REQUIRED CERTIFICATES OF ACCEPTANCE There are no Certificates of Acceptance applicable to electrical power distribution requirements.

CA Building Energy Efficiency Standards - 2019 Nonresidential Compliance: http://www.energy.ca.gov/title24/2019standards November 2019



100% CONSTRUCTION DOCUMENTS

JOB NO 220-0128 DSGN S. DUNCAN DWN S. DUNCAN CHKD C. MCLAUGHLIN SUPV Z. HOCKETT APVD 1 DSGN DWN CHKD SUPV APVD DATE 2020.08.21 REV DATE DESCRIPTION

CA Building Energy Efficiency Standards - 2019 Nonresidential Compliance: http://www.energy.ca.gov/title24/2019standards

November 2019

CORPORATE REAL ESTATE STRATEGY AND SERVICES PACIFIC GAS AND ELECTRIC COMPANY

QUALITY CONSTRUCTION SINCE 1959

INSTITUTIONAL · COMMERCIAL · INDUSTRIAL

SAN FRANCISCO, CALIFORNIA <u>B</u>lair,

CONSULTING ENGINEERS

SITE ID 451 CLOVIS AVE., SUITE 200 **BUILDING ID** CLOVIS, CALIFORNIA 93612 **BUILDING NAME** TEL (559) 326-1400 FAX (559) 326-1500 FLOOR ID ORDER NO

FACILITY TYPE SERVICE CENTER FACILITY NAME LAKEPORT

November 2019

PG&E LAKEPORT SERVICE CENTER SECURITY FENCE IMPROVEMENTS

PROPRIETARY INFORMATION THAT IS THE SOLE PROPERTY OF PACIFIC GAS AND ELECTRIC COMPANY AND IS INTENDED FOR USE ONLY BY AUTHORIZED PACIFIC GAS AND ELECTRIC COMPANY EMPLOYEES AND ITS AGENTS.

1575 NORTH HIGH STREET, LAKEPORT, CA. 95453

T24 DOCUMENTS

DRAWING NUMBER INDEX OF SHEETS DRAWING NUMBER DRAWING NUMBER



CITY OF LAKEPORT COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE:

December 9, 2020

FILE NO:

2020-11 Scotts Valley Energy Co. Biochar Facility

UP 20-04/ CE 20-17

APPLICANT:

Thomas J Jordan, CEO

Scotts Valley Energy Company

1005 Parallel Drive Lakeport, CA. 95453

OWNER:

Carl Edward Olson

55 West Oak Knoll Drive San Anselmo, CA 94960

LOCATION:

2150 South Main Street (005-050-01)

GENERAL PLAN:

Major Retail

ZONING:

C-2, Major Retail

STAFF CONTACT:

Daniel D. Chance, Associate Planner Da

REQUESTED ACTION: The Planning Commission is being asked to review and approve an application of a Use Permit for biochar processing, light manufacturing in the C-2, Major Retail zoning district. The approval of the project would allow offices in the front of the building and biochar processing in the rear building on the property formally occupied by the "Record Bee". The project is located along the eastern side of South Main Street at 2150 South Main Street.

GENERAL PLAN AND ZONING DISTRICT: The subject property is designated Major Retail according to the City of Lakeport General Plan Land Use Map and is within the C-2, Major Retail zoning district according to the City Zoning Map. Section 17.10.050 of the Municipal Code indicates that light manufacturing assembly, packaging, and processing of products when associated with retail or wholesale uses requires a use permit. Review of the size and scope of the proposed biochar facility is consistent with the light manufacturing and processing definition which is defined as, "all processing, fabricating, assembly, or disassembly of items taking place wholly within an enclosed building."

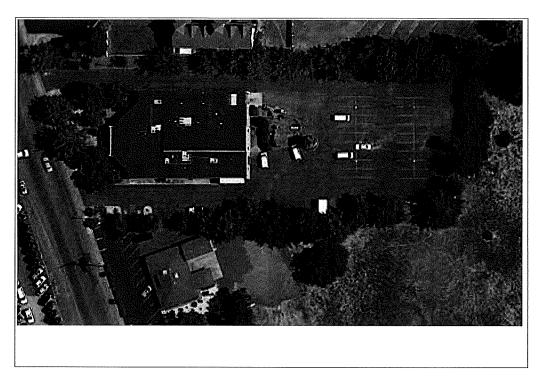
As proposed, the allowance for the biochar manufacturing facility at this site is consistent with the objective ED 1 of the General Plan which seeks to: "Attract emerging industries in order to increase employment opportunities... (Page VI-2)," as well as, ED 2 of the General Plan which seeks to: "provide support for the promotion of businesses...(Page VI-3)"

As proposed the project is consistent with the intent of the General Plan and Zoning Ordinance Section, in respect to 17.10, Major Retail and 17.24 Use Permit, in respect to the conditional use on the property.

PROJECT DESCRIPTION: The proposed project consists of a business that would take charcoal material, grind it down to a specific size, wash, dry and package the material within an existing building at 2150 South Main Street. The property at 2150 South Main Street has a large building, approximately 13,000 square feet, formally used by the Record Bee Newspaper for printing papers. This project includes an office in the front portion of the building and the processing/manufacturing in the rear half. There are adequate onsite parking spaces on the property with approximately 50+ spaces. The applicant is not proposing any new development or construction to the existing building with the operation of the new business; however, the project includes the placement of specific equipment for the grinding, washing and drying of the biochar material that would warrant a Building Permit.

Under the Municipal Code 17.10.050 J, light manufacturing assembly, packaging, and processing of products when associated with retail or wholesale uses within the C-2, Major Retail zoning district require a use permit. The intent for requiring a use permit is some uses may have a potential impact in that and neighboring zoning districts (i.e. dust, water use, wastewater generation and noise issues associated with manufacturing). In this case, the business would include machinery and equipment operating inside of the rear half of an existing building. The project would be conditioned to address dust and noise, as well as meeting specific criteria to address water use and wastewater generation. With a condition that all doors remain closed during operational hours, dust and noise would not have a significant impact on those commercial and residential uses in the immediate area.

Staff reviewed all the criteria applicable to this project and has determined that the proposed improvements are in compliance with the use permit standards set forth in the Municipal Code at this location.



Site Area

Discussions between the City and the applicant, as there have been concerns over the type of use that would be proposed in the City. The City had initial concerns regarding the potential impact associated with development of the raw material biochar. With this project, the raw biochar would be produced off-site (a bioenergy plant on Red Hill Road, Kelseyville). The raw material would be about the size of a pellet, boxed or bagged on pallets and shipped to the project site. The proposed project would require two truck trips a day, hauling the raw material to this site. The project would be conditioned to limit the truck trips per day to two or three, and any expansion beyond that would require approval by the Planning Commission.

Once at the proposed site, the raw biochar material would be ground down to a specific size, washed, dried, and packaged for the proposed use. The use for the biochar products includes soil amendments, agricultural feed supplements, commercial filtration, and organic consumer products.

<u>Biochar storage:</u> The project would be conditioned that no biochar material either in raw form or in processed form shall be stored in the existing building and no outdoor storage shall take place on the property.

<u>Dust control</u>: As stated above, there could be a potential for fugitive dust associated with the processing of the biochar. As part of the approval of the project, conditions are proposed that all doors are to remain closed during the operation of the grinding equipment, or provide evidence that the operation would not generate a fugitive dust impacts, as well as a requirement of an adequate dust suppression, ventilation and filtration system.

Noise control: As stated above there could be a potential for noise impacts associated with the machinery processing the biochar. Under the Zoning Ordinance, 17.28.010.A,

the noise generated onsite shall not exceed 60-decibels on neighboring residential districts and 70-decibels on neighboring commercial districts between 7 a.m. to 10 p.m. The equipment associated with this biochar facility would be located within the existing structure that limits noise impacts. The project would be conditioned that during operation of the grinding equipment, all doors shall be closed, further reducing the noise impacts. In addition, the project shall be limited in hours of operation between 7 a.m. to 7 p.m.

<u>Water and Wastewater use:</u> The project shall require conditions that prior to the operation of the facility, the applicant shall provide related information to the City for water consumption associated with the washing of the ground material, as well as provide related information to the City on wastewater and on-site wastewater treatment separating carbon materials from the water, as well as any other materials in the wastewater. Analysis of that material shall be reviewed by the City's Public Works and County Environmental Health.

<u>Agency Review Comments:</u> The submitted plans were provided to the Building Official, City Engineer, Public Works Roads, Public Works Utilities, County Health Department, Air Quality Management, Lakeport Disposal, Police and Fire District for their review.

- Building Official: The project would require a Building Permit for any interior remodeling, as well as ADA Compliance for all accessibility upgrades including the provision of parking and adequate path of travel.
- City Engineer: Assure the travel path from City sidewalk/street, ADA parking stall(s) and travel path are code compliant.
- Public Works Road: Concerns with the driveways and no turn pocket onto the property. Public Works did not see what type of trucks were hauling in the raw material.
- Public Works Utilities: Will any product from processing go to sewer? If so, what and how much? Estimated water usage?
- County Health Department: Applicant was unable to answer all operational questions, until proven otherwise facility will be assumed to produce hazardous waste at the site and will need to be in the COPA Program (County Health Department Memo- Attachment D).
- Air Quality Management: No comments.
- City Police: No Police concerns.
- Fire District: No comment from Fire at this time.
- Lakeport Disposal: The site has plenty of space for our services.

The conditions of approval would address many of the concerns raised, while other concerns raised would be addressed as part of the Building Permit process. Project Conditions of Approval and vicinity map are attached.

<u>USE PERMIT APPLICATION FINDINGS:</u> As described, the proposed light manufacturing under standards set forth for the Major Retail (C-2) Zoning Ordinance, Section 17.24.040

of the Zoning Ordinance requires the following findings be made for the approval of a Use Permit:

Finding 1: That the proposed location and use is consistent with the objectives of this ordinance and the purposes of the district in which the site is located. The biochar processing and manufacturing as outlined in the Zoning Ordinance is consistent with the standards set forth for the Major Retail (C-2) zoning district, that allows light manufacturing assembly, packaging, and processing of products when associated with retail or wholesale uses with a use permit. The site associated with the proposed project on this property, as conditioned, is adequate for the use. The use is consistent with other uses in the South Main Street area and would not have an impact on the immediate area.

Finding 2: That the proposed location of the use and proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the health, safety, or welfare of persons residing or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city. The project with proposed conditions implemented is consistent with the objectives and policies of the Lakeport General Plan. The proposed project represents a light manufacturing assembly, packaging, and processing of products when associated with retail or wholesale uses for the biochar manufacturing and processing facility. The allowance of this use will support the continual success of an important commercial area in our community consistent with objective ED 1 of the General Plan which seeks to: "Attract emerging industries in order to increase employment opportunities... The establishment of the biochar manufacturing business is in compliance with objective ED 2 of the General Plan to support provide support for the promotion of businesses in commercial and service commercial properties within the City Limits.

<u>Finding 3: That the proposed use will comply with the provisions of this title.</u> The use represents a biochar manufacturing and processing facility, with no change to the existing building, all work to be indoors, as well as with the conditions of approval would not have a significant impact on the neighboring commercial or residential properties in the immediate area.

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:

<u>Finding 4: The project is categorically exempt of the California Environmental Quality Act.</u> The proposed project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act according to Section 15301, Existing Facilities of the 2020 CEQA guidelines. This section allows the operation of an existing facility consistent with the General Plan, within the City limits and would not result in any significant impacts to traffic, noise, air quality and water quality associated with the existing commercial building.

CONCLUSION, RECOMMENDATION, AND CONDITIONS: Based on the information provided by the applicant and the comments received from City staff, a finding is made that the biochar processing and Manufacturing facility located in the existing commercial building located at 2150 South Main Street is in general conformance with the Lakeport Municipal Code Section 17.240.40 (Use Permit criteria and standards). The proposed improvements will not significantly impact the appearance of the building and will improve the functionality of the existing commercial retail use. The proposed project has been determined to be exempt from the provisions of the California

Environmental Quality Act according to Section 15301(a) of the 2020 CEQA guidelines. This section exempts interior alterations withing existing commercial Buildings.

Staff recommends that the Planning Commission approve the Use Permit application subject to the conditions of approval set forth in the staff report (Attachment B).

SAMPLE MOTION

Categorical Exemption Approval

I move that the Planning Commission find that UP 20-04 as applied for by Thomas Jordan, Scotts Valley Energy Company is categorically exempt pursuant to Section 15301 of the CEQA Guidelines.

Use Permit Approval

I move that the Planning Commission find that the Use permit applied for by Thomas Jordan, Scotts Valley Energy Company, on property located at 2150 South Main Street does meet the requirements of Section 17.24.040 of the Lakeport Zoning Ordinance; consistent with the objectives and policies of the Lakeport General Plan; and subject to the project conditions of approval (Attachment B), and with the findings listed in the December 9, 2020 staff report.

The Planning Commission's approval of the applications shall be subject to the conditions of approval specified in the staff report and/or as amended by the Planning Commission at the public hearing.

Attachment A: Vicinity Map

Attachment B: Project Conditions Agreement

Attachment C: Application, Site Plan and Narrative

Attachment D: County Environmental Health Memo

Attachment A: Vicinity Map



Scotts Valley Energy Co. (UP 20-11) Vicinity Map

Attachment B: Project Conditions Agreement



CITY OF LAKEPORT
Community Development Department
225 Park Street
Lakeport, Ca 95453

PROJECT CONDITIONS AGREEMENT

Land Use Application File No. UP 20-04

This Agreement is entered into by **Thomas J Jordan, CEO, Scotts Valley Energy Co.**

2150 South Main St. (Hereinafter Applicant/Owner).

RECITALS

WHEREAS, Applicant/Owner applied to the City of Lakeport for a Use Permit approval for a biochar processing, light manufacturing facility; and

WHEREAS, the City of Lakeport Planning Commission on December 9, 2020 has reviewed and approved the project for conformance with the Use Permit criteria and standards set forth in Section 17.24; and

WHEREAS, the proposed project is hereby approved subject to the following conditions:

- 1. The applicant/owner shall sign a standard City of Lakeport Project Conditions Agreement which lists the conditions of approval and shall agree to said conditions. A copy of the signed agreement shall be returned to the Community Development Department.
- 2. The project shall be developed in accordance with the plans and specifications received by the City on October 7, 2020 and approved by the Planning Commission on December 9, 2020. Minor alterations may be approved in writing by the City of Lakeport Community Development Director or designee.
- 3. The applicant/owner shall maintain landscaping along the front of the property, in the parking areas and around the building.
- 4. The biochar facility shall be limited in hours of operation between 7 a.m. to 7 p.m. The biochar facility shall not exceed 60-decibels on neighboring residential districts and 70-decibels on neighboring commercial districts between 7 a.m. to 10 p.m.

- 5. The applicant/owner shall have all bay doors in the rear of the building remain closed during business hours when the grinding equipment is operating to minimize noise and dust.
- 6. Prior to the commencement of use the applicant shall provide evidence that the operation within the building has adequate ventilation and dust suppression to control fugitive dust impacts. The applicant may be required to provide an adequate air filtration system.
- 7. The operation of the facility shall have all biochar material either in raw form or in processed form stored in the existing building and no outdoor storage shall take place on the property.
- 8. The applicant/owner shall limit the number truck deliveries of raw material to the property to two to three truck trips per day. Any expansion beyond that would require approval by the Planning Commission.
- 9. All signage, including building-mounted, and/or other signs shall conform to the City of Lakeport Sign Ordinance, resolutions, and interpretations. Details concerning proposed signage, including size, materials, colors, and illumination shall be submitted to and approved by the City prior to the issuance of a development permit.
- 10. Prior to commencement of use, the applicant/owner shall work with the Public Works Department to determine the water use and wastewater generation associated with the biochar facility. At that meeting the applicant shall provide information to the Public Works Department and the County Environmental Health Division to identify all materials in the wastewater. Upon that determination, further appropriate actions may be required.
- 11. If the applicant stores hazardous materials equal or greater than 55 gallons of a liquid, 500 pounds of a solid or 200 cubic feet of compressed gas, the applicant will be required to submit a Hazardous Material Inventory Disclosure Statement/Business Plan to Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and updated annually or if quantities increase. If the amount of hazardous materials is less than the above quantities, the applicant will need to complete and submit a Hazardous Material/Waste Declaration stating the name of the material and the quantity to be stored on site.
- 12. If applicable, prior to commencement of operations at this site, the applicant shall meet all accessibility requirements of the Lakeport Building Division, including the inclusion of an ADA accessible parking space and accessible path of travel, and potential ADA accessible bathroom consistent with the requirements of the California Building Code.
- 13. The applicant/owner shall maintain the exterior of the commercial building and all related site improvements in good condition for the life of the project.

Damaged or dilapidated portions of the building or related improvements shall be repaired or replaced, as necessary.

14. The use permit shall be reviewed by the Planning Commission for conformance with the conditions of approval if problems are noted by city staff or if legitimate complaints are submitted to the City.

NOW, THEREFORE, IT IS AGREED:

- 1. That the applicant/owner has read and agrees to each and every item and condition herein.
- 2. That the development and use of the real property described herein shall conform to the conditions listed above and all City of Lakeport Ordinances and Resolutions where applicable.
- 3. That said conditions shall be binding on all owners or persons having or acquiring any right, title, or interest in said real property, or any part thereof, subject to this agreement.

Dated:	APPLICANT/OWNER		
	SIGNATURE- Thomas J. Jordan Scotts Valley Energy Company		
cc: Project File	PLEASE PRINT NAME		

Attachment C: Application; Site Plan, Floor Plan and Narrative



VILY UI LANSHU

225 Park St – Lakeport CA 95453 Phone: (707) 263-5613 EXT. 205 FAX: (707) 263-9314 www.cityoflakeport.com

LAND USE APPLICATION WITH ENVIRONMENTAL REVIEW

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APPLICANT'S INFORMATION	
	LAND OWNER'S INFORMATION
Name Thomas J Jordan, CEO	LAND OWNER S INFORMATION
Scotte Vallay France	Name Car DE Lygand Olhar
Company Name Scotts Valley Energy Co	Company Name
Mailing Address 1005 Parallel Drive	
City, State, Zip Lakeport, CA 95453	Mailing Address 55 Wast Of K Knoll 70
city, state, zip_carroport, OA 90400	City, State, Zip Son Gersolas Co Gife
Phone 707-533-2870 Fax 707-263-4345	n 11/2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 -
thomas.jordan@sv-nsn.gov	Phone 40 7210772 Fax 415 45680
	Email GEDOLSONPYAHOO.SO
AGENT, ENGINEER OF ARCUI	The state of the s
AGENT, ENGINEER, OR ARCHI	TECT'S INFORMATION (if any)
Mailing Address	Company Name
	Phone Fax
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PROJECT IN	FORMATION
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SCOTTS VALLEY BAND OF POMO INDIANS

LAND USE APPLICATION

2150 South Main Street

COMPANY DESCRIPTION

TC3 will be a closely held LLC, solely owned by SVEC. TC3 will lease and build out a processing/production facility in Lake County California. This facility will be the center of the business and will handle the inbound, raw biochar, process the biochar, as needed, and handle the packaging and outbound shipping to customers. In addition to using the biochar SVEC produces at its own gasification facilities it will seek other sources/partners from which to acquire additional biochar inventory.

COMPANY MISSION

TC3's mission is to provide superior quality, clean, environmentally beneficial products that exceed the markets expectations while using our knowledge and skills to promote better planet stewardship. We will be a company that the COMMUNITY embraces and the EMPLOYEES are proud of.

GENERAL OPERATIONS PLAN

The refining process for consumer grade biochar requires several specific steps. These will be performed by specialized equipment that will be located at a single site. The processing facility will operate in a mostly linear manner. As new raw materials (biochar) arrive via truck from Scotts Valley Energy Co., LLC's bioenergy plant located on Red Hills Road, Kelseyville, it will be introduced to the processing line. The major steps in order include: grind the green biochar to the size of 50 microns or less; washing the now activated charcoal to remove any impurities; drying or heating the charcoal; and ultimately delivered to the packaging process for outbound shipping. In the case of unprocessed green biochar that is used as a soil amendment or in feedstock, this process is truncated and would go directly from grinding, if required, to the packaging process.

The approach will be to start as small as is practical but to design the system/process and facilities to be able to scale quickly when needed. We will initially run an 8 hour, 5 day operation and scale as market demand and revenues grow. To the extent possible this operation will adhere to green energy standards by reducing or eliminating as much carbon footprint as we can.

The Work Process Flow is described in the following chart. The work process contains the green biochar within each step of the process thereby preventing the escape of dust. As such, the work process is highly clean, especially in comparison to the former use of the property as a newspaper printing operation.

Work Process Flow



The Clean Carbon Company TC3

SVEC Biochar Processing Plant Activated Green Biochar

In the words of author Bill McKibben, founder of 350.org, biochar may enable us to "run the climate movie backwards to unmine coal and undrill oil."

Executive Summary August 2020

Safe Harbor Statement. SVEC understands, acknowledges, and agrees that all plans, predictions, projections, results, technical studies and/or all other reports concerning TC3, The Biochar Processing Business, and objectives for management and development of the Biochar Processing Business constitute forward-looking statements made pursuant to the safe harbor provisions of Section 21 E of the Securities Exchange Act of 1934, as amended, and Section 27 A of the Securities Act of 1933, as amended that involve risks and uncertainties. Although it is believed that the expectation reflected in such forward-looking statements are reasonable, the forward-looking statements and financial projections contained in various documents related to TC3 are subject to risks and uncertainties that could cause actual results to differ from those projected. Investors, including but not limited to SVEC, are cautioned that any forward-looking statements and projections are not guarantees of future performance and that actual results may differ materially from those in the forward-looking statements. Factors that could cause actual results to differ materially from those reflected in forward-looking statements include, but are not limited to, risks and uncertainties regarding the actual performance of TC3, fluctuations in market prices, and inflationary trends occurring with respect to costs associated with TC3

1. Overview

The Scotts Valley Band of Pomo Indians, through its tribally owned company Scotts Valley Energy Company, LLC, (SVEC), proposes to establish a new business entity called The Clean Carbon Company (TC3) for the purpose of processing and monetizing BioChar. SVEC will have the advantage of acquiring raw biochar from its energy generation operations.

The processing, distribution and application of biochar is a key step in the reduction of carbon based waste and damaging carbon saturation of the planet's atmosphere. This step allows carbon to be removed forever from the destructive cycle of that has brought our planet to the brink.

A key component of TC3's business strategy is built around its focus on the hiring and training of local human resources. It is our intention to create long term employment opportunities while advancing the knowledge and skills of our employee's. These efforts will contribute to their individual financial stability as well as creating income and tax dollars to be used in the local community.

2. What is Biochar

Biochar is black, porous, granular carbon that looks and feels like coffee grounds. Biochar is odorless and generally made from carbon waste biomass which would otherwise be burned or land filled. Some examples of what biochar does and how it can be used:

- Removal of carbon dioxide from the atmosphere.
- Enhance and improve animal feedstock.
- Reduction of harmful effects that fertilizers have on soil.
- Filtration Activated charcoal.
- Contribute to the reduction of emissions by as much as 50%.

Biochar is used in agriculture, cosmetics, pharmaceuticals, water filtration, building materials, odor control systems, livestock feed, air purification and forest management,.

3. Company description

TC3 will be a closely held LLC, solely owned by SVEC LLC. TC3 will lease and build out a processing/production facility in Lake County. This facility will be the center of the business and will handle the inbound, raw biochar, process the biochar, as needed, and handle the packaging and outbound shipping to customers.

4. Company Mission

TC3's mission is to provide superior quality, clean, environmentally beneficial products that exceed the markets expectations while using our unique knowledge and skills to promote better planet stewardship. We will be a company that the COMMUNITY embraces and the EMPLOYEES are proud of.

5. Products

TC3 will initially offer two categories of biochar products. One, unprocessed, for soil amendment and livestock feed supplement, and the second, processed, for use in commercial filtration and cosmetic products.

- a. Soil Amendment / Feed Supplement product: Unprocessed biochar is ground to a consistent size, packaged and offered directly to market as a soil amendment.
- b. Commercial / Consumer product: Processed biochar will be ground, washed and reheated to remove unwanted materials and reactivate before shipping out to customers. This process delivers a much cleaner, higher quality form of biochar that is acceptable for use in consumer products. Those products include face masks and air filtration, water filtration, cosmetics, soaps, skin-creams, therapeutic bath additives, cleansers and sanitizers.

6. Customers

The breadth of market applications available to distributors of biochar allows us to consider a wide range of customers across our two initial product lines. Target Customers include:

- Organic Growers
- General Agriculture
- Fertilizer Manufacturers
- Cattle and other livestock operations
- Livestock feed producers
- Land reclamation projects
- Organic consumer products

7. Markets

The global biochar market is estimated to grow with a CAGR of 13.57% by revenue, and 11.22% by volume, during the period between 2020-2028. The market is anticipated to garner a revenue of about \$4,064.50 million, and a volume of about 980.26 KiloTons by 2028. Biochar market growth is propelled by the following factors:

- Biochar's ability to sequester carbon
- Easy availability of varied and inexpensive feedstock
- Reliable and constant flow of green energy from its production
- Strict environment regulations

DUBLIN, Jan. 22, 2020 /PRNewswire/ -- The "Global Biochar Market 2019-2027" As per the analysis, the global biochar market is expected to show a compelling growth with a CAGR of 13.85% in terms of revenue and 11.65% in terms of volume during the forecasting period 2019-2027.

Grandview Research - Apr, 2020 - The U.S. biochar market size was valued at USD 97.8 million in 2019 and is anticipated to witness a revenue-based CAGR of 18.6% from 2020 to 2027.

8. Competition

More than 80% of medium and large scale biochar manufacturers are concentrated in North America while the Asia Pacific and Europe comprise lesser concentration. Key players involved in the of biochar space are BSEI, Airex Energy Inc., and Diacarbon Energy.

9. Price Strategy

Given the cost/quality differences in the two separate product lines we plan to have a two tiered pricing model. The soil amendment/feedstock product will be priced at about one third of the refined biochar product price.

- a. Soil amendment/feedstock pricing \$400.00 per ton
- b. Filtration/Cosmetics ingredient pricing \$1200.00 per ton

10. Marketing, Distribution/Sales plan

We plan to use both direct and/or wholesale sales approaches where applicable. We will be positioning ourselves as the leading purveyor of high quality, green sourced Biochar who can utilize nearly any biomass source as the basis for biochar creation.

Once ready to go to market Biochar products will be offered in ship ready, bagged packaging varying in sizes form 10lbs to 2000lbs for delivery to customers. This variety of sizes allows us to reach the largest possible number of our target customers with the widest range of applications.

- Brokers
- Commodities sales organizations
- Wholesalers
- Fertilizer manufacturers
- Retail venues

11. General operations plan

The approach will be to start as small as is practical but to design the system/process and facilities to be able to scale quickly when needed. We will initially run an 8 hour, 5 day operation and scale as market demand and revenues grow. To the extent possible this operation will adhere to green energy standards by reducing or eliminating as much carbon footprint as we can.

- a. Space assessment and utilization: Initially \sim 6,000sqf. To \sim 8,000sqf. should be sufficient to establish the biochar processing space and offices necessary to launch TC3.
- b. Staffing: We will begin operations with a staff of five (5). They will be a combination of processing plant resources and administrative/operations staff. It is expected that there will be a short training period of about fourteen (14) days for the plant staff as they learn the equipment and processes necessary to manage the processing. It is estimated that we will need 5 employees in the first year scaling to 11 to 15 over 3 years.
- c. Offices: TC3 will require minimal office space at its operations site. We project the need for two small offices for managerial, business development and administrative functions.

12. Management

TC3's management team will consist of three seasoned veterans with deep experience in business operations, finance, startups and environmental quality control.

Thomas Jordan - Sr. Operating Manager - Thomas is currently acting as the Tribe's Tribal Administrator with a directive to pursue economic development opportunities, Mr. Jordan has 50 plus years of project management mainly at the executive level. Mr. Jordan holds a Master of

Public and International Affairs from the Graduate School of International Affairs, University of Pittsburgh.

Sorhna Li - Manager Finances - Sorhna is currently the Tribe's Chief Financial Officer. She holds a Doctorate of Jurisprudence from the University of San Francisco and a license to practice law. Her undergraduate work was in business management with an emphasis on Accounting, Economics and IT. Her breadth of knowledge and experience ensures project regulatory compliance and sound fiscal management.

Terre Logsdon - Manager Environmental Quality and Control - Terre graduated from John F. Kennedy University with a BA in Liberal Studies specializing in Science & Values. She also holds an MA from JFK School of Management and a certificate from UC Berkeley for Agroecology. She is a proven and resourceful systems thinker who has recent and broad based experience working with and for multiple agencies in Lake County.

13. Summary

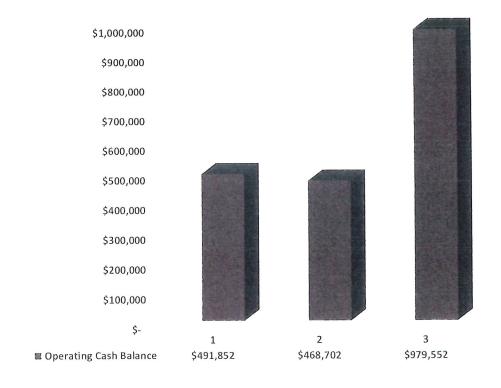
The business presented herein makes a strong case for pursuing this opportunity. Much of the value and advantage lies in the intersection of multiple, privately held business entities that will allow SVEC to mitigate risk, reduce operating expenses, control long term cost of raw materials' and optimize profitability. Limited competition, low cost to acquire and large margins are very attractive for entry at this time as the markets begin to rapidly scale. The employment of both local and tribal human resources will benefit the community for many years to come. TC3/SVEC can and will provide highly desired permanent jobs, training and financial security for residence of Lake County thereby injecting much needed stability and revenues into the local community.

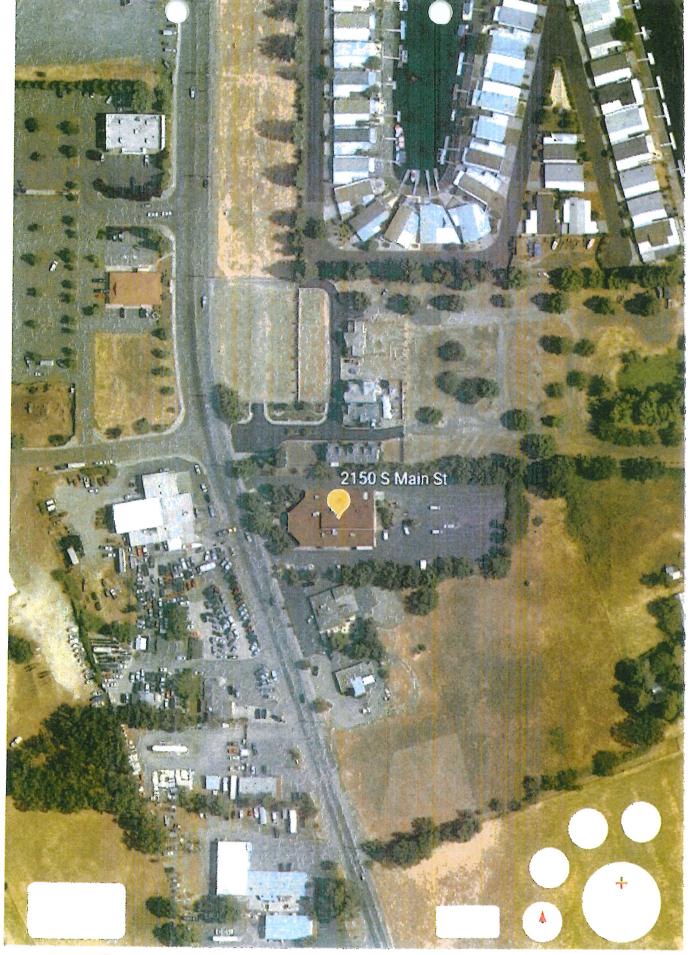
The sequestration of carbon is a critical step in the journey to a healthier planet. SVEC/TC3 will be producing and delivering products that enhance existing green product and crop production while simultaneously delivering on the promise of a cleaner, greener future.

14. Financial Summary

Annual Summary	2021	2022	2023
Beginning Cash	\$ 750,000	\$ 491,852	\$ 468,702
Revenues	\$ 408,000	\$ 1,152,000	\$ 2,352,000
Expenses	\$ 1,166,149	\$ 1,175,150	\$ 1,841,150
Operating Cash Flow	\$ (758, 149)	\$ (23,150)	\$ 510,850
Y			
Investments	\$		
Grants	\$ 500,000	\$ -	\$ -
Operating Cash Balance	\$ 491,852	\$ 468,702	\$ 979,552
Tax Distributions	\$ (65,905)	\$ (20,334)	\$ 85,037
After Tax Cash Balance	\$ 557,757	\$ 489,036	\$ 894,514

Three Year Ending Cash Balance

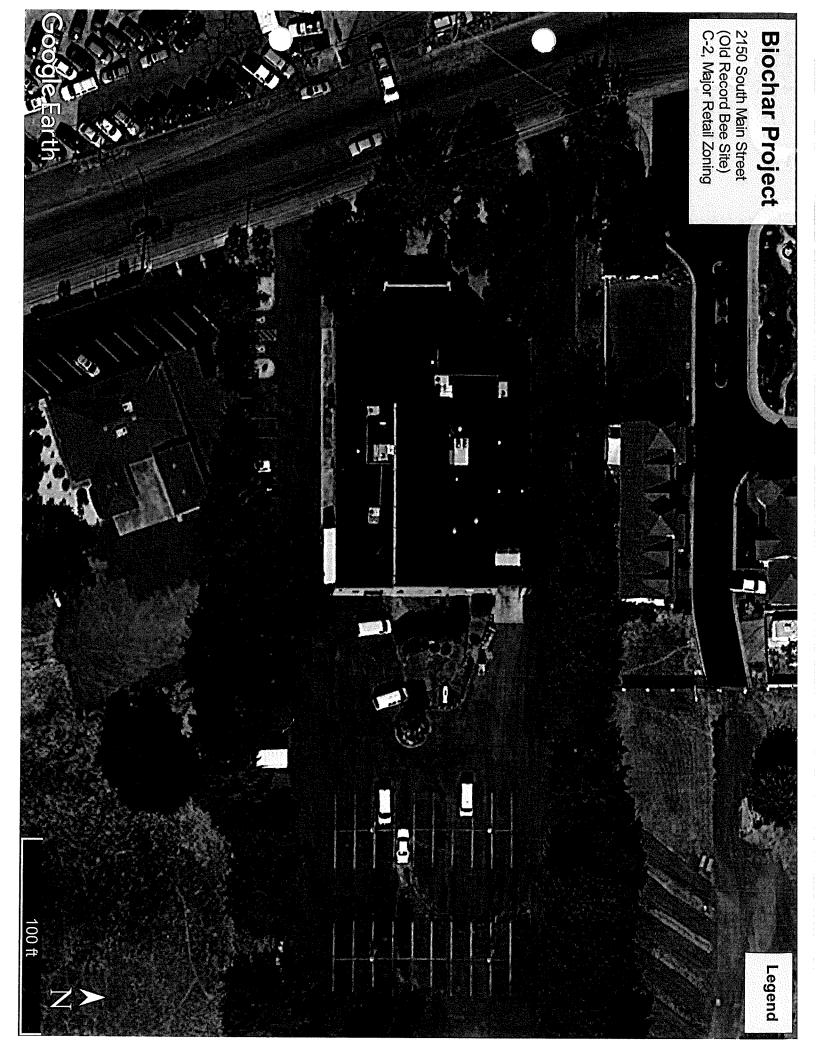


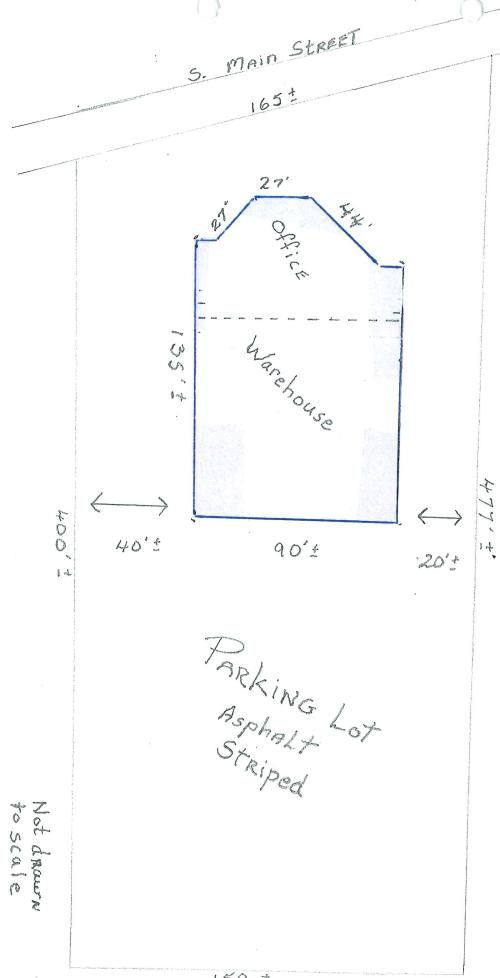


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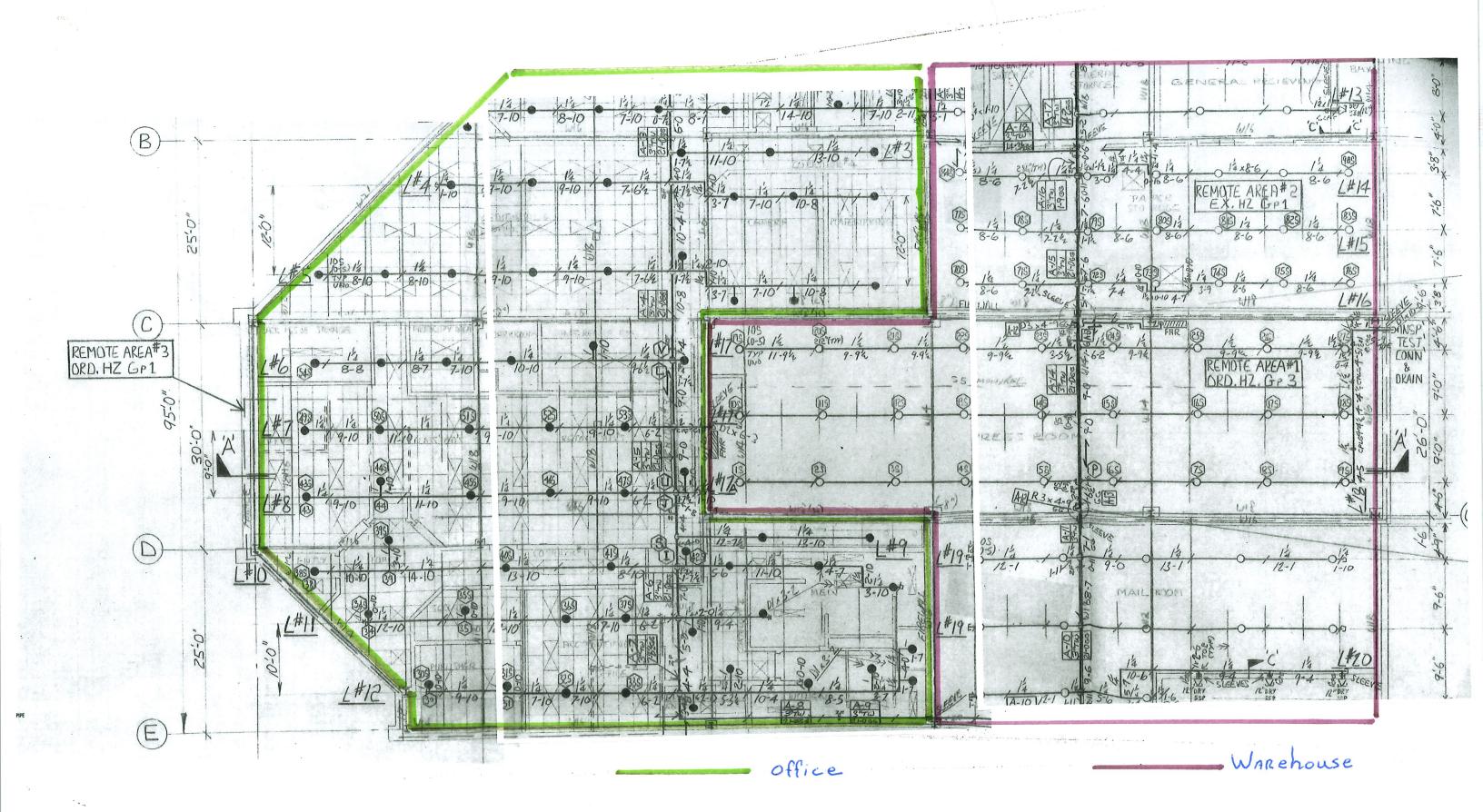
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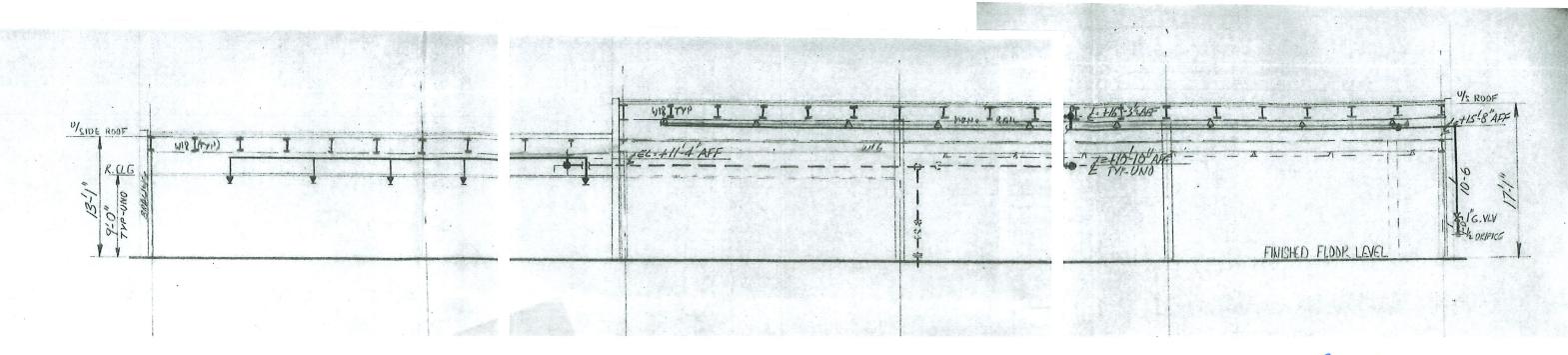




2150 So. Main Street, Lakeport Former Record Bee Bldg Bldg Outline 9,000 Square Feet warehouse 5,000 Square feet Office space

150 ±





SIDE

Attachment D: County Environmental Health Memo

•		



Denise Pomeroy Health Services Director

Gary Pace, MD, MPH Public Health Officer

Craig Wetherbee Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: November 16, 2020

TO: City of Lakeport Community Development

FROM: Tina Dawn-Rubin, Environmental Health Aide

RE: UP 20-04 Use Permit; CE 20-17 Categorical Exemption

Biochar Milling & Processing Facility

APN: 005-050-01 2150 S. Main St, Lakeport

Environmental Health has no concerns regarding on-site wastewater treatment and potable water as they are serviced by public water and sewer.

If the applicant stores hazardous materials equal or greater than 55 gallons of a liquid, 500 pounds of a solid or 200 cubic feet of compressed gas, the applicant will be required to submit a Hazardous Materials Inventory Disclosure Statement/ Business Plan to the Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and updated annually or if quantities increase.

If the amount of hazardous materials is less than the above quantities, the applicant will need to complete and submit a Hazardous Materials/Waste Declaration stating the name of the material and the quantity to be stored on site.





CITY OF LAKEPORT COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE:

December 9, 2020

FILE NO:

2020-17 Prop 68 Environmental

ER 20-01

APPLICANT/
REPRESENTATIVE:

City of Lakeport 225 Park Street

Lakeport, CA 95453

LOCATION & OWNER:

800 & 801 North Main Street

City of Lakeport 225 Park Street Lakeport, CA 95453

GENERAL PLAN DESIGNATION:

Resort Residential

ZONING:

Open Space

STAFF CONTACT:

Daniel D. Chance, Associate Planner

REQUESTED ACTION: The Planning Commission is being asked for the Consideration of a CEQA mitigated negative declaration based upon Environmental Review/Initial Study ER 20-01 for the Lakeport Lakefront Park project at 800 North Main Street (APN 025-601-27) and 810 North Main Street (APN 025-601-04) by the City of Lakeport.

GENERAL PLAN AND ZONING DISTRICT: The subject properties are designated Resort Residential according to the City of Lakeport General Plan Land Use Map and is within the OS, Open Space zoning district according to the City Zoning Map.

The development of these proposed lands for a public park is consistent with several objectives, policies and programs outlined in the Lakeport General Plan, most notably within the Open Space, Parks & Recreation Element; Objective PR 1 of the Open Space, Parks & Recreation Element specifically encourages the provision of "...park and recreational facilities, programs and access to all members of the community which allow the opportunity for play, relaxation and enrichment of mind and body." (General Plan, p. VIII-3)



Site Plan

PROJECT DESCRIPTION: The Site is located within the central portion of the City of Lakeport, fronting on the western side of Clear Lake and approximately three quarters of a mile east of Highway 29. The project would occur on approximately five (5) acres of a total of 6.8 acre parcels at on 800 and 810 North Main Street. The proposed park would be located between North Main Street and Clear Lake on a site formerly known as "Natural High" in the downtown area of Lakeport.

Under the Proposition 68, Statewide Park Program, from March, 2019 to June of 2019, the City held a number of surveys and public input meetings in designing the park to meet the public's needs. In February of 2020, the City of Lakeport was awarded a \$5.9 million grant through the Proposition 68, Statewide Park Program for the development of a lakefront park upon the subject properties. As part of this grant, the City was required to prepare all CEQA documents and environmental review for the project. This Mitigated Negative Declaration is for the Lakefront Park.

The Lakefront Park Project (project) would include the following: a basketball court, a ninja gym fitness area, a small splash pad, a skate park, an amphitheater, a large covered shelter, parking, an area for future boathouse, and a bathroom/concession building. The proposed park amenities would include picnic tables and barbeque grills, as well as public art scattered throughout the park. The proposed park would include large lawn areas adjacent to the amphitheater and scattered throughout the park, as well as a large number of trees and drought tolerant landscaping. The park includes various paved pathways connecting the recreational facilities in the park, and would include the promenade extending through the property along the shoreline.

The City is currently working with consultants in moving the conceptual design to a working plan for the park. The latest rendering for the park, 35% design review, Lakefront Park Conceptual Plan is attached (Attachment D).



Proposition 68 Conceptual Plan

A 30-day public review period for the proposed mitigated negative declaration in accordance with CEQA has also been filed with the California Governor's Office of Planning and Research (OPR) on November 9, 2020. The Mitigated Negative Declaration ER 20-01 (Attachment B) was filed with State Clearing House Number 2020110147. At the time of writing the staff report, no comments from the public regarding the proposed Initial Study/Environmental Review have been received.

Comments from the public are still permitted to be received through the December 9, 2020 public hearing before the Planning Commission.

The potentially significant effects identified in the Initial Study/Environmental Review include: air quality; cultural resources; geology/soils; hydrology and water quality; and noise.

Staff has developed mitigation measures and when implemented will mitigate the identified environmental impacts to a less than significant level.

Proposed mitigation measures in the Initial Study/Environmental Review document (Attachment B) and are further included in the proposed Mitigation Monitoring Program (Attachment C).

<u>CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:</u> The proposed development of this site of the Lakefront Park Prop 68 project requires adoption of the Environmental Review/Initial Study consistent with CEQA. At this time, staff recommends adoption of the mitigated negative declaration for Environmental Review (ER 20-01) with the following findings:

- 1. Potential environmental impacts related to air quality; cultural resources; geology/soils; hydrology and water quality; and noise have been mitigated to insignificant levels by project mitigation measures.
- 2. This proposal as mitigated is consistent with the Lakeport General Plan and Zoning Ordinance.
- 3. The project will result in effects to fish and wildlife habitat and is subject to the California Department of Fish and Wildlife filing fee.
- 4. As mitigated this project will not result in any significant adverse environmental impacts.

CONCLUSION AND RECOMMENDATION: Staff recommends that the Planning Commission Adopt a mitigated negative declaration for Environmental Review (ER 20-01) for the property located at 800 and 810 North Main Street for the purpose of the development of a public park.

SAMPLE MOTIONS

Mitigated Negative Declaration Approval

Move that the Planning Commission find that on the basis of the Initial Study ER 20-01 prepared by the Community Development Department that the Lakefront Park Prop 68 project as applied for by City of Lakeport will not have a significant effect on the environment and, therefore, approve a Mitigated Negative Declaration for the project as provided for in the California Environmental Quality Act.

Attachment A: Vicinity Map

Attachment B: Lakeport Initial Study/Environmental Review (ER 20-01)

Attachment C: Mitigation Monitoring Program
Attachment D: 35% Lakefront Park Concept Plan

Attachment A: Vicinity Map



Projected coordinate system name: NAD 1983 State Plane California II FIPS 0402 Feet Geographic coordinate system name: GCS North American 1983

Attachment B: Lakeport Initial Study/Environmental Review (ER 20-01)

DRAFT INITIAL STUDY and ENVIRONMENTAL CHECKLIST

FOR

LAKEPORT LAKEFRONT PARK PROJECT

October 2020

Lead Agency: City of Lakeport



Lead Agency Contact:

Daniel D. Chance, Associate Planner
City of Lakeport
Community Development Department
225 Park Street, Lakeport, California 95453
(707) 263-3056 #263

Prepared by:
City of Lakeport
225 Park Street
Lakeport, California, 95453
(707) 263-3056 #203

Environmental Review Project No. ER 20-01

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FIGURES AND APPENDICES

Figure 1: Location Map

Figure 2: City of Lakeport Land Use Designations
Figure 3: City of Lakeport Zoning Designations

Appendix A: Mitigation and Monitoring Reporting Program (MMRP) Appendix B: Cultural Resources Report and Correspondence

I. PROJECT SUMMARY

Date: November 2020

Project Title: Lakefront Park Project

Lead Agency: City of Lakeport

Contact: Daniel D. Chance, Associate Planner

City of Lakeport

Community Development Department 225 Park Street, Lakeport, California 95453

(707) 263-3056 #203

Location: The Lakefront Park Project (project) is proposed within the City of Lakeport, along

approximately 310 feet of the east side of North Main Street and the shoreline of Clear Lake The project would primarily occur on the former site known as Natural High, as shown in Figure 1, improvements would occur on two properties 800 and 810 North Main Street. The project is located adjacent to and northerly of the downtown area of the City of Lakeport. The size of the two properties would be approximately 6.8 acres. The property is relatively level, with a gentle slope

towards Clear Lake.

Coastal Zone: No

Affected Parcel(s): Assessor's Parcel Numbers (APNs) 25-601-04 and 25-601-07

City of Lakeport General Plan Land Use Designation: Resort Residential (see Figure 2)

City of Lakeport Zoning Designation: (OS) Open Space, Shoreline Development (see Figure 3)

Anticipated Permits and Approvals:

1) City of Lakeport approval of the Draft Initial Study/Mitigated Negative Declaration

Tribal Cultural Resources: In accordance with Public Resources Code section 21080.3.1, Archaeological Research, on behalf of the City of Lakeport, contacted the Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search for any resources present within the project area and to request the contact information for the representatives of the Native American Tribes associated with the area. In a letter response dated March 20, 2020, the NAHC indicated the SLF search returned a negative result and provided the contact information for eight (8) local Tribal representatives. The city was contacted by the Scotts Valley Band of Pomo Indians in an Email dated February 20, 2020. Additionally, the Tribe expresses interest in the project and looks forward to both consultation and the assignment of cultural monitor(s) during any and all ground disturbance undertaken by the project.

As of the date of this Initial Study, no additional responses or other communications have been received from the Native community regarding the project.

CEQA Requirement:

The proposed project is subject to the requirements of the California Environmental Quality Act (CEQA). The Lead Agency is the City of Lakeport. The purpose of this Initial Study (IS) is to provide a basis for determining whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration. This IS is intended to satisfy the requirements of the CEQA (Public Resources Code, Div. 13, Sec. 21000-21177) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387).

CEQA encourages lead agencies and applicants to modify their projects to avoid significant adverse impacts (CEQA Section 20180(c) (2) and State CEQA Guidelines Section 15070(b) (2)).

Section 15063(d) of the State CEQA Guidelines states that an IS shall contain the following information in brief form:

- 1) A description of the project including the project location.
- 2) Identification of the environmental setting.
- 3) Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to provide evidence to support the entries.
- 4) Discussion of means to mitigate significant effects identified, if any.
- 5) Examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls.
- 6) The name of the person or persons who prepared and/or participated in the Initial Study.

II. PROJECT DESCRIPTION

The Lakefront Park Project (project) involves developing a new park on approximately five (5) acres on a site formerly known as Natural High. The proposed park would include the following: a basketball court, a ninja gym fitness area, a small splash pad, a skate park, an amphitheater, a large covered shelter, parking, an area for future boathouse, and a bathroom/concession building. The proposed park would include picnic tables and barbeque grills, as well as public art, scattered throughout the park. The proposed park would include large lawn areas adjacent to the amphitheater and scattered throughout the park, as well as a large number of trees and drought tolerant landscaping. The park includes various paved pathways connecting the recreational facilities in the park, and would include the promenade extending through the property along the shoreline.

With the development of the project, there would be some grading of the site to accommodate the development of the property. As stated in the project location section, the property is relatively level and would not require a significant amount of grading to accommodate a majority of the recreational facilities, however some recontouring of the site directly southwest of the amphitheater would be required to accommodate the amphitheater, as well as grading to address the various recreation facilities and utilities on the site. A total of approximately 200 cubic yards would be required for the development of the park project. The design of all pathways that includes the promenade would meet all ADA standards. The design of some of the pathways and the promenade would be constructed to support the weight of a vehicle to provide access for maintenance and other uses. The project would require driveways from South Main Street accessing the parking area. The development of the project would require demolition of the existing bathrooms and a cinder block shed on the property. The park project would include two crossings over a drainage system for a pathway and promenade that would not impact the drainage system. The scope of the project shall not include the existing classrooms located in the norther section of

the property. In addition, no development is proposed to take place along the direct shoreline of Clear Lake. All work proposed with this project would be located outside of the Waters of Clear Lake, as well as, the riparian habitat adjacent to and associated with the waters of Clear Lake.

In addition to the proposed improvements to the park, the project would include expanding public utilities with the proposed improvements. Those improvements would include water and sewer connections extending from South Main Street to serve the proposed bathrooms, concession building, splash pad and water service to picnic areas. The development of the site would include a new irrigation system for the onsite landscaping.



Final Concept Plan Lakefront Park

III. PROJECT SETTING AND LOCATION

The Site is located within the central portion of the City of Lakeport, fronting on the western side of Clear Lake and approximately three quarters of a mile east of Highway 29. The project would occur on approximately 5 acres of a total of 6.8 acre parcels at on 800 and 810 North Main Street. The proposed park would be located between North Main Street and Clear Lake on a site formerly known as "Natural High" in the downtown area of Lakeport, California. (see Figure 1). The project would primarily occur within the boundaries of two individual parcels (APNs 025-601-04 and 025-601-07), which both properties are in the process of being acquired by the City.



View of the Site looking northwest



View of the Site looking east

The topography of the Site is relatively level from approximately 1,325 feet above mean sea level (amsl) in the east portion of the Site along Clear Lake, increasing to a maximum of approximately 1,334 feet amsl along the frontage of North Main Street.

The Site contains portions of existing curb, gutter, and sidewalk (totaling approximately 310 linear feet) along the eastern side of North Main Street. The majority of the site is non irrigated open area, consisting of non-native grasses. The western portion of the property consists of an older parking lot in a state of disrepair. Two small structures and a fence are located within the project boundaries, as well as older

classrooms (not part of this project) along the northern portion of the property. The small bathroom and shed in the center of the property, and a three foot fence running north to south separating the parking area from the grass area are proposed to be removed.

IV. ENVIRONMENTAL EFFECTS

An environmental checklist follows this section, and addresses all potential adverse effects resulting from the proposed project. No significant adverse effects are expected from any of the proposed activities.

V. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigation Incorporated" as indicated by the checklists on the following pages.

	Aesthetics		Agriculture and Forestry Resources	Χ	Air Quality
Χ	Biological Resources	Χ	Cultural Resources		Energy
Х	Geology/Soils	Х	Greenhouse Gas Emissions	Х	Hazards & Hazardous Materials
Χ	Hydrology/Water Quality		Land Use/Planning		Mineral Resources
Χ	Noise		Population/Housing		Public Services
	Recreation		Transportation	Χ	Tribal Cultural Resources
	Utilities/Service Systems		Wildfire		Mandatory Findings of Significance

An explanation for all checklist responses is included, and all answers take into account the whole action involved and the following types of impacts: off-site and on-site; cumulative and project-level; indirect and direct; and construction and operational. The explanation of each issue identifies (a) the threshold of significance, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. All mitigation measures required for the projects are provided in the Mitigation Monitoring and Reporting Program (MMRP) (see Appendix A).

In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"**No Impact**" means that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the proposed project.

DETERMINATION: (To be completed by the Lead Agency on the basis of this initial evaluation)

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been

	made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
\boxtimes	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Darlham	
Signature	<u>10/28/2020</u> Date
<u>Daniel D. Chance, Associate Planner</u> Name and Title	

I.	AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?				
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			\boxtimes	

Thresholds of Significance: The project would have a significant effect on aesthetics if it would have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway; substantially

degrade the existing visual character or quality of public views of the site and its surroundings (if the project is in a non-urbanized area) or conflict with applicable zoning and other regulations governing scenic quality (if the project is in an urbanized area); or create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

DISCUSSION

The proposed park project area is located in a in an area identified as a view corridor in the General Plan. The view corridors at this location are those views looking out over the Clear Lake, as well as views of Mount Konocti. The property is identified as Resort Residential in the City of Lakeport General Plan, with zoning identified as Open Space (OS) according to the City of Lakeport Zoning Map. The project area does contain important visual landmarks or areas of scenic interest. The intent of developing the park project at this location is to preserve that view corridor and those views looking out over the lake. The design and location of those park structures would be smaller and distributed throughout the project site, so as to not impact those views. Amenities such as street trees to give rhythm, cadence and shade are notable throughout the project area.

I.a-b) The proposed project is located within a City- or County-mapped or designated scenic vista and within a scenic resources area; however the site is not located along a state scenic highway (Caltrans, 2018). The intent of the scenic vistas at this site, include views out towards Clear Lake from North Main Street in the downtown Lakeport area. However, the intent of the proposed park project is to preserve the designated scenic vista and scenic resources. The development of the park would maintain that scenic view from North Main Street Clear Lake, from one of the last open space along the shoreline. Even with development of the park, the majority of the site would remain open space with landscaping and trees. Therefore, the project would have **no impact**.

I.c.) The project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees. The park also includes public pathways and extension of the lakefront promenade. The proposed project does not conflict with any local zoning regulations and would significantly enhance the scenic quality of the area; therefore, the project would have **no impact**.

I.d) Expected new sources of light would come with the lighting in the park. All lighting shall be designed in a matter to minimize off-site illumination and glare. Lighting in the park is required for safety, however it is policy to insure all outdoor lighting is consistent with the intent of dark sky standards. The proposed project may increase the level of illumination in the project area above existing levels due to additional lighting along the pathways in the park, however due to the, limited lighting off-site illumination and glare would be minimized. Therefore, the light and glare associated with the proposed project would be **less than significant impact**.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Aesthetics.

11	AGRICULTURE AND FORESTRY RESOURCES. Would	Potentially	Less Than	Less Than	No Impact
11.	AGRICULTURE AND FORESTRT RESOURCES. WOULD	Significant	Significant	Significant	No Impact

	the project:	Impact	with Mitigation Incorporated	Impact	
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				\boxtimes
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				\boxtimes
d)	Result in the loss of forest land or conversion of forest land to non-forest use?				\boxtimes
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?				

Thresholds of Significance: The project would have a significant effect on agriculture and forestry resources if it would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (hereafter "farmland"), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses; conflict with existing zoning for agricultural use or a Williamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); Result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use.

DISCUSSION

The project area is primarily residential in nature, with areas of undeveloped land, and does not currently contain agricultural or forestry uses. The Site and immediate area is primarily designated as Resort Residential, Open space Parkland, Central Business District and Major Retail under the City's 2025 General Plan (see Figure 2), and zoned as Open Space (OS), Central Business District (CB), Resort/High Density Residential (R-5), Major Retail (C-2) and High Density Residential (R-3) under the City's Zoning Ordinance (see Figure 3). Under the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), the Site and surrounding area is designated as "Urban and Built-Up Land" (DOC, 2016). No portion of the Site is under a Williamson Act contract.

II.a-c) The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, conflict with existing zoning for agricultural use or forest land, timberland, or timberland zoned Timberland Production, or conflict with a Williamson Act, as no portion of the Site is designated, zoned, or utilized for agricultural or forestry use. Additionally, no portion of the Site is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance under the FMMP or currently under a Williamson Act contract. **No impact** would occur.

II.d) Although the removal of trees and/or other vegetation adjacent to North Main Street and the lake may be required as a result of the project, the project would not result in the loss of forest land or conversion of forest land to non-forest use, as the project area is not designated or zoned as timberland or forest land, but rather designated and zoned as open space. **No impact** would occur.

II.e) The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use. No such uses are located in the vicinity of the Site. **No impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **No Impact** on Agricultural and Forestry Resources.

III.	AIR QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?		\boxtimes		
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?				
c)	Expose sensitive receptors to substantial pollutant concentrations?		\boxtimes		
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				

Thresholds of Significance: The project would have a significant effect on air quality if it would conflict with or obstruct implementation of applicable air quality plans; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations; or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

DISCUSSION

The proposed project is located within the Lake County Air Basin (LCAB) and is subject to Lake County Air Quality Management District (LCAQMD) requirements. The LCAB is a federally and State recognized geographical area this is the same as the County boundary. The LCAQMD is responsible for regulating stationary sources of air pollution within the LCAB. The main purpose of the LCAQMD is to enforce local, State, and federal air quality laws, rules, and regulations in order to meet the Ambient Air Quality Standards (AAQSs), and protect the public from air toxins through local regulation, California Air Resources Board (CARB) Airborne Toxic Control Measures (ATCM) and federal Environmental Protection Agency (EPA) National Emission Standards for Hazardous Air Pollutants (NESHAP) specific control regulations. These sources include industrial developments such as the Geysers Geothermal Power Generation as well as commercial businesses with air emissions such as mining operations and gasoline stations (LCAQMD, n.d.). As noted in the City's General Plan, because the County is in an attainment area (or is unclassified) for all criteria pollutants, both federal and State, it is not required to prepare an Air Quality Management Plan.

Instead, LCAQMD's focus is on the prevention of significant deterioration in air quality (City General Plan, 2009).

The project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees, as well as public pathways and extension of the lakefront promenade.

The project and its emission sources are subject to State and federal standards contained in the most recent version of Lake County Air Quality Management District Rulebook. The use of the park would have minimal to no impact on air quality within the LCAB, however during the construction phase of the project, the contractor would be expected to use heavy construction machinery and temporary air pollutant emissions would be associated with cut and fill, grading, and paving activities within the project area. Water would be utilized as necessary during the construction activities to reduce potential impacts associated with fugitive dust.

LCAQMD has not formally adopted significance thresholds for use in evaluating project impacts under CEQA, but rather utilizes the State and federal standards on emission rates for stationary sources. LCAQMD does not currently have any thresholds for toxics, but recommends the use of the latest version of the California Air Pollution Control Officers Association's (CAPCOA) Health Risk Assessments for Proposed Land UseProject(availableat: http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA HRA LU Guidelines 8-6-09.pdf) to evaluate and reduce air pollution impacts from new development, which includes recommended mitigation measures to help reduce air pollution impacts anticipated under the proposed project.

Lake County, which encompasses the City of Lakeport, was recognized by the American Lung Association in 2018 as being the 4th cleanest county in the nation for annual particulate average concentration (LCAQMD, 2018). In 2012, the CARB released a summary of the estimated annual average emissions rates in the LCAB, including stationary, area wide, and mobile source emissions. Table 1, below, shows a summary of LCAB's emissions by source category and are represented in tons per day. According to the report, the main stationary source of total organic gas (TOG) emissions is electric fuel combustion. The main mobile source was recreational boats, and the main area-wide source was solvent evaporation from consumer products. Carbon monoxide (CO) is mostly coming from managed burning and disposal. Recreational boats, light duty passenger vehicles, off-road equipment, and trucks make up two-thirds of the mobile source CO emissions, and one half of the total CO emissions in the LCAB. Finally, unpaved roads were the largest source of particulate matter (PM) in the County (CARB, 2012).

Table 1. Lake County Air Basin 2012 Estimated Annual Average Emissions (tons/day)

Sources	TOG	ROG	CO	NOx	SOx	PM	PM ₁₀	PM _{2.5}	NH₃	
Stationary Sources										
Fuel Combustion	5.5	0.4	6.0	0.3	0.1	0.3	0.2	0.1	1.7	
Waste Disposal									0.0	
Cleaning and Surface Coating	0.2	0.2								
Petroleum Production and Marketing	0.2	0.2								
Industrial Processes	0.1	0.1	0.0	0.2	0.2	1.4	0.8	0.2	-	
Total Stationary Sources	6.0	0.9	6.0	0.4	0.2	1.6	1.0	0.4	1.8	
Area Wide Sources		•	•	•	,	•				

Solvent Evaporation	1.3	1.2							0.1	
Miscellaneous Processes	6.3	1.7	13.7	0.7	0.1	6.9	4.7	2.2	0.4	
Total Area-Wide	7.5	2.9	13.7	0.7	0.1	6.9	4.7	2.2	0.5	
Sources										
Mobile Sources	Mobile Sources									
On-road Motor Vehicles	1.6	1.4	10.2	2.3	0.0	0.1	0.1	0.1	0.1	
Other Mobile Sources	3.3	2.9	11.4	1.2	0.0	0.2	0.2	0.2	0.0	
Total Mobile Sources	4.9	4.3	21.6	3.6	0.0	0.4	0.3	0.2	0.1	
Grand Total for Lake	18.5	8.1	41.2	4.6	0.4	8.8	6.0	2.8	2.3	
County Air Basin										

Note: Spaces left blank in Table 2 indicate that average emissions could not be quantified in tons per day.

Source: California Air Resource Board (CARB). 2012 Estimated Annual Average Emissions. Lake County Air Basin. 2016 SIP Emission Projection Data. Available at: https://www.arb.ca.gov/app/emsinv/2017/emseic1_query.php?F_DIV=-4&F_YR=2012&F_AREA=AB&F_AB=LC&F_SEASON=A&SP=SIP105ADJ&F_DD=Y.

Air quality impacts anticipated under construction of the proposed project were modeled using the California Emissions Estimator Model (CalEEMod), developed by the California Air Pollution Offices Association (CAPCOA), to quantify potential criteria pollution and greenhouse gas (GHG) emissions during the different phases of the construction period, including grubbing/land clearing, grading/excavation, drainage/utilities/sub-grade, and paving. The model quantifies direct and indirect emissions from construction activities, including emissions associated with material hauling, worker commutes, water trucks, off-road equipment, in addition to fugitive dust.

Vehicles are known to be a major pollution contributor, producing significant amounts of nitrous oxides (NOx), carbon monoxide (CO), ozone (O₃), and particulate matter (PM_{2.5} and PM₁₀), and must also be considered when evaluating potential air quality impacts of a proposed project. However, the daily use of the park would not be anticipated to introduce a significant number of new traffic trips in the area. A conservative analysis of the project, the analysis assumes the anticipated construction would begin in 2020 and be completed over a 6-month period. To minimize potential fugitive dust, it is also assumed that water trucks would be utilized. As a results of the limited duration of the grading, the construction of the proposed project, that include the required mitigation measures is not anticipated to have minimal impacts on the air quality. The park would generate an increase in vehicle trips per day the centralized location of the park also encourages pedestrian and bicycle access to the park and is not anticipated to increase operational emissions.

The anticipated emissions associated with the park construction and operation would be well-below the State and federal annual thresholds of significance for carbon monoxide (CO), nitrogen oxides (NO $_{\times}$), particulate matter (PM $_{10}$ and PM $_{2.5}$), reactive organic gases (ROG), and sulfur oxides (SO $_{2}$). As noted above, compliance with LCAQMD requirements would be required during construction and operation of the project (see Mitigation Measure AIR-1), which would help minimize potential air quality impacts associated with the project.

III.a-b) As noted in the discussion above, the City of Lakeport is currently in attainment of all State and federal ambient air quality standards. The proposed development of a park within the project area is not anticipated to generate unnecessary airborne particulate matter that would have the potential to create significant project-specific and cumulative effects to air quality, or conflict with or obstruct implementation of the applicable air quality plan. Because the proposed park construction and improvements would be subject to LCAQMD regulations and since the proposed improvements and modification would occur in

accordance with these regulations, the proposed project would not obstruct implementation of federal and State standards.

LCAQMD has advised that generally, an activity that individually complies with the State or federal ambient air quality standards would not result in excess emissions or a violation. As shown in Table 2, above, project activities would not be anticipated to substantially increase pollutant concentrations or exceed LCAQMD's ambient air quality standards, which correspond to State and federal emissions thresholds. Although the proposed project would generate temporary emissions during construction and direct and indirect emissions once construction is complete, the project would not include any source of visible emissions, including intentional fire/burning or manufacturing. The development of a park and anticipated improvements would not be anticipated to significantly increase traffic in this immediate area. However, with the incorporation of Mitigation Measures AIR-1 and AIR-2, which require compliance with LCAQMD, State, and federal standards and regulations and maintaining all equipment in good working condition such that potential fugitive dust is controlled and exhaust emissions are minimized, the proposed project would not result in substantial adverse air quality impacts, and with **mitigation measures a less than significant impact** would occur.

III.c) Sensitive receptors, as defined by the EPA, include, but are not limited to, hospitals, schools, daycare facilities, elderly housing, and convalescent facilities. These are areas where the occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. Extra care must be taken when dealing with contaminants and pollutants in close proximity to areas recognized as sensitive receptors. As noted above, no significant sensitive receptors are located in the vicinity of the Site. The proposed development of the park, with related improvements and continued use as a park would be required to comply with LCAQMD rules and regulations, which include measures to protect air quality and reduce emissions.

As provided in Table 2, above, emissions associated with construction and operation of the proposed project would not exceed LCAQMD's ambient air quality standards, which correspond to State and federal emissions thresholds. However, temporary exhaust from construction equipment may, for short periods of time, impact residents and commercial uses located near the Site. However, with the incorporation of Mitigation Measures AIR-1 and AIR-2, potential fugitive dust and exhaust emissions associated with construction and operation of the proposed project would be minimized, and with **mitigation measures a less than significant impact** would occur.

III.d) The project would not create substantial emissions (such as odors or dust) adversely affecting a substantial number of people. Temporary objectionable odors, typical of construction sites and equipment use, may be generated during the construction phase of the project, which way impact the residences and schools located adjacent to the Site. However, with the implementation of **Mitigation Measures AIR-1** and AIR-2, potential fugitive dust and exhaust emissions, and a less than significant impact would occur.

MITIGATION MEASURES

AIR-1: Construction activities shall be conducted with adequate dust suppression methods, as necessary, including but not limited to watering during construction activities to limit the generation of fugitive dust or other methods approved by the LCAQMD.

AIR-2: At all times, construction equipment shall be maintained in good condition to minimize excessive exhaust emissions.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Air Quality.

IV.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			\boxtimes	

Thresholds of Significance: The project would have a significant effect on biological resources if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

DISCUSSION

The project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multi-use lawn areas, landscaping and trees. The park also includes public pathways and extension of the lakefront promenade. The proposed Park Project Site is host to one storm drainage line that runs along the southern boundary of the property on an adjacent city property. The site currently has a 54-inch culvert that extends under the neighboring properties along Main Street and ends at the City's parking lot. The proposed Park project would include crossing that stormdrain in two locations. One location closer to Clear Lake would be for the promenade. While the other would be located further back for a pathway that would support service vehicles leading from the park to the parking lot to the south. The bases and/or supports for each side of those crossings would be located out of the existing stormdrain system.

In addition, no development is proposed to take place along the direct shoreline of Clear Lake. All work proposed with this project would be located outside of the waters of Clear Lake, as well as, the riparian habitat adjacent to the lake.

Natural features within the vicinity of the Site include a large open area with a parking area and an area of non-native grasses, previously used for a high school. The property has a number of trees surrounding the perimeter of the area that includes the following:

- 8 (eight) American Sycamores (platanus occidentalis) along the Main Street frontage.
- 4 (four) Cottonwoods (populous tremuloides) and 9 (nine) Goddings Willow (salix goddingii) that
 extend along the shoreline and adjacent to a drainage area along the eastern shoreline of Clear
 Lake.
- 2 (two) Scrub Oaks (quercus gambelii), I (one) Live Oak (quercus virginiana), and 2 (two) Black Walnuts (juglans hindslix) along the southern property line.

The majority of the trees are non-native trees introduced to the site, with the exception of the oak trees and cottonwood trees.

Based on the species identified in the CNDDB records, the range of habitats present, and the geographical range of the various sensitive species, 8 special status plant species and 8 special status wildlife species, including 3 bird species of special concern, have the potential to occur within the project Site, as provided in Tables 3 and 4, below. No special habitats (such as freshwater ponds, thermal springs, or serpentine outcrops) are present at the Project Site, eliminating the potential for sensitive species specific to those types of habitats to occur within the project area.

Table 3. Sensitive Plant Species Occurring within the Project Vicinity (Including State and Federal Threatened, Endangered, or State Species of Concern)

Plant Species	Status ² Habitat		Occurrence at the Project Site ¹
Konocti manzanita (Arctostaphylos manzanita ssp. elegans)	CNPS 1B.3	Lower montane coniferous forest, volcanic soils (225- 1,830m)	Absent. No suitable habitat occurs at the Project Site (obsidian slopes, McMinn, 1939).
Bent-flowered fiddleneck (Amsinckia lunaris)	CNPS 1B.2	Often serpentine, open oak/pine woodland (280- 1,010m)	Absent. Suitable soils (serpentine) or habitat (open oak/pine woodland) do not occur at the Project Site.

Plant Species	Status ²	Habitat	Occurrence at the Project Site ¹
Mayacamas popcornflower (Plagiobothrys lithocaryus)	CNPS 1A	Chaparral, cismontane woodland, grasslands (150- 1,250m)	Absent. There is no suitable habitat for this species (moist sites), historic record only. There are no known occurrences at the Project Site
Serpentine cryptantha (Cryptantha dissita)	CNPS 1B.2	Chaparral, serpentine outcrops (135-735m)	Absent. There is no suitable habitat at the Project Site
glandular western flax (Hesperolinon adenophyllum)	CNPS 1B.2	Chaparral, cismontane woodlands, usually serpentine, (425-1,345m)	Absent. No suitable soils occur at the Project Site.
Burke's goldfields (Lasthenia. burkei)	FE/CE CNPS 1B.1	Vernal pools, (15-600m)	Absent. No suitable habitat (vernal pools) occurs in the Project Site.
Colusa layia (Layia septentrionalis)	CNPS 1B.2	Chaparral, cismontane woodlands, usually serpentine, (100-900m)	Absent. No suitable soils (gravelly or serpentine) occur at the Project Site.
Beaked tracyina (Tractina rostrata)	CNPS 1B.2	Chaparral, cismontane woodland (55-855m)	Absent. No suitable native grassland occur at the Project Site.

¹ OCCURRENCE DESIGNATIONS:

Present: Species observed at the Project site at time of field survey or during recent past.

Likely: Species not observed at the Project site, but it may be reasonably expected to occur there on a regular basis.

Possible: Species not observed at the Project site, but it could occur there from time to time.

Unlikely: Species not observed at the Project site, and would not be expected to occur there except, perhaps, as a transient. **Absent:** Species not observed at the Project site, and precluded from occurring there because habitat requirements not met.

²STATUS CODES:

FE Federally Endangered CE California Endangered
FT Federally Threatened CT California Threatened
FPE Federally Endangered (Proposed) CR California Rare

FC Federal Candidate CSC California Species of Special Concern

CNPS California Native Plant Society Listing
D/FD Delisted or proposed Federal delisting

Table 4. Sensitive Animal Species Potentially Present at the Proposed Project Site

Species	Common Name	Fed/State List	Preferred Habitat/Potential Occurrence
Taxidea taxus	American badaer	None	Open ground/Limited habitat
Phalacrocorax auritus	Double- crested Cormorant	None	Nests in tall trees on lake margins/Unlikely, limited potential trees
Ardea herodias	Great Blue Heron	None	Nests in tall trees on lake margins/Unlikely, limited potential trees
Agelaius tricolor	Tricolored Blackbird	None	Colonial nester/Unlikely, few suitable trees

Drybates nuttallii	Nuttall's Woodpecker	None	Oak woodlands/IPac BSS, few suitable trees
Baeolophus inornatus	Oak Titmouse	None	Oak woodlands/IPaC BBS, few suitable trees
Pandion haliaetus	Osprey	None	Nests in large tree or snags/Known City nesting species
Chamaea fasciata	Wrentit	None	Diverse dense cover/IPaC BBS, few suitable trees

City staff review detected no sensitive plant species within the project area. While bird species observed at the Project Site comprise primarily common occurring species expected in shoreline habitats near and around Lakeport. There could be a potential for nesting migratory birds within some of the trees during the nesting season March thru July. City staff reviewed a number of documents that identified those the time of year (outside of the bird nesting season, between August 1-March 1) when any necessary heavy vegetation removal (limbs over 6 inches in diameter) would be the least impactful. However, should heavy vegetation removal be proposed during the bird nesting season (March 1-August 1), it is recommended that a qualified biologist conduct a nest survey to identify the presence of vulnerable nests (within 100 feet for passerines and 300 feet for raptors from the heavy vegetation removal). Recommended protocol is also provided in the event active nests are identified.

As stated previously, no work is proposed in the waters of Clear Lake. Clear Lake is a Waters of the U.S and a natural community of special concern. Clear lake is a natural freshwater lake that drains to the Sacramento River. The natural level of Clear Lake has been maintained by Grigsby Riffle, which is a rock sill located at the confluence of Cache and Seiglar Creeks near Lower Lake. The Cache Creek dam, located approximately 3 miles downstream of Grigsby Riffle, regulates the level of Clear Lake to maintain water storage, downstream water supply, recreation, and to minimize flooding. All work conducted within or below the ordinary high-water mark of Clear Lake would require a Section 404 Permit for Army Corps of Engineers, a Section 401 Water Quality Certification from the State Regional Water Quality Control Board, a 1602 Lake and Streambed Alteration Agreement from California Department of Fish and Wildlife.

Special-Status Fish/Reptile species in Clear Lake would include Sacramento Perch (CDFW species of special concern), Western Pond Turtle (CDFW species of special concern) and Clear Lake Hitch (State-threatened species). These three species are identified as being in Clear Lake, and would have to be addressed if any of the development were to encroach into the Waters of Clear Lake. If any work would be proposed to take place in those waters, a 401 Permit, a 404 Permit, and a 1602 permit; as well as specific mitigation measures for those identified species.

The proposed Park Project Site is host to one storm drainage line that runs along the southern boundary of the property on an adjacent city property. The site currently has a 54-inch culvert that extends under the neighboring properties along Main Street and ends at the City's parking lot. The proposed Park project would include crossing that stormdrain in two locations. One location closer to Clear Lake would be for the promenade. While the other would be located further back for a pathway that would support service vehicles leading from the park to the parking lot to the south. The bases and/or supports for each side of those crossings would be located out of the stormdrain flows, to limit potential impacts to the potential waterway.

All construction associated with the park shall incorporate BMP (Best Management Practices) to insure sediment during construction does not flow into Clear Lake. Mitigation Measures in the Hydrology section

will require straw waddles and/or siltation fencing staked appropriately along the shoreline to limit on-site siltation run-off flowing into Clear Lake, and would not impact the habitat those fish and turtle species of special concern or threatened.

IV.a) Construction activities under the proposed project would include the construction and operation of a park in downtown Lakeport. The project setting is located in a primarily commercial area adjacent to Clear Lake. However, the project site is primarily undeveloped and comprises a mix of non-native grasses and trees along the edges of the Site. The layout of the property, as well as the limited habitat reduces the potential for sensitive species specific to other types of habitats. While no special status plant species were observed on-site, the potential for bird species of special concern could take place within the project boundaries.

As the removal of primarily non-native vegetation, including a few select trees, may be necessary to accommodate the proposed project, the project has the potential to impact the bird species of special concern. The nesting season is generally considered March 1 through August 1, and in order to reduce the potential for impacts to these and other special status bird species that have the potential to be located on-site, the City recommends any necessary heavy vegetation removal (limbs over 6 inches in diameter) occur during the non-nesting season (August 1-March 1); however, should heavy vegetation be proposed during the nesting season (March 1-August 1), it is recommended that a qualified biologist conduct a survey to determine the presence of vulnerable nests (within a distance of 100 feet for passerines and 300 feet for raptors from the heavy vegetation removal). It is recommended that any active nests be allowed to complete their nesting or until the biologist determines they are no longer active before removal occurs. These recommendations are included as Mitigation Measure BIO-1, below.

Therefore, with mitigation incorporated, the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, and **mitigation measure a less than significant impact** would occur.

IV.b-c) A stormdrain flows along the southern boundary of the property on an adjoining property (City's parking lot). That drainage ultimately flows out of a culvert and proceeds into Clear Lake. As stated above, the development of the park would entail crossing that drainage in two locations. One location closer to Clear Lake would be for the promenade. While the other would be located further back for a pathway that would support service vehicles leading from the park to the parking lot to the south. The bases and/or supports for each side of those crossings would be located out of the existing stormdrain system. Aside from the waters of Clear Lake and related riparian habitats, no distinct stream bank (riparian) or stream bed (wetland indicators) vegetation was observed, nor were any other natural streams or riparian areas observed within or along the Project Site. Pursuant to Policy LU 7.4 of the City's General Plan and the General Construction Activity Stormwater Permit discussed further under Section IX, Hydrology and Water Quality, the project contractor would be required to implement stormwater Best Management Practices (BMPs) such as straw bales, fiber rolls, and/or silt fencing structures to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas associated with the waters of clear Lake. With appropriate BMPs utilized and proper permits obtained, the project would have a less than significant impact.

IV.d) With the current design of the park, with setbacks from the waters of Clear Lake and related riparian habitat, the proposed project would not impact the movement of any native resident or migratory fish. As

noted above, no sensitive plant species were observed on-site, although birds of special concern could have a potential of nesting within the project boundaries. Additionally, the Site is not located in a known migratory corridor and contains limited suitable habitat for many species; as a result, the project would therefore not be anticipated to impede any potential migratory species. However, as discussed above, the Site contains habitat, although limited, that may be utilized by several special status species, including birds. With implementation of Mitigation Measure BIO-1, which prescribes recommended protocol in the event heavy vegetation removal would occur during the nesting period, with **mitigation measure a less than significant impact** would occur.

IV.e-f) As discussed above, the project consists of the construction and operation of a park. The City of Lakeport's local polices and ordinances protecting biological resources are outlined in the City of Lakeport General Plan Conservation Element and the Zoning Code Chapter 17.21. The ordinances protect native trees, including oak, redwood, willow, and cottonwood (Ord. 796 Att. A(part), 1999).

At this time, it is anticipated the project would require the removal of select trees. Any vegetation removal would be required to comply with the City's policies and ordinances, including General Plan Policies C 1.2 and C 1.3; and Lakeport Municipal Code measures 17.21.030 Preservation of native trees, 71.21.040 Land development tree report, and 1721.050 Review and determination. The City recognizes that some trees may have to be removed to facilitate development in accordance with the City's General Plan. Pursuant to Section 17.21.050 of the Lakeport Municipal Code, for those trees that are to be removed, the Director or the Commission shall require a 1:1 replacement with a minimum fifteen-gallon tree in the same or similar species as the tree to be removed. If the trees that are removed are mature and healthy, there shall be a 1:1 replacement with a minimum twenty-four-inch root ball specimen in the species that is the same or similar to the tree removed. The design of the park includes the planting of trees on the property. Trees planted as replacements shall be continually maintained or replaced if they fail to survive. Replacement trees shall be planted on the site where the preexisting tree was removed or may be planted on a separate site at the discretion of the City.

Additionally, as discussed above, the City recommends that any proposed heavy vegetation (limbs over 6 inches in diameter) removal shall be conducted in the non-nesting season (August 1-March 1). However, should any removal of heavy vegetation be proposed during the breeding nesting season, then a qualified biologist shall determine the presence of vulnerable nests (within a distance of 100 feet for passerines or 300 feet for raptors from the heavy vegetation removal). Any active nests within the above-mentioned distances shall be allowed to be complete their nesting or until the biologist determines that they are no longer active before removal (see Mitigation Measure BIO-1). With implementation of Mitigation Measure BIO-1 and compliance with City policies, the proposed project would have a less than significant impact.

MITIGATION MEASURES

BIO-1: Due to the presence of migratory birds and raptors in the immediate area, any proposed heavy vegetation (limbs over 6 inches in diameter) shall be conducted in the non-nesting season (August 1-March 1). However, should removal of heavy vegetation be proposed during the nesting season (March 1-August 1), a qualified biologist shall determine the presence of vulnerable nests (within a distance of 100 feet for passerines and 300 feet for raptors from the heavy vegetation removal). Any active nests within the abovementioned distances shall be allowed to complete their nesting or until the qualified biologist determines the nests are no longer active before the heavy vegetation shall be allowed to occur.

Refer to Mitigation Measures HYDRO-1 in Section X, Hydrology and Water Quality, below for implementation of the BMP to limit siltation flowing into the Waters of Clear Lake or impacting fish and turtle species of concern and threatened.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Biological Resources.

٧.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				\boxtimes
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				
c)	Disturb any human remains, including those interred outside of formal cemeteries?		\boxtimes		

Thresholds of Significance: The project would have a significant effect on cultural resources if it would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or disturb any human remains, including those interred outside of formal cemeteries.

DISCUSSION:

An Archaeological Survey Report (Archaeological Report) was prepared by Archaeological Research on March 26, 2020, to identify and present any archaeological, historical, or cultural resources located within the Area of Potential Effect (APE). Archaeological Research conducted a records search (File Number 19-1627) at the Northwest Information Center (NWIC), located on the campus of Sonoma State University, in Rohnert Park, California, which included a review of all study reports on file within a one-half mile radius of the project area. A total of 8 cultural sites have been identified within one-mile radius has been identified. As provided in the Archaeological Report, no cultural resources are documented within the project APE.

As part of the Archaeological Report, Archaeological Research contacted the Native American Heritage Commission (NAHC), to request a Sacred Lands File (SLF) search for any resources present within the project area and to request the contact information for the representatives of the Native American Tribes associated with the area. In a letter response dated March 20, 2020, the NAHC indicated the SLF search returned a positive result and provided the contact information for local Tribal representatives. In compliance with Assembly Bill (AB) 52, the City of Lakeport was contacted by the Scotts Valley Band of Pomo Indians in a letter dated February 20, 2020, in which park site was noted as contiguous to the Tribe's original assigned federal lands (which were subsequently dissolved again by federal decree). Additionally, the Tribe stated they have a "clear interest in the project and looks forward to both consultation and the assignment of cultural monitor(s) during any and all ground disturbance undertaken by the project." As of the date of this Initial Study, no additional responses or other communications have been received from the Native community regarding the project.

Field work was conducted which included a cultural resources inventory of the project area, totaling approximately 6.8 acres. Ground surface visibility was moderate due to dense grass or asphalt pavement. As noted in the Archaeological Report, the entire project area was surveyed using intensive survey coverage with transects spaced less than 5 to 8 meters apart. Field work indicated the natural landform of the site has been extensively altered by the construction of the school structures dating back to 1923 resulted in areas of cut and fill. Imported gravel, construction of retaining walls, and landscaping has also affected the altered landscape.

One isolated obsidian flake from the Mount Konocti geologic source was identified within the APE as a result of the field survey. Unassociated isolated artifacts generally do not merit formal recordation or protection measures. In their report, Archaeological Research concluded that the project, as presently designed is not anticipated to have an adverse effect on cultural resources. The report recommends measures in the event of inadvertent discovery of cultural resources or human remains during project implementation (see Mitigation Measures CULT-1 and CULT-2, below). In response to Scotts Valley Band of Pomo Indians' request for a cultural monitor to be present on-site during any and all ground disturbance to be undertaken by the project, a third mitigation measure (Mitigation Measure CULT-3) has been included, below.

Copies of the NAHC and Tribal consultation request letters and associated responses are included in Appendix C. Due to the confidential nature of the Archaeological Report, a copy is not provided as part of this Initial Study.

V.a) As set forth in Section 5024.1(c) of the Public Resources Code, in order for a cultural resource to be deemed "important" under CEQA and thus eligible for listing on the California Register of Historic Resources (CRHR), it must meet at least one of the following criteria:

- 1. is associated with events that have made a significant contribution to the broad patterns of California History and cultural heritage; or
- 2. is associated with the lives of persons important to our past; or
- 3. embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possess high artistic value; or
- 4. has yielded or is likely to yield, information important to prehistory or history (ALTA, 2019).

As provided in the Archaeological Report, prepared by Archaeological Research on March 26, 2020, a total of 8 cultural sites are located within a one (1) mile radius. No cultural resources are documented within the project APE. In addition, review of historic registers and inventories indicate that no historical landmarks or points of interest are present within the project area, nor are there any National Register-listed or eligible properties within a half-mile radius of the project area. The field survey, conducted on-site did not reveal any historical resources within the project area. **No impact** would occur.

V.b-c) As discussed above, no cultural resources are documented within the project APE. One isolated obsidian flake from the Mount Konocti geologic source was identified within the APE as a result of the field survey; however, the artifact is unassociated with a cultural resource, were discovered on highly altered landforms within disturbed contexts, and unassociated isolated artifacts generally do not merit formal recordation or protection measures (Archaeological Research, 2020).

Archaeological Research, in the Archaeological Report, concluded that the project, as presently designed, is not anticipated to have an adverse effect on cultural resources. However, Archaeological Research provides two recommendations in the Archaeological Report, which prescribe protocol to follow

in the event of advertent discovery of cultural resources or human remains and are included as Mitigation Measures CULT-1 and CULT-2, below. In addition, Scotts Valley Band of Pomo Indians' request for a cultural monitor to be present on-site during any and all ground disturbing activities to be completed under the project is included as Mitigation Measure CULT-3, below. With **mitigation incorporated**, a less than significant impact would occur.

MITIGATION MEASURES

CULT-1: If previously unidentified cultural resources are encountered during project implementation, any persons on-site shall avoid altering the materials and their stratigraphic context. A qualified professional archaeologist shall be contacted to evaluate the situation. Project personnel shall not collect cultural resources. [Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.]

CULT-2: If human remains are encountered on-site, all work must stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission (NAHC) must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and further recommendations regarding treatment of the remains is provided.

CULT-3: A cultural monitor from the Scotts Valley Band of Pomo Indians and/or Big Valley Band of Pomo Indians shall be present on-site for any and all ground disturbance to be completed under the project. The project contractor shall consult with the Tribe at least three weeks prior to the start of any ground disturbing activities and shall also provide the Tribe with the anticipated construction schedule and plans.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Cultural Resources.

VI.	ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			\boxtimes	
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			\boxtimes	

Thresholds of Significance: The project would have a significant effect on energy if it would result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation; or require or result in the construction of new water or wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

DISCUSSION

On October 7, 2015, Governor Edmund G. Brown, Jr. signed into law Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015 (De León, Chapter 547, Statutes of 2015), which sets ambitious annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. SB 350 requires the California Energy Commission to establish annual energy efficiency targets that will achieve a cumulative doubling of statewide energy efficiency savings and demand reductions in electricity and natural gas final end uses by January 1, 2030. This mandate is one of the primary measures to help the state achieve its long-term climate goal of reducing GHG emissions to 40 percent below 1990 levels by 2030. The proposed SB 350 doubling target for electricity increases from 7,286 gigawatt hours (GWh) in 2015 up to 82,870 GWh in 2029. For natural gas, the proposed SB 350 doubling target increases from 42 million therms in 2015 up to 1,174 million therms in 2029 (CEC, 2017).

VI.a-b) The proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation, nor would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Additionally, the proposed project does not propose the use or consumption of any additional energy except for during construction operations.

The construction phase of the project is anticipated to occur over a 6 to 12-month period. Once construction commences on-site, construction workers would be required at the Site. Project construction would be limited to the hours of 7:00AM and 7:00PM Monday through Friday and between 8:00AM and 7:00PM on Saturdays and Sundays. The park facility includes a building that would provide a bathroom, storage area and commercial kitchen for the park; electrical extending to the amphitheater and basketball courts; as well as lighting for the park that would reflect the only consumer of energy on the site. The construction of the park building shall be required to meet the 2020 Building Code, which includes energy savings in all construction. The buildings would have limited climate control; and would be required to provide adequate structural insulation. Under the Building Code, all new construction shall be designed to accommodate an array of electrical solar panels, however, the City currently take advantage of an array of solar panels on the Community Building next door. Therefore, the amount of energy consumption as a result of this project would have a less than significant impact.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Energy.

VII. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
 a) Directly or indirectly cause potential subs adverse effects, including the risk of loss, inju- death involving: 				\boxtimes

	i) Rupture of a known earthquake fault, of delineated on the most recent Alquist-Priol Earthquake Fault Zoning Map issued by the State Geologist for the area or based of other substantial evidence of a known fault Refer to Division of Mines and Geolog Special Publication 42.			\boxtimes
	ii) Strong seismic ground shaking?			
	iii) Seismic-related ground failure, includin liquefaction?			
	iv) Landslides?			\boxtimes
b)	Result in substantial soil erosion or the loss of topsoil?			
c)	Be located on a geologic unit or soil that is unstable or that would become unstable as a result of th project, and potentially result in on- or off-sit landslide, lateral spreading, subsidence, liquefactio or collapse?			
d)	Be located on expansive soil, as defined in Table 18 1-B of the Uniform Building Code (1994), creatin substantial direct or indirect risks to life or property?		\boxtimes	
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater dispose systems where sewers are not available for the disposal of waste water?			
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologi feature?			

Thresholds of Significance: The project would have a significant effect on geology and soils if it would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property; have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

DISCUSSION

As previously discussed, the project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees. The park also includes public pathways and extension of the lakefront promenade. In addition, no development is proposed to take place along the direct shoreline of Clear Lake. All work proposed with this project would be located outside of the waters of Clear Lake, as well as, the riparian habitat adjacent to the lake.

Seismicity

The City of Lakeport is situated in an active earthquake area and the potential exists for a seismic event in the future. Immediately east of the City, between the city limits and Clear Lake, there is a potentially active rupture zone. Potentially active rupture zones are defined as faults which have been active in the past 200,000 years. No major potentially damaging earthquakes have occurred within the past 200 years along any faults within Lake County.

The majority of faults in Lake County are located in the Cobb Mountain and Hopland Grade areas, running southeasterly to the southern County line. The southeastern portion of the County also appears to have considerable earthquake faults. There are also active faults within the vicinity of the City of Lakeport, including the San Andreas Fault, located approximately 30 miles (48 km) to the west, and the Healdsburg Fault, located approximately 15 miles (24 km) to the west. These faults have been responsible for moderate to major earthquakes in the past. The maximum earthquake magnitudes that can come from these fault lines are 8.25 for the San Andreas Fault and 6.75 for the Healdsburg fault (Earth Metrics Inc., 1989).

The largest earthquake to affect the City was the 1906 San Francisco earthquake, which had a magnitude of 8.3. Although shaking was severe, overall damage in Lakeport was minor and generally limited to the fall of decorative masonry and chimneys.

Landslides

Landslides are a notable geologic constraint to development in the Lakeport Planning Area. The landslide potential of an area is a function of the area's hydrology, geology, and seismic characteristics. Clay soils, which underlie many hillsides in Lakeport, are particularly susceptible to sliding. Although landslides generally occur in areas with steep slopes, they may occur on slopes with a grade of 20 percent or less in geologically unstable areas. Since zones of moderate to high landslide potential exist in Lakeport, however, the relatively level site would have a low landslide potential. Foundations for structures built in areas with steep slopes in excess of 20 percent must be carefully engineered to avoid increasing landslide risk (City General Plan, 2009).

<u>Sediments and Soils</u>

The Lakeport area is located on a sediment-filled valley next to Clear Lake. Exposed materials within the area are limited to serpentine and quaternary sediments. These sediments are described as poorly consolidated to unconsolidated mixtures of sand, silt, clay, and gravel derived from older rock in the adjacent mountains. Because of the low strength of the quaternary sediments, they are subject to rapid erosion and shallow slumping.

The Lakeport region is composed of a variety of geological features. For example, oak woodlands occur in inland valleys and foothills usually with a hard pan or rocky soil between 4 and 20 feet deep. Additionally, chaparral communities occur in the inland foothills on dry slopes and ridges with shallow soils and are often found on serpentine soils. There are a number of areas in Lake County that contain serpentine rock and soils, including areas within the Lakeport Planning Area. These areas have been mapped and identified to contain regulated amounts of asbestos, and, unless adequately mitigated, the disturbance of serpentine soils will release asbestos into the air and water. The areas mapped within the Lakeport Planning Area (refer to Figure 19, Serpentine Rock and Soils, in the City's General Plan) are mostly within the southern and central portions of the City of Lakeport, with smaller areas scattered throughout the northern part of the City. The project area is located outside of the mapped areas containing serpentine rock and soils (City General Plan, 2009).

VII.a.i) The purpose of the Alquist-Priolo Earthquake Fault Zoning Act is to mitigate the hazard of surface faulting by preventing the construction of buildings used for human occupancy over an area with known faults. Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the grounds surface. The Site does not overlap a fault line or zone. The nearest mapped fault line is the Big Valley fault, located approximately one-half mile to the east of the Site. Impacts from fault rupture would not be expected to occur within the project area and since the proposed project entails development of a park, **no impact** would occur.

VII.a.ii) The project area is located about 30 miles east of the San Andreas Fault and the Healdsburg Fault is approximately 15 miles west of Lakeport. The proposed project site has a moderate chance of experiencing ground shaking within the next 50 years (Branum et al., 2016). As noted above, the City of Lakeport is situated in an active earthquake area and is vulnerable to seismic activity and the associated secondary impacts of shaking. Given the proximity of significant active faults to the Site, an earthquake shaking potential of 50 to 70 percent, and a shear-wave velocity of 352 meters per second in the upper 30 meters of the surficial geology, the Site would be likely to experience low ground shaking during the economic lifespan of any development on the Site (DOC, 2019). However, all development, including the project, is subject to the latest version of the California Building Code (CBC) standards, which would minimize any potential geological risks. Therefore, a **less than significant impact** would occur.

VII.a.iii-iv) As shown on the Department of Conservation Data Viewer, the Site and immediate vicinity are not within an area of potential liquefaction or landslides (DOC, 2019). In addition, the Site and immediate vicinity are relatively flat in nature; therefore, the likelihood of liquefaction or landslides to occur on-site is negligible. As a result, the project would not be situated on or within an area of potential liquefaction or landslides, and less than significant impact would occur.

VII.b) The proposed project would require excavation and groundbreaking activities associated with the development of the park. Under the proposed project, pursuant to Policy LU 7.4 of the City's General Plan and the General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ) (discussed further under Section IX, Hydrology and Water Quality, below), the project contractor would be required to implement stormwater Best Management Practices (BMPs) such as straw bales, fiber rolls, and/or silt fencing structures to assure the minimization of erosion resulting from construction and to avoid runoff into Clear Lake, sensitive habitat areas, limit ground disturbance to the minimum necessary, and stabilize disturbed soil areas as soon as feasible after construction is completed. With implementation of appropriate BMPs, the proposed project would not result in substantial soil erosion or the loss of topsoil and a less than significant impact would occur.

VII.c) As previously discussed, the Site and immediate vicinity is not within an area of potential liquefaction or landslides and is generally flat in nature (less than 10 percent slope). Additionally, the Site is not located within a mapped Alquist-Priolo special studies zone. While Lakeport is located in a highly active earthquake area, the proposed project development is minimal and would not induce landslides, lateral spreading, subsidence, liquefaction, or collapse. Therefore, the project would have a **less than significant impact**.

VII.d) The soil type underlying the project Site is Wappo loam which drains moderately well with slow permeability is slow. These soils are often used for home site development, septic tank absorption fields, and around vineyards. This soil is generally defined as non-expansive. Since the proposed Park improvements would be designed and graded in accordance with the latest version of the CBC, the

potential for the project to be susceptible to expansive soils would be minimized and a **less than significant impact** would occur.

VII.e) Development of the proposed project does not include septic tanks or alternative wastewater disposal systems. The project area contains sewers that can support the minimal amount of wastewater generated by dust control suppression activities. Therefore, **no impact** would occur from development of the project.

VII.f) No paleontological resources or unique geologic features have been identified in the project area and the likelihood of them being present in this area is considered very low. However, the potential exists for unique paleontological resources or site or unique geological features to be encountered within the project area, as ground-disturbing construction activities, including grading and excavation, would be required for the proposed project. However, with incorporation of Mitigation Measure GEO-1 below, which provides specific requirements in the event any fossil(s) are encountered during construction of the proposed project, with mitigation measure a less than significant impact would occur.

MITIGATION MEASURES

GEO-1: In the event that fossils or fossil-bearing deposits are discovered during project construction, the contractor shall notify a qualified paleontologist to examine the discovery and excavations within 50 feet of the find shall be temporarily halted or diverted. The area of discovery shall be protected to ensure that fossils are not removed, handled, altered, or damaged until the Site is properly evaluated, and further action is determined. The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 1995), evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the City of Lakeport for review and approval prior to implementation.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Geology and Soils.

VIII	.GREENHOUSE project:	GAS	EMISSIONS.	Would	the	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generate greent directly or indire impact on the en	ctly, t	hat may have						
b)	Conflict with an a adopted for the pareenhouse gase	ourpos							

Thresholds of Significance: The project would have a significant effect on greenhouse gas emissions if it would generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

DISCUSSION

The proposed project is located within the Lake County Air Basin (LCAB) and is subject to Lake County Air Quality Management District (LCAQMD) requirements. The LCAQMD is responsible for monitoring and enforcing federal, State, and local air quality standards in the County of Lake.

The Global Warming Solutions Act of 2006, also known as Assembly Bill (AB) 32, is a State law that establishes a comprehensive program to reduce GHG emissions from all sources throughout the State. AB 32 requires the State to reduce its total GHG emissions to 1990 levels by 2020, a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario. Pursuant to AB 32, the California Air Resources Board (CARB) must adopt regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. The following major GHGs and groups of GHGs being emitted into the atmosphere are included under AB 32: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), and nitrogen trifluoride (NF₃) (ARB, 2014). Assembly Bill (AB) 1803, which became law in 2006, made CARB responsible to prepare, adopt, and update California's GHG inventory. The 2020 GHG emissions limit, equal to the 1990 level, is 431 million metric tons of carbon dioxide equivalents (MMTCO₂e) (CARB, 2017). Pursuant to Executive Order S-3-05, California has a reduction target to reduce GHG emissions to 80 percent below 1990 levels (CARB, 2014).

As provided in the Conservation Element of the City's General Plan, Lake County is unique in California, since it is the only county in the State which is considered in "attainment" (or unclassified) for all federal and State criteria air pollutants. The City's General Plan includes several goals and policies aimed at maintaining a high air quality standard within the City.

The development of the park would include pollution and GHG emissions associated with construction of the proposed project. The results of those impacts have been addressed in the Air Quality Section and would reflect short term impacts. The anticipated construction would begin in 2021 and be completed over a 6 to 12-month period. In addition, it is assumed that small amount of material would be imported and exported. To minimize potential fugitive dust, it is also assumed that water trucks would be utilized. However long-term impacts associated with the day to day use of the park is not anticipated to generate a significant amount of CO₂ emissions, or would have any significant impact on the local GHG emissions.

VIII.a) The proposed project would not have a significant impact on long term GHG emissions. The project area is predominately open space/park in nature. Since the project consists of developing a currently under-utilized property into a park with those previously listed amenities. As identified in the Air Quality Section there could be some short-term air quality impacts with the construction of the park over the course of the 6 to 12-month construction period for a small amount of CO₂. However the potential impact associated with greenhouse relates to the long-term emissions of CO₂. Once the park is developed, there would be almost no impact to the air quality or CO₂ emissions.

As described in Section III, Air Quality, above, two mitigation measures (Mitigation Measures AIR-1 and AIR-2) are required in order to reduce potential air quality impacts associated with the construction of the project, including requiring compliance with LCAQMD standards and regulations and maintaining all construction equipment in good working condition. With the incorporation of Mitigation Measures, AIR-1 and AIR-2, potential GHG emissions associated with the proposed project would be reduced, and with mitigation measures a less than significant impact would occur.

VIII.b) The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Currently, there is no adopted plan or policy in the City specifically related to GHG emissions. While the City's General Plan does not currently contain goals directly related to reducing GHGs and climate change, it does include other relevant policies and goals that would have an effect in reducing GHG emissions, with which the proposed project would comply. Since a significant amount of GHG emissions is not anticipated under the project, as described above, and since the proposed project would not conflict with local, LCAQMD, federal, or State regulations pertaining to GHG emissions, a less than significant impact would occur.

MITIGATION MEASURES

See Mitigation Measures AIR-1 and AIR-2, under Section III, Air Quality.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Greenhouse Gas Emissions.

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			\boxtimes	
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			\boxtimes	
d)	Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				
f)	Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?			\boxtimes	
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				\boxtimes

Thresholds of Significance: The project would have a significant effect on hazards and hazardous materials if it were to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-

quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment; result in a safety hazard or excessive noise for people residing or working in the project area if located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; or impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

DISCUSSION

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or has characteristics defined as hazardous by a federal, state, or local agency. Chemical and physical properties such as toxicity, ignitability, corrosiveness, and reactivity cause a substance to be considered hazardous. These properties are defined in the California Code of Regulations (CCR), Title 22, §66261.20-66261.24. A "hazardous waste" includes any hazardous material that is discarded, abandoned, or will be recycled. Therefore, the criteria that render a material hazardous also cause a waste to be classified as hazardous (California Health and Safety Code, §25117).

The project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees. The park also includes public pathways and extension of the lakefront promenade. In addition, no development is proposed to take place along the direct shoreline of Clear Lake. All work proposed with this project would be located outside of the waters of Clear Lake, as well as, the riparian habitat adjacent to the lake. Construction activities would be short-term and limited in nature and may involve limited transport, storage, use, or disposal of hazardous materials. Some examples of hazardous materials handling include fueling and servicing construction equipment on-site, grading, mixing and pouring of concrete and asphalt, and the transport of fuels, lubricating fluids, and solvents. These types of materials are not acutely hazardous, and all storage, handling, and disposal of these materials are regulated.

IX.a) Some hazardous materials, such as gasoline, diesel fuel, hydraulic fluids, oils, lubricants, and cleaning solvents would be anticipated to be used at the Site during construction. The transport of hazardous materials by trucks is regulated by federal safety standards under the jurisdiction of the U.S. Department of Transportation. The use of such materials would not create a significant hazard to the public. No significant quantities of hazardous materials would be used during construction or after construction of the proposed project. Therefore, a **less than significant impact** would occur.

IX.b) As noted above, the proposed project would require the routine transport, use, or disposal of hazardous materials. During construction, some hazardous materials, such as diesel fuel, would be used. The transport, use, and storage of any hazardous materials at the Site would be required to be conducted in accordance with all federal, State, and local regulations, in order to assure hazardous materials are not released into the environment. The types and quantities of hazardous materials to be used on-site are not expected to pose a significant risk to the public and/or environment. Since the transport, use, and storage of any hazardous materials at the Site would be required to be conducted in accordance with all federal, state, and local regulations, a less than significant impact would occur.

IX.c) As previously discussed, the Site is located adjacent to both commercial and residential areas located immediately to the west, with no schools within a guarter of a mile from the site. Although the

construction phase may utilize small amounts of hazardous materials, all hazardous materials utilized on-site would be used and disposed of in accordance with all applicable federal, State, and local regulations. It is not anticipated that hazardous materials to be utilized on-site would be used or stored at the Site in any quantity or application that could interact with those neighboring uses. However, with the scope of grading and construction being of such a small scale only a minimal amount of hazardous material is expected to be used onsite, and addressed with Mitigation Measure AIR-2, However, in this case, with no schools within a quarter of a mile from the site, the proposed park project would have a **less than significant impact**.

IX.d) The location of the proposed project and adjacent properties has been checked against the lists of hazardous materials sites maintained by the State of California (http://www.envirostor.dtsc.ca.gov/public/). The proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5. Therefore, **no impact** would occur.

IX.e) The proposed project is not included in an airport land use plan, is not within two miles of a public airport or public use airport. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area. Thus, there would be **no impact**.

IX.f) There are no emergency response plans or evacuation plans that apply to the proposed project area. The proposed project is not anticipated to interfere with an emergency response or evacuation plan pursuant to the General Plan Safety Element. When necessary, a single lane may be temporarily closed along North Main Street during construction. Emergency access would be maintained to all properties during construction. Therefore, construction of the proposed project would not physically interfere with an emergency response or evacuation plan pursuant to the General Plan Safety Element. Impacts would be less than significant.

IX.g) The proposed project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. The proposed project would entail development of a park which would not increase exposure of people or property to wildland fires. Therefore, **no impact** would occur.

MITIGATION MEASURES

Refer to Mitigation Measure AIR-2 in Section III, Air Quality, above.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Hazards and Hazardous Materials.

X. HYDROLOGY AND WATER QUALITY. Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				

c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			
	 Result in substantial erosion or siltation on- or off-site? 		\boxtimes	
	ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			
	iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			
	iv) Impede or redirect flood flows?			
đ)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?		\boxtimes	
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			\boxtimes

Thresholds of Significance: The project would have a significant effect on hydrology and water quality if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

DISCUSSION

The City of Lakeport currently obtains its water from two primary sources: groundwater sources and water from Clear Lake treated at the City's water treatment plant. The groundwater supply consists of four wells located in Scotts Valley. Two of the wells are on Scotts Creek adjacent to the City's old pumping plant and two wells are located on the Green Ranch. Seasonal fluctuation in the underground water table means that the wells are only viable for portions of the year. When water supply from the wells in Scotts Valley is limited, the City relies on treated surface water from Clear Lake (City General Plan, 2009). The project Site is located approximately 0.50 miles west of Clear Lake.

The City of Lakeport and the project Site are under the jurisdiction of the Central Valley Regional Water Quality Control Board (CVRWQCB), which is under the direction of the California State Water Resources Control Board. The Clean Water Act and the California Porter-Cologne Water Quality Control Act provide regulatory responsibility to these two agencies for regulating and protecting water quality.

Clear Lake and its tributary drainages have a long history of flooding. Flooding in Lakeport historically results from two distinct types of events: shoreline flooding due to high lake levels and wind velocity, and stream bank flooding caused by high intensity cloudburst storms over one or more of the drainage areas.

Conditions in the winter tend to be conducive to both types of flood conditions at the same time. Additionally, the project Site is clear of the seiche inundation zone.

The project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees. The park also includes public pathways and extension of the lakefront promenade. In addition, no development is proposed to take place along the direct shoreline of Clear Lake. All work proposed with this project would be located outside of the waters of Clear Lake, as well as, the riparian habitat adjacent to the lake. All project features, including culverts and gutters, would meet the most recent regulations set by the City, CVRWQCB, and any other applicable regulatory agencies. Water use on the site would be provided by the City municipal water system for the restrooms and splash park, as well as irrigation for the proposed landscaping in the park that would be connected to the existing irrigation system that currently uses water from Clear Lake.

The project area currently consists of an existing older school site, that is relatively level and includes a parking area and an open non-native grass meadow. The onsite flow on the property is west to east towards Clear Lake. Currently, stormwater run-off from the Site is directed towards Clear Lake. The Site is currently developed with an impervious paved area of approximately one third and pervious surfaces which include undeveloped areas of the meadow over two thirds of the overall property. The proposed project is anticipated to provide a small decrease the amount of pervious surfaces at the Site, due to the development of the basketball court, skate park, splash pad, a new parking area and pathways. Under the City's General Plan (Policy LU 7.4), the City shall require all construction to employ stormwater Best Management Practices (BMPs). Implementation of BMPs would improve the quality and/or control the quantity of runoff with measures such as, waddles and siltation fences which regulate erosion control, and reduce stormwater flows into Clear Lake.

The proposed Park Project Site is host to one storm drainage line that runs along the southern boundary of the property on an adjacent city property. The site currently has a 54-inch culvert that extends under the neighboring properties along Main Street and ends at the City's parking lot. The proposed Park project would include crossing that stormdrain in two locations. One location closer to Clear Lake would be for the promenade. While the other would be located further back for a pathway that would support service vehicles leading from the park to the parking lot to the south. The bases and/or supports for each side of those crossings would be located out of the existing stormdrain system, and would not increase or impact stormwater flows on the site.

The U.S. Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) permit program addresses water pollution by regulating point sources that discharge pollutants to waters of the United States. Created in 1972 by the Clean Water Act, the NPDES permit program grants authority to State governments to perform many permitting, administrative, and enforcement aspects of the program. Within California, the NPDES permit program is administered by the State Water Resources Control Board (SWRCB). Construction projects that would disturb more than one acre of land, such as the project, would be subject to the requirements of General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ), which requires operators of such construction sites to implement stormwater controls and develop a Stormwater Pollution Prevention Plan (SWPPP) identifying specific BMPs to be implemented to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. Such BMPs may include straw bales, fiber rolls, and/or silt fencing structures to assure the minimization of erosion resulting from construction and to avoid runoff into

sensitive habitat areas (including Clear Lake itself), limit ground disturbance to the minimum necessary, and stabilize disturbed soil areas as soon as feasible after construction is completed.

X.a) The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The proposed park development would be constructed in accordance to the most recent standards set by all regulatory agencies, including but not limited to the City and State and local water quality control boards (SWRCB and CVRWQCB). During the construction of the park project, there could be impacts associated with runoff of siltation and materials from the site into Clearlake. A Grading Plan and an Erosion Plan shall be prepared that would include stabilization of surface materials, filter fabric fences and waddles to eliminate all sedimentation and grading materials flowing into Clear Lake. Additionally, the project would be subject to the Statewide General Construction Permit, which requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that specifies erosion and sediment control construction and post-construction BMPs to reduce or eliminate construction-related and operational impacts on receiving water quality. Therefore, the proposed project would have a less than significant impact with implementation of the mitigation measure.

X.b) The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. As noted above, the project, which involves development and operation of a park, would require any water services and utilities to serve the project Site. Additionally, the proposed project is not anticipated to significantly increase the amount of impervious surface at the Site. Furthermore, it is not anticipated that the project would decrease groundwater supplies or interfere substantially with groundwater recharge; therefore, a **less than significant impact** would occur.

X.c.i) Development of the proposed project would involve development and operation of a park. Project development would, however, result in a minor increase in impervious surface area from existing conditions as a result of development of the basketball court, skate park, splash pad, a new parking area and pathways. Project development would include construction and post-construction BMPs, including updated drainage facilities, to accommodate project-related increases in storm water flows designed according to current federal, State, and local regulatory standards. Therefore, the slight increase in impervious surface resulting from proposed Park and related improvements would not result in substantial erosion or siltation. No alteration of the course of a river or stream, including the identified stormdrain within the project boundaries, would result from project development. Any potential hazardous chemicals will be stored on-site in secondary containment units. Therefore, a less than significant impact would occur as a result of the project.

X.c.ii-iv) Drainage from the Site would continue to be directed towards Clear Lake and landscape areas, which would not significantly increase the amount of surface runoff. Additionally, the proposed project would not be anticipated to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, as the project would be required to implement BMPs to minimize the potential for this to occur. A 54-inch stormdrain culvert is located directly south of the property. According to the Federal Emergency Management Agency (FEMA) Map 06033C0491D effective September 30, 2005, the project Site is primarily classified as an "Area of Minimal Flood Hazard" (Zone AO), with a one percent annual chance flood with average depth of less than one foot or with drainage areas of less than one square mile (FEMA, n.d.). The proposed project would be designed not impede or redirect flows, significantly increase the amount of surface runoff. The proposed Park Project Site includes one storm drainage line that runs along the southern boundary of the property on an adjacent city property. The site currently has a 54-inch culvert that

extends under the neighboring properties along Main Street and ends at the City's parking lot. The proposed Park project would include crossing that stormdrain in two locations. One location closer to Clear Lake would be for the promenade. While the other would be located further back for a pathway that would support service vehicles leading from the park to the parking lot to the south. The bases and/or supports for each side of those crossings would be located out of the existing stormdrain system, but would not increase or impact stormwater flows on the site. Therefore, the project would have a **less than significant impact**.

X.d) As shown on the Lake County Parcel Viewer (Web GIS, 2019), the project Site is located within a seiche inundation zone. The topography of the Site and surrounding area is relatively flat, with slopes less than 10 percent (Web GIS, 2019). As described above, according to FEMA Map 06033C0491D effective September 30, 2005, the project Site is primarily classified as an "Area of Minimal Flood Hazard" (Zone AO), with a one percent annual chance flood with average depth of less than one foot or with drainage areas of less than one square mile (FEMA, n.d.). The proposed project would be subject to flood hazard, tsunami, seiche zones, or risk the release of pollutants due to project inundation. According to the FEMA flood map and Figure 18 (Seiche Inundation Zone) of the Lakeport General Plan, the proposed Site is located in flooding and seiche inundation zones. All park facilities structures in the flood zone and along the shoreline shall be designed to withstand all flood impacts, this would include wave action along the shoreline. A less than significant impact would occur.

X.e) As previously discussed, the Site would require connectivity to existing water resources and utilities systems on site. The development of the proposed park would include improving the curb, gutter and sidewalk along North Main Street and directing stormwater flows along North Main Street into the existing 54-inch drainage culvert directly south of the park property. Per the Lakeport General Plan 2025 Policies and Programs aimed at managing water quality include:

Policy LU 5.1: Water System Master Plan. Maintain and update a Water System Master Plan every five years and identify capital improvements required to meet anticipated demand.

Program S 2.2-a: Monitor twice per year, during the dry and wet seasons, Lakeport's potable water supply for trace chemicals and other potential contaminants. Utilize updated industry-wide standards for evaluating potable water quality. Alert the County Environmental Health Department, City Council and the public if water quality hazards are identified. Develop and implement mitigating measures to protect the public health. Responsibility: Public Works Departments

It is not anticipated that the project would decrease groundwater supplies or interfere substantially with groundwater recharge. Additionally, the proposed project would not have stormwater runoff impacts that would violate any water quality standards or waste discharge requirements. A SWPPP, listing BMPs to prevent construction pollutants and products from violating any water quality standard or waste discharge requirements, would be prepared for the proposed project, per the General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ). Therefore, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **No impact** would occur.

MITIGATION MEASURES

HYDRO-1: A grading Plan and Erosion and Sedimentation Control Plan prepared by a qualified professional (Registered Civil Engineer) shall be prepared for the project. This plan shall indicate both

temporary and permanent erosion control measures to be implemented in accordance with standard Best Management Practices (BMP). Also, depending on whether or not required by the Regional Water Quality Control Board, a Storm Water Pollution Prevention Plan may also be necessary. Prior to commencement of any grading activity on-site, structural control measures shall be installed to reduce erosion control and retain sedimentation. Measures may include, but not limited to, stabilization of control entrance, temporary gravel and construction entrance, and installation of filter fabric fence and/or waddles along the shoreline of Clear Lake and adjacent habitat. Erosion and sedimentation control shall be installed in accordance with the approved plan prior to project construction.

FINDINGS

The proposed project would have a **Less Than Significant Impact** with mitigation incorporated on Hydrology and Water Quality.

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?				\boxtimes
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on land use and planning if it would physically divide an established community or cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

DISCUSSION

Currently, land use in Lakeport is approximately 76 percent commercial/residential, 5 percent industrial, and 19 percent open space/governmental/agriculture. Marketing efforts promote Lakeport's appeal as a vacation and recreation destination. In recent years City leaders have emphasized various economic development strategies in an effort to make the City the focal point of economic and community activity for the County and the region. The City continues to work to attract new retail, hotel, industrial, educational, recreational, and food service establishments to the community (City's Sewer System Management Plan, 2018).

The project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees. The park also includes public pathways and extension of the lakefront promenade. In addition, no development is proposed to take place along the direct shoreline of Clear Lake. All work proposed with this project would be located outside of the waters of Clear Lake, as well as, the riparian habitat adjacent to the lake. The proposed park is identified as Resort Residential under the City's 2025 General Plan (see Figure 2), and zoned Open Space (OS) and Shoreline Development overlay under the City's Zoning Ordinance (see Figure 3). The City's Zoning Map indicates that to the north and west of the Site is zoned as Resort/High Density Residential (R-5), Major Retail (C-2), and High Density Residential (R-3); while to the

south of the Site is zoned Open Space (OS) and Central Business (CB); and all areas adjacent to the east of Main Street within the Shoreline Development overlay area.

The proposed project involves development of a park on 6.8 acre site would be an allowed use under the Open Space (OS) zoning district. The Site was identified in the City's Lakeport Lakefront Revitalization Plan (LLRP) in 2017, as an appropriate location for a Park. The purpose of the project is to provide additional recreational opportunities for those living in Lakeport, as well as those living in the western portion of Lake County.

XI.a) The proposed park project consists of expanding pathways and a promenade. As a result, the proposed project activities would not physically divide a community, with those pathways providing even more connectivity with existing downtown businesses and residences. Therefore, there would be **no impact** as a result of the proposed project.

XI.b) The proposed project would not conflict with any applicable land use plan, policy, or regulation. The proposed project is located in a predominately open space area and involves Development and operation of a park on the Site. The project, as proposed, does not conflict with any applicable habitat or natural community conservation plan and would remain consistent with local land use and zoning policies, **no impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Land Use and Planning.

XII. MINERAL RESOURCES. Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				\boxtimes
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on mineral resources if it would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

DISCUSSION

The proposed project is not located in an area of known rock, aggregate, sand, or other mineral resource deposits of local, regional, or State residents. In addition, as supported by the City of Lakeport's General Plan, there is no mineral extraction or other mining operations at present within the Lakeport city limits or Sphere of Influence. Sand, gravel, and borax deposits are extracted in the Scotts Valley and Big Valley Areas, approximately 20 miles from the City. These mining operations have a significant impact on ground water capacity, siltation of streams, and highway traffic. The current Lakeport General Plan prohibits any

mining or mineral extraction activities within the City and calls for the City to work with the County of Lake to discourage such land uses within the City's Sphere of Influence (City General Plan, 2009).

XII.a-b) The project area does not contain mineral resources that are of value locally, to the region, or to residents. The project area is not identified as a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the proposed project would not interfere with materials extraction or otherwise cause a short-term or long-term decrease in the availability of mineral resources. **No impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Mineral Resources.

XIII	I.NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		\boxtimes		
b)	Generation of excessive groundborne vibration or groundborne noise levels?		\boxtimes		
c)	For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				\boxtimes

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on noise if it would result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or generation of excessive groundborne vibration or groundborne noise levels; or expose people residing or working in the project area to excessive noise levels (for a project located within the vicinity of a private airstrip or an airport or an airport land use plan, or where such as plan has not been adopted, within two miles of a public airport or public use airport).

DISCUSSION

Under the project, increased noise levels at the Site would be anticipated during the project's construction phase, as development of the proposed project would require the use of heavy machinery to prepare the Site and for the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees. The park also includes public pathways and extension of the lakefront promenade. However, once construction is completed, it is anticipated that the proposed park would not result in a substantial permanent increase in noise at the Site. There could be times when amplified performances and/or loud activities at the proposed park could take place; however this would represent occasional occurrences, and would not

reflect a significant impact. As noted in the City's General Plan, the primary noise generators within the City of Lakeport are vehicular traffic, boaters on Clear Lake, and events at the race track at the County Fairgrounds (2009). Traffic noise volume depends primarily on traffic speed, volume, and vehicle type. The main motor vehicle noise source is tire noise, which increases with speed.

Certain land uses are particularly sensitive to noise and vibration, including residential, school, and open space/recreation areas where quiet environments are necessary for enjoyment, public health, and safety. There are several sensitive receptors located in the vicinity of the Site, including single-family residential neighborhoods immediately west of the Site, and recreational park as part of this project listed above, located at the Site. As noted in the City's General Plan, several principal streets and highways are noted, including North Main Street, that are projected to experience a significant increase in noise over 60 decibels (dBA).

The maximum acceptable interior noise level in new residential development required by the State of California Noise Insulation Standards is a Ldn of 45, which is applied to all single family and other residential development within the City (2009). Table 15 (Noise and Land Use Compatibility Standards) included in the Noise Element of the City's General Plan includes the maximum exterior noise levels for different use types, including but not limited to residential development and schools, which have a standard of 60 dBA or less, and playgrounds and neighborhood parks which have a standard of 70 dBA or less (provided below).

Table 15
Noise and Land Use Compatibility Standards

Land Use	Maximum Exterior Noise Level
Residential Development	Up to 60db
Transient Lodging: Motel and Hotel	Up to 60db
School, Library, Church, Hospital and Nursing Home	Up to 60db
Auditorium, Concert Hall, Amphitheater, Sports Arena	Up to 70db
Sports Arena, Outdoor Spectator Sports	Up to 75db
Playgrounds, Neighborhood Parks, Open Space	Up to 70db
Golf Course, cemetery	Up to 70db
Office Building, Business, Commercial & Professional	Up to 65db
Industrial, Manufacturing, Utilities	Up to 70db

The City of Lakeport includes noise regulations in Chapter 17.28 (Performance Standards) of Title 17 (Land Use, Zoning, and Signs) of the Lakeport Municipal Code (LMC). Within the City, excessive noise is considered a nuisance and is discouraged. Specifically, within the residential zoning districts, maximum 15-minute sound levels within any one-hour equivalent sound pressure levels (A-weighted -dBA) shall be limited to 60 dBA during the hours of 7:00am to 10:00pm and 45 dBA during the hours of 10:00pm to 7:00am. Project work would be limited to the daytime hours of 7:00am to 7:00pm, Monday through Friday and between 8:00AM and 7:00PM on Saturdays and Sundays. However, the City may allow construction between 7:00PM and 7:00AM on any day if it can be demonstrated that noise would not adversely impact the neighborhood, or in the event of necessity as determined by the Building Official.

XIII.a) Noise levels within the project area would not be expected to significantly increase as a result of the project, since the proposed park would not create long term noise impacts. Construction-related activities and the associated heavy equipment would cause temporary increase in noise, which may be high at times and exceed noise standards within proximity to the sensitive receptors (including residences) in close

proximity to the Site; however, these impacts would only be associated with construction and would be temporary in nature. With the implementation of Mitigation Measures NOISE-1 and NOISE-2, which limits when construction may occur, requires neighboring landowners be notified of construction activities, and requires equipment utilized for the project to be equipped with muffles to lessen noise impacts, with **mitigation measures a less than significant impact** would occur.

XIII.b) There are no proposed uses on-site that would result in excessive groundborne vibration or groundborne noise levels. As noted above, the construction phase of the project would require the use of heavy equipment, which would cause temporary groundborne vibration and groundborne noise. However, these impacts are associated with construction and would be temporary in nature. With implementation of **Mitigation Measure NOISE-1**, a less than significant impact would occur.

XIII.c) The project area is not located within the vicinity of private airstrip or an airport land use plan or within two miles of a public airport or public use airport. The nearest airport to the Site, Lampson Field Airport, a public use airport, is located approximately 4. miles southeast of the Site. **No impact** would occur.

MITIGATION MEASURES

NOISE-1: Construction noise shall be limited through operational standards. Construction activities shall be limited to between the hours of 7:00AM and 7:00PM Monday through Friday and between 8:00AM and 7:00PM on Saturdays and Sundays. The City may allow construction between 7:00PM and 7:00AM on any day if it can be demonstrated that noise would not adversely impact the neighborhood, or in the event of necessity as determined by the Building Official. Neighboring landowners shall be notified of the anticipated construction schedule prior to the commencement of construction activities.

NOISE-2: All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists. At all times during project construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences. Unnecessary idling of internal combustion engines shall be prohibited. Construction staging areas shall be established at locations that would create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project Site during all project construction activities, to the extent feasible. The construction contractor shall designate a "noise disturbance coordinator" who shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall be responsible for determining the cause of the noise complaint (e.g., starting too early, poor muffler, etc.) and instituting reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

FINDINGS

The proposed project would have a Less Than Significant Impact with Mitigation on Noise.

XIV	/. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on population and housing if it would induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure); or displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

DISCUSSION

The City of Lakeport has an estimated population of 4,806 and the population density is 1558 people per square mile. Based on data from the U.S. Census Bureau's American Community Survey, in 2017, there were 2,552 households in the City of Lakeport. According to the 2020 Housing Element of the Lakeport General Plan, the average household size is 2.36 and is projected to remain at this figure. The City plans to extend services and infrastructure in the urban boundary to accommodate growth. The number of residential, commercial, and industrial acres needed in the City of Lakeport through 2027 is based on population projections through 2027 and an analysis of vacant and under-utilized lands currently within the City limits.

Additionally, according to the Housing Element of the Lake County General Plan, Lake County has a population of more than 65,071 people with 45,720 residing in the unincorporated area. There are two incorporated cities in Lake County, the City of Clearlake and the City of Lakeport. Average household size is a function of the number of people living in households divided by the number of occupied housing units in a given area. Average household sizes in the incorporated cities are similar to that of the unincorporated County, with Lakeport at 2.23 and Clearlake at 2.40 (City General Plan, 2009). Outlined in the chart below are the projected population and housing sizes for the City of Lakeport.

Population and Household Projections, 2000 to 2025* - City of Lakeport

	2000*	2005*	2010*	2015*	2020*	2025*
Total Population*	4,820	5,150	5,521	5,935	6,380	6,859
Households*	1,967	2,148	2,339	2,515	2,703	2,906
Average Household Size	2.36	2.36	2.36	2.36	2.36	2.36

^{*} DOF Lake County growth rates used for the City of Lakeport through 2025.

**Assumes 2000 Lakeport avg. household size of 2.36 remains constant.

Source: 2000 U.S. Census, Department of Finance.

The proposed project Consists of the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees. The park also includes public pathways and extension of the lakefront promenade.

XIV.a-b) The proposed park would not induce population growth in the existing residential area either directly or indirectly. The project as proposed, entails developing a park in downtown Lakeport, and thus, would not include any housing development. There are no new proposed homes or businesses as a result of the development of the park. Additionally, the proposed project would not displace any existing housing or people. No housing units would be impacted with the development of the park. Furthermore, since construction of the project would be temporary in nature, it is anticipated that most, if not all, workers would live locally and would not relocate to the area. Therefore, **no impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Population and Housing.

XV	PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Fire protection?				\boxtimes
b)	Police protection?				
c)	Schools?				
d)	Parks?				
e)	Other public facilities?				

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for (a) fire protection, (b) police protection, (c) schools, (d) parks, or (e) other public facilities.

DISCUSSION

The project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multi-use lawn areas, landscaping and trees, as well as public pathways and extension of the lakefront promenade. In addition, no development is proposed to take place along the direct shoreline of Clear Lake. All work proposed with this project would be located outside of the waters of Clear Lake, as well as, the riparian habitat adjacent to the lake.

The proposed project Site is served by the Lakeport Fire District. The Lakeport Fire District is an independent all-risk fire district, located in the county seat of Lake County, on the west shore of Clear Lake. The Lakeport

Fire District is approximately 0.25 miles away from the proposed project location. Additionally, the proposed project area is served by the City of Lakeport Police Department and does not include any alterations to or near the police facility.

XV.a) As discussed above, fire protection services at the Site are provided by the Lakeport Fire District. The project Site does not contain fire protection facilities that would need to be altered as a result of the proposed project, nor would the proposed project increase the need for fire protection service. **No impact** would occur.

XV.b) The project Site does not contain police protection facilities that would need to be altered as a result of the proposed project. The project is not expected to require closure of the road. Additionally, development of the proposed project would not result in increased population and residential structures, or a subsequent need for additional police protection facilities. Since the proposed project would not increase the need for police protection at the Site, **no impact** would occur.

XV.c) The location of the proposed park was former school site, formerly known as "Natural High", which has not been in operation for over twenty (20) years. Currently Clear Lake High School campus and all other education facilities, exists at the northern portion of the City of Lakeport, with plenty of area to address any future expansion. The proposed project would not significantly physically alter the school facilities in the immediate area. Therefore, the proposed project would have a **no impact** on schools.

XV.d) The proposed consists of developing a park, which expands the recreational needs of the community no residential units would be constructed, nor is the population expected to increase, as a result of the proposed project. Because the proposed project provides a park facility, the proposed project would not result in adverse physical impacts associated with the construction of such a facility. As such, **no impact** would occur.

XV.e) There are no elements of the proposed project that would impact other public facilities, such as libraries or regional hospitals. Additionally, the population is not expected to increase as a result of the proposed project. **No impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Public Services.

XVI. RECREATION. Would the project:		Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			\boxtimes	
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THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on recreation if it would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

DISCUSSION

The City of Lakeport's parks and recreation facilities contribute to the connectivity, character, health and culture of the community. Lakeport is known for its popular recreational activities, such as boating, bass fishing, wakeboarding, swimming, sailing, and kayaking and is a destination for many tourists. This park project provides connectivity to Library Park and boat ramps to the south, and Clear Lake to the east. The project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees, as well as public pathways and extension of the lakefront promenade. In addition, no development is proposed to take place along the direct shoreline of Clear Lake. All work proposed with this project would be located outside of the waters of Clear Lake, as well as, the riparian habitat adjacent to the lake.

The proposed project area is currently in the vicinity of the following neighborhood parks and recreational facilities:

- Library Park, located approximately 0.3 miles from the proposed project area; and
- Westside Community Park, located approximately 1.2 miles away from the proposed project area.

VI.a-b) The proposed project consists of developing a new park in downtown Lakeport. No residential units would be constructed, nor is the population expected to increase, as a result of the proposed project. The proposed project includes expansion of a new park in Lakeport and would not increase the usage of or demand for neighborhood and regional parks or other recreational facilities. Therefore, the proposed project would not result in the physical deterioration of parks or facilities, since the project is the construction of new park or recreational facilities. The proposed park expands recreational opportunities for those living in Lakeport, and would have **no impact**.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **no impact** on Recreation.

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				

b)	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?		\boxtimes	
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			
d)	Result in inadequate emergency access?			\boxtimes

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on transportation if it would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b); substantially increase hazards due to a geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.

DISCUSSION

Roads within the City limits, including North Main Street, a two-lane arterial street, are maintained by the Streets Division of the City of Lakeport Public Works Department, in addition to curb and gutter, drainage systems and structures, and right-of-way improvements within the City, including but not limited to asphalt overlays and repairs, street signs, pavement markings, culvert maintenance and replacement, and other street related projects (City of Lakeport Public Works, n.d.).

The City of Lakeport is a member of the Lake Area Planning Council (APC), which is the Regional Transportation Planning Agency (RTPA) for the Lake County region. Primarily, the RTPA ensures that appropriate local transportation planning is administered in accordance with the Transportation Development Act (TDA), the State Transportation Improvement Program (STIP), and the Service Authority for Freeway Emergencies (SAFE) program. (Lake APC, n.d.).

As noted in the City's 2025 General Plan, "Lakeport's roadway network is defined and constrained by two barriers: Clear Lake on the East and State Highway 29 on the West. The majority of the city is laid out in a rectangular grid pattern which is interrupted by hilly terrain. In these hilly areas the street system becomes discontinuous and through traffic is difficult. Many of the City's streets are narrow, not improved to current standards, and will require upgrading...Although construction of the State Highway 29 freeway has reduced congestion downtown, it is now a barrier inhibiting east-west circulation through the Planning Area" (2009).

As previously discussed, the project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park would include a large swath of multiuse lawn areas, landscaping and trees, as well as public pathways and extension of the lakefront promenade.

XVII.a) The proposed project would not be anticipated to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, as several improvements would occur. Although traffic interruptions may occur during the construction phase of the project, this impact would be temporary in nature associated with the development of a park along the eastern side of North Main Street.

The construction phase of the project is anticipated to occur over a 6 to 12-month period. Once construction commences on-site, construction workers would be required at the Site. Project construction

would be limited to the hours of 7:00AM and 7:00PM Monday through Friday and between 8:00AM and 7:00PM on Saturdays and Sundays; however, the City may allow construction between 7:00PM and 7:00AM on any day if it can be demonstrated that noise would not adversely impact the neighborhood, or in the event of necessity as determined by the Building Official. It is expected that construction of the project would result in a slight increase in traffic to and from the Site, as construction workers arrive and leave the Site at the beginning and end of the day, in addition to minor interruption of traffic on adjacent streets, when heavy equipment necessary for project construction is brought to and removed from the Site. Once construction is complete, the workers would no longer be required at the Site.

The streets surrounding and adjacent to the project Site are mainly used by the downtown commercial and residential areas in the vicinity of the Site and are main thoroughfares through the City. Project build-out would not be anticipated to significantly impact the capacity of the street system, level of service standards established by the City, or the overall effectiveness of the circulation system, as North Main Street, a two-lane arterial street, is already existing and currently operates at an acceptable LOS (LOS C). Additionally, the proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise, decrease the performance or safety of such facilities. The central location of the Park in the City encourages pedestrian and bicycle access to the park facilities. A less than significant impact would occur.

XVII.b) The proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), which state:

"(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact", and

"(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in Section 15152."

A significant impact would not be anticipated to occur as a result of the project, since the proposed project development of a park at the former site of "Natural High" school site, though considered a land use project, is not anticipated to generate a substantial amount of vehicle miles traveled. Since the park is located in the immediate downtown area in the center of Lakeport, with the potential of pedestrian and bicycle access, the project is not anticipated to significant increase in the amount of traffic at the site and along the street is not anticipated. A **less than significant impact** would occur.

XVII.c) The design of the park would include ingress and egress of vehicles in the parking area. The proposed improvements would be designed in accordance to all City standards to ensure the features would be safe and would not substantially increase hazards due to a geometric design feature such as sharp curves or dangerous intersections. **No impact** would occur.

XVII.d) The proposed project would not result in inadequate emergency access on the existing road system. As the Site and surrounding vicinity are currently developed to meet pertinent design criteria to provide adequate emergency access in accordance with all design standards and requirements, **no impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a Less Than Significant Impact on Transportation.

xv	III. TRIBA proje	AL CULTURAL RESOURCES. Would the ect:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	chang resource as eith that is scope	the project cause a substantial adverse le in the significance of a tribal cultural ce, defined in Public Resources Code §21074 her a site, feature, place, cultural landscape geographically defined in terms of the size and of the landscape, sacred place, or object with all value to a California Native American tribe, at is:				
	i)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?				\boxtimes
	ii)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		\boxtimes		

Thresholds of Significance: The project would have a significant effect on Tribal Cultural Resources if it would cause a substantial adverse change in the significance of a cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Places or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1.

Tribal Cultural Resources: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Archaeological Research, on behalf of the City of Lakeport, contacted the Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search for any resources present within the project area and to request the contact information for the representatives of the Native American Tribes associated with the area. In a letter response dated March 20, 2020, the NAHC indicated the SLF search returned a negative result and provided the contact information for eight (8) local Tribal representatives. The city was contacted by the Scotts Valley Band of Pomo Indians in an Email dated February 20, 2020. Additionally, the Tribe expresses interest in the project and looks forward to both consultation and the assignment of cultural monitor(s) during any and all ground disturbance undertaken by the project.

As of the date of this Initial Study, no additional responses or other communications have been received from the Native community regarding the project.

DISCUSSION

As discussed under Section V, Cultural Resources, above, an Archaeological Survey Report (Archaeological Report) was prepared by Archaeological Research on March 26, 2020, to identify and present any archaeological, historical, or cultural resources located within the Area of Potential Effect (APE). Archaeological Research conducted a records search (File Number 19-1627) at the Northwest Information Center (NWIC), located on the campus of Sonoma State University, in Rohnert Park, California, which included a review of all study reports on file within a one-half mile radius of the project area. A total of 8 previous studies have been completed within the records search radius, in which 25 percent of the surrounding half-mile radius has been previously surveyed. As provided in the Archaeological Report, no cultural resources are documented within the project APE, although four prehistoric cultural resources, including two sites containing lithic scatters and two sites containing midden soils, are present within a half-mile radius of the Site. In addition, review of historic registers and inventories indicate that no historical landmarks or points of interest are present within the project area, nor are there any National Register-listed or eligible properties within a half-mile radius of the project area.

As part of the Archaeological Research contacted the Native American Heritage Commission (NAHC) on March 16, 2020, to request a Sacred Lands File (SLF) search for any resources present within the project area and to request the contact information for the representatives of the Native American Tribes associated with the area. In a letter response dated March 20, 2020, the NAHC indicated the SLF search returned a positive result and provided the contact information for eight (8) local Tribal representatives. In compliance with Assembly Bill (AB) 52, on March 26, 2020, Archaeological Research sent a consultation letter to each of the Tribal representatives. The City was contacted by the Scotts Valley Band of Pomo Indians in a letter dated February 29, 2020, in which Park project Site was noted as contiguous to the Tribe's original assigned federal lands (which were subsequently dissolved again by federal decree). Additionally, the Tribe expressed they have a "clear interest in the project and looks forward to both consultation and the assignment of cultural monitor(s) during any and all ground disturbance undertaken by the project." As of the date of this Initial Study, no additional responses or other communications have been received from the Native community regarding the project.

Field work was conducted on March 11, 2020, and included a cultural resources inventory of the project area, totaling approximately 6.8 acres. Ground surface visibility was moderate due to dense grass, landscaping, imported gravel, and pavement. As noted in the Archaeological Report, the entire project area was surveyed using intensive survey coverage with transects spaced less than 5 to 8 meters apart. Field work indicated the natural landform at the former school site has been extensively altered by historic-

era and modern activities, where construction of the roadway and nearby structures resulted in extensive grading. Imported gravel, construction, and landscaping have also affected the altered landscape.

One isolated obsidian flake from the Mount Konocti geologic source were identified within the APE as a result of the field survey. The artifact is unassociated with a cultural resource and was discovered on highly altered landforms within disturbed contexts. Unassociated isolated artifacts generally do not merit formal recordation or protection measures. In addition, a concrete foundation was noted outside the current APE. However, this feature was not recorded because it is located outside of the APE. Archaeological Research, in their report, concluded that the project, as presently designed, is not anticipated to have an adverse effect on cultural resources. The report contains two recommended measures in the event of inadvertent discovery of cultural resources or human remains during project implementation.

Copies of the NAHC and Tribal consultation request letters and associated responses are included in Appendix C. Due to the confidential nature of the Archaeological Report, a copy is not provided as part of this Initial Study.

XVIII.a.i) As discussed under Section V, Cultural Resources, in order for a cultural resource to be deemed "important" under CEQA and thus eligible for listing on the California Register of Historic Resources (CRHR), it must meet at least one of the following criteria (as set forth in Section 5024.1(c) of the Public Resources Code):

- 1. is associated with events that have made a significant contribution to the broad patterns of California History and cultural heritage; or
- 2. is associated with the lives of persons important to our past; or
- 3. embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possess high artistic value; or
- 4. has yielded or is likely to yield, information important to prehistory or history (Archaeological Research, 2020).

As provided in the Archaeological Report, prepared by Archaeological Research on March 26, 2020, a total of 8 previous studies have been completed within one-half mile of the Site. Review of historic registers and inventories indicate that no historical landmarks or points of interest are present within the project area, nor are there any National Register-listed or eligible properties within a half-mile radius of the project area. The field survey, conducted on March 11, 2020, also did not reveal any historical resources within the project area (Archaeological Research, 2020). **No impact** would occur.

XVIII.a.ii) Archaeological Research, in their Archaeological Report, dated March 26, 2020, concluded that the project, as presently designed, is not anticipated to have an adverse effect on cultural resources. During the field survey, no cultural or archaeological resources were identified. Field work indicated the natural landform at the park site has been extensively altered by historic-era and modern activities, where construction of the school site resulted in extensive grading (Archaeological Research, 2020).

While one isolated obsidian flake from the Mount Konocti geologic source was identified within the APE as a result of the field survey, the artifact is unassociated with a cultural resource and was discovered on highly altered landforms within disturbed contexts. It is important to note that unassociated isolated artifacts generally do not merit formal recordation or protection measures (Archaeological Research, 2020).

In addition, per correspondence received from the Scotts Valley Band of Pomo Indians, dated February 20, 2020, the Park project Site was noted as contiguous to the Tribe's original assigned federal lands (which were subsequently dissolved again by federal decree). In the letter, the Tribe expresses interest in the project and looks forward to both consultation and the assignment of cultural monitor(s) during any and all ground disturbance undertaken by the project (Archaeological Research, 2020). Although no archaeological resources were identified during the Site survey, it does not preclude the possibility of such resources, including cultural or Tribal cultural resources or human remains, existing within the project area. Due to the potential for unrecorded Native American and archaeological resources and human remains at the Site, Archaeological Research outlines the prescribed protocol in the event inadvertent archaeological discovery(ies) are made, including the discovery of human remains (see Mitigation Measures CULT-1, CULT-2 and CULT-3). In addition, in response to Scotts Valley Band of Pomo Indians' request for archaeological monitoring during all ground disturbing activities on-site, this request has been included as Mitigation Measure CULT-3). With mitigation measures incorporated, a less than significant impact would occur.

MITIGATION MEASURES

Refer to Mitigation Measures CULT-1 through CULT-3 in Section V, Cultural Resources, above.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Tribal Cultural Resources

χV	IX. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			\boxtimes	
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?				
c)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			\boxtimes	
e)	Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?				

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on utilities and service systems if it would require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or

relocation of which could cause significant environmental effects; not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years; result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or not comply with federal, State, and local management and reduction statutes and regulations related to solid waste.

DISCUSSION

The City of Lakeport Public Works Department serves the incorporated Lakeport community. The Department consists of several divisions which are responsible for water, sewer, underground utilities (installation and maintenance), storm drain system maintenance, and public park maintenance and operations.

Water Service

The Water Division continuously monitors the quality of the water that is provided to Lakeport's water customers and holds the responsibility of providing safe drinking water as its highest priority. The Water Division operates and maintains four wells, a surface water treatment facility, and distribution system to individual meters. The Division also works with developers and customers on water service issues during project design, during service installation and to address future needs. Along the proposed Park project site exists a water main for the entire stretch of North Main Street, along with; one fire hydrant and one water meter for the former school site. None of the grading that occurs along the project Site would involve reconstruction of the water main or displacement of any of the existing water service utilities. The City has adequate water for the park that would include the splash pad, concession stand and restroom. Irrigation for the landscaping would connect to the existing irrigation system that uses water Clear Lake. The proposed project is not expected to impact these existing utilities.

<u>Sewer Service</u>

The Sewer Division of the Lakeport Public Works Department is responsible for the safe collection, treatment, and disposal of sewage and wastewater generated by residential, commercial and industrial customers inside the City of Lakeport. All of the City's wastewater activities are done in a manner compliant with State and County health and safety regulations. The primary directive of the Sewer Division is to ensure that Lakeport's streams, waterways and Clear Lake are free from disease-causing bacteria and viruses that are harmful to the public health. The Lakeport sewer system involves approximately 2,200 connections, serving over 5,000 customers, which accounts for approximately eight percent of the entire population of Lake County. The Division operates and maintains nearly 40 miles of sewer main lines, eight sewer lift stations, and a secondary treatment and disposal facility (City Public Works, Sewer Division, n.d.).

Additionally, in 2018, Lakeport adopted the Sewer System Management Plan (SSMP). The SSMP is a document that describes the activities in which a wastewater agency engages to manage its collection system effectively. The SSMP is intended to meet the requirements of both the Central Valley Regional Water Quality Control Board (CVRWQCB) and the Statewide General Waste Discharge Requirements GWDR. The State Water Resource Control Board (SWRCB) adopted Water Quality Order No. 2006-0003-DWQ at its meeting on May 2, 2006, which required all public wastewater collection system agencies in California with sewer systems greater than one mile in length to be regulated under GWDR.

The proposed Park project Site includes sewer main lines along the frontage of North Main Street. The project, as proposed, increases sewer use associated with the restrooms would be minimal.

Storm Drainage System/Wastewater

The Streets Division of the City of Lakeport Public Works Department provides for the maintenance and minor construction of all City streets, curb, gutter, drainage systems structures, and right-of-way improvements. This includes asphalt overlays and repairs, street signs, pavement markings, culvert maintenance and replacement, and other street related projects. The Streets Division also provides many additional public service functions, including providing traffic control devices for parades and other special events. The wastewater operations and service entity is governed by a Board of Directors, which also acts as the City Council (City Public Works, Streets Division, n.d.).

Within the Streets Division there is the Underground Utility Construction staff which installs and maintains new and existing water and sewer systems to private property, and within dedicated easements throughout the City. This division works on emergency water breaks and sewer stoppages and schedules repair or replacement of water distribution and collection systems deficiencies.

The proposed Park Project Site is host to one storm drainage line that runs along the southern boundary of the property on an adjacent city property. The site currently has a 54-inch culvert that extends under the neighboring properties along Main Street and ends at the City's parking lot. The proposed Park project would include crossing that stormdrain in two locations. One location closer to Clear Lake would be for the promenade. While the other would be located further back for a pathway that would support service vehicles leading from the park to the parking lot to the south. The bases and/or supports for each side of those crossings would be located out of the existing stormdrain system, and would not increase or impact stormwater flows on the site.

Solid Waste Service

Lakeport Disposal provides solid waste and recycling collection services to commercial, residential, and industrial customers within the incorporated limits of Lakeport. The nearest active landfill is Eastlake Landfill (17-AA-0001) in Clearlake, California, located approximately 28 miles from the project Site. The Eastlake Landfill has a daily permitted disposal of approximately 200 tons per day. Furthermore, the Eastlake Landfill has a maximum permitted capacity of 6.05 million cubic yards and a remaining capacity of approximately 2.86 million cubic yards. The Eastlake Landfill is expected to remain active for another 5 years, until the year 2023 (CalRecycle, 2018). Solid waste generated by the proposed project during construction activities would be collected and transported to an active and permitted landfill.

XVIX.a) There is sufficient water supply available to serve the project as the only water needs would occur during construction for dust suppression. The project would not require the construction or expansion of any new water or wastewater facilities. Water usage for the construction and operation associated with the park would be small and existing entitlements and resources have the capacity to serve any temporary water needs for the project. Electric power: The project does not propose expansion of relocation of electric power, natural gas, or telecommunications; there would be a **less than significant impact** on these utilities.

XVIX.b-c) As discussed above, the only water required for the project during construction for dust control. Water usage for the construction and operation of the Park would be negligible and existing entitlements and resources have the capacity to serve any water needs for the project and have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry

and multiple dry years. The project Site is currently served by the City of Lakeport's Water Service District for municipal water service. There are no planned developments in the area and thus the population is not expected to increase as a result of the project. Therefore, the proposed project would not require additional or expanded infrastructure relating to municipal water or wastewater treatment. The projected water use for the proposed project is within the existing allocation and would not require new or expanded entitlements. Additionally, the project does not involve direct or indirect discharge of wastewater to sanitary sewer or on-site septic systems. Project construction does not require any dewatering into the sewer system. No significant demand for wastewater treatment or facilities would occur as a result of the project. The project would not create a significant amount of wastewater and therefore would have no impact on a wastewater treatment operator. There is no expected increase in wastewater as a result of the project. Water and wastewater use for the park would be a less than significant impact.

XVIX.d-e) The project Site is currently and would continue to be served by a landfill (Eastlake Landfill) with sufficient permitted capacity to accommodate the project's anticipated solid waste disposal needs at full project build-out. A significant amount of solid waste would not be anticipated under the project and all solid waste generated under the project would be disposed of in accordance to all federal, State, and local statutes and regulations related to solid waste. Additionally, the proposed would not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals. A **less than significant impact** would occur.

XVIX.f) Disposal of construction waste would comply with federal, State, and local statutes and regulations related to solid waste. As mentioned above, solid waste generated by the proposed project during construction activities would be collected and transported to an active and permitted landfill. The nearest active landfill has capacity for the proposed projects generated waste and is expected to remain active for another 5 years, until the year 2023. **No impact** would occur as a result of the project.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a Less Than Significant Impact on Utilities and Service Systems.

XX	. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Impair an adopted emergency response plan or emergency evacuation plan?			\boxtimes	
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				

including landslides,	cople or structures to significant risks, downslope or downstream flooding or as a result of runoff, post-fire slope	\boxtimes
instability,	r drainage challenges?	

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on wildfire if it would impair an adopted emergency response plan or emergency evacuation plan; due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges.

DISCUSSION

The combination of vegetation, topography, climate, and population density create a significant potential for hazards from wildfires within the Lakeport Planning Area. There are many vacant and undeveloped areas within the City and its Sphere of Influence, particularly on the west side of Highway 29 and the northern portions of the City, including mobile home parks. Rugged topography and highly flammable vegetation make residential development potentially unsafe unless adequate fire safety measures are taken (City General Plan, 2009).

The area within the City is served by the Lakeport Fire Protection District/County Fire Protection District. Any location within City limits can be reached within three to five minutes. Locations within the Sphere of Influence can be reached in five to seven minutes. This rapid response time can be attributed to the combination of full-time staff and emergency personnel in the Lakeport Fire Protection District and a large number of volunteers.

The CalFire Fire Hazard Severity Zones Map was developed to guide construction standards for building permits, use of natural hazard disclosure at time of sale, guide defensible space clearance around buildings, set property development standards, and considerations of fire hazard in city and county general plans. The project area is located within a 'Very High' State Responsibility Area hazard zone (CalFire, 2018). According to the CalFire Severity Zone Map, the proposed project area is classified as a non-high severity fire hazard zone.

Project activities include The project proposes the development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees. The park also includes public pathways and extension of the lakefront promenade.. The area surrounding the Site is currently developed commercial and medium density residential. The development of the park would not increase wildfire risks.

XX.a) The City of Lakeport has not adopted an emergency response plan. North Main Street located along the frontage of the project Site represents a primary artery for all north/south thoroughfares through the City. Construction activities could result in minor delays for emergency vehicles or law enforcement; however, during construction, North Main Street would remain open, although one-way controlled traffic may be necessary. This would ensure the passage of emergency and passenger vehicles in the event of an emergency, including wildfire. The project related activities would not be anticipated to significantly impact the capacity of the street system; the project would have a **less than significant impact**.

XX.b-c) The proposed Park Site project will be constructed at grade and does not propose grading which would exacerbate wildfire risk. The project is located in an already developed commercial area, and stormwater improvements would be constructed at grade. Implementation of the project would not require the installation or maintenance of additional infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that would exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Furthermore, the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges. Therefore, there would be **no impact** on wildfire risk or spread of pollutants from such thereafter.

XX.d) Implementation of the proposed Park Site project does not require grading of slopes or creation of slopes. Project features will be constructed at grade, and the area will be stabilized during construction by use of construction BMPs and will be landscaped once construction is complete. Additionally, implementation of the project's stormwater features would help stabilize the project area from negative impacts related to stormwater runoff, as the project proposes features to better manage, direct, and contain runoff, and has been designed to maintain stormwater flows within the project area. **No impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a Less Than Significant Impact on Wildfire.

XXI. MAND	ATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
degrade reduce the a fish of sustaining animal contractions or restrict animal of	e project have the potential to substantially the quality of the environment, substantially the habitat of a fish or wildlife species, cause in wildlife population to drop below selfge levels, threaten to eliminate a plant or community, substantially reduce the number the range of a rare or endangered plant or in eliminate important examples of the major of California history or prehistory?			\boxtimes	
ilmited, ("Cumulo incremer when vie projects,	project have impacts that are individually but cumulatively considerable? atively considerable" means that the stall effects of a project are considerable ewed in connection with the effects of past the effects of other current projects, and its of probable future projects).			\boxtimes	
will caus	project have environmental effects, which se substantial adverse effects on human ither directly or indirectly?			\boxtimes	

THRESHOLDS OF SIGNIFICANCE: The project would have a significant effect on mandatory findings of significance if it would have the potential to substantially degrade the quality of the environment,

substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory; have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.); or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

DISCUSSION

As previously discussed, the proposed project would include development of a park in downtown Lakeport, which includes an amphitheater, basketball court, small splash pad, ninja gym, concessions/bathroom, large covered shelter, and various picnic tables with grills. The park also includes a large swath of multiuse lawn areas, landscaping and trees, as well as pathways and extension of the lakefront promenade..

XXI.a) As discussed under Section IV, Biological Resources, The biological survey detected no sensitive plant species within the project area. While bird species observed at the Project Site comprise primarily common occurring species expected in shoreline habitats near and around Lakeport, six birds of special concern (including Double-crested Comorant, Great Blue Heron, Osprey, Nuttall's woodpecker, oak titmouse, and wren tit) could have a potential of being on-site. The Biological Resource Section identified potential impacts to the riparian habitat and special status species, that incorporated a mitigation measure to address nesting birds during specific times of year (outside of the bird nesting season, between August 1-March 1) when any necessary heavy vegetation removal (limbs over 6 inches in diameter) would be the least impactful. However, should heavy vegetation removal be proposed during the bird nesting season (March 1-August 1), it is recommended that a qualified biologist conduct a nest survey to identify the presence of vulnerable nests (within 100 feet for passerines and 300 feet for raptors from the heavy vegetation removal). Recommended protocol is also provided in the event active nests are identified. As well as the mitigation measure in the Water and Hydrology Section that requires waddles and siltation fencing to limit runoff flowing into the Clear Lake riparian habitat.

An Archaeological Report was also prepared for the project by Archaeological Research on March 26, 2020, in which it was concluded that no cultural or historical resources were observed within the project area and the project, as presently designed, is not expected to have an adverse effect on cultural resources.

Recommendations of the report (and have been incorporated into the Initial Study as mitigation), which would minimize any potential impacts to a less than significant level. A **less than significant impact** would occur.

XXI.b) There are no elements of the project that would result in a cumulatively considerable impact. The project includes construction and continued operation of a park in downtown Lakeport. Preventative measures (Best Management Practices) would be implemented during project construction to minimize potential impacts. In addition, with mitigation incorporated, all potential impacts associated with the proposed project would be reduced to a less-than-significant level. A **less than significant impact** would occur.

XXI.c) The project would not generate any potential direct or indirect environmental effect that would have a substantial adverse impact on human beings including, but not limited to, exposure to geologic hazards, air quality, water quality, traffic hazards, noise, and fire hazards. With mitigation incorporated, all potential impacts associated with the proposed project would be reduced to a less-than-significant level. A **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a Less Than Significant Impact on Mandatory Findings of Significance.

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FIGURES

Figure 1 Location N	Лар
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Figure 2 City of Lakeport Land Use Designations

Figure 3 City of Lakeport Zoning Designations

City of Lakeport, CA



Lakeport Lakefront Location Map

Figure 1 Location Map



Figure 2
City of Lakeport
Land Use Designations

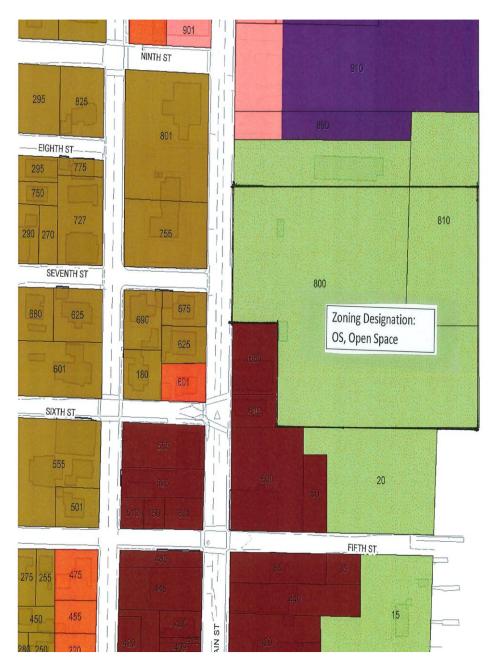


Figure 3
City of Lakeport
Zoning Designations

APPENDIX A

Mitigation and Monitoring Reporting Program (MMRP)

APPENDIX B

Cultural Resources Correspondence

Attachment C: Mitigation Monitoring Program

Mitigation Measure/Condition of Approval	Action	Monitoring	Monitoring	Responsible	Co	mpliance \	√erification
	Required	Timing	Frequency	Agency	Initial	Date	Comments
AIR-1: Construction activities shall be conducted with adequate dust suppression methods, as necessary, including but not limited to watering during construction activities to limit the generation of fugitive dust or other methods approved by the LCAQMD.	Monitoring	During all const. phases	Daily	Lake County Air Quality Mnmgt. District, Lakeport Public works and City Contractor			
AIR-2: At all times, construction equipment shall be maintained in good condition to minimize excessive exhaust emissions.	Monitoring	During all const. phases	Daily	Lake County Air Quality Mnmgt. District and Lakeport Public works and City Contractor			
BIO-1: Due to the presence of migratory birds and raptors in the immediate area, any proposed heavy vegetation (limbs over 6 inches in diameter) shall be conducted in the non-nesting season (August 1-March 1). However, should removal of heavy vegetation be proposed during the nesting season (March 1-August 1), a qualified biologist shall determine the presence of vulnerable nests	Monitoring	All const. phases between March 1 st to August 1 st .	Daily during nesting period	City of Lakeport Community Develop. Dept. and City Contractor	:		

Mitigation Measure/Condition of Approval	Action	Monitoring	Monitoring	Responsible	Co	mpliance	Verification
	Required	Timing	Frequency	Agency	Initial	Date	Comments
(within a distance of 100 feet for passerines and							
300 feet for raptors from the heavy vegetation							
removal). Any active nests within the above-							
mentioned distances shall be allowed to complete							
their nesting or until the qualified biologist							
determines the nests are no longer active before							
the heavy vegetation shall be allowed to occur.							
CULT-1: If previously unidentified cultural resources	Monitoring	During		Scotts			
are encountered during project implementation,	G	primary		Valley			
any persons on-site shall avoid altering the		grading		and/or Big			
materials and their stratigraphic context. A		and		Valley Band			
qualified professional archaeologist shall be		trenching		of Pomo			
contacted to evaluate the situation. Project		J		Indians and			
personnel shall not collect cultural resources.				City			
[Prehistoric resources include, but are not limited				Contractor			
to, chert or obsidian flakes, projectile points,							
mortars, pestles, and dark friable soil containing							
shell and bone dietary debris, heat-affected rock,							
or human burials. Historic resources include stone		and the second					
or abode foundations or walls; structures and							
remains with square nails; and refuse deposits or							
bottle dumps, often located in old wells or privies.]							
CULT-2: If human remains are encountered on-site,	Monitoring	During		Scotts			
all work must stop in the immediate vicinity of the	and potential	primary	de constitución de la constituci	Valley			
discovered remains and the County Coroner and	investigation	grading		and/or Big			
a qualified archaeologist must be notified		and		Valley Band			
immediately so that an evaluation can be		trenching		of Pomo			
performed. If the remains are deemed to be				Indians and			
Native American and prehistoric, the Native				City			
American Heritage Commission (NAHC) must be				Contractor			
contacted by the Coroner so that a "Most Likely							
Descendant" can be designated and further							
recommendations regarding treatment of the					·····		

Mitigation Measure/Condition of Approval	Action	Monitoring	Monitoring	Responsible	Со	mpliance	Verification
	Required	Timing	Frequency	Agency	Initial	Date	Comments
remains is provided.							
CULT-3: A cultural monitor from the Scotts Valley Band of Pomo Indians and/or Big Valley Band of Pomo Indians shall be present on-site for any and all ground disturbance to be completed under the project. The project contractor shall consult with the Tribe at least three weeks prior to the start of any ground disturbing activities and shall also provide the Tribe with the anticipated construction schedule and plans.	Monitoring	During primary grading and trenching		Scotts Valley and/or Big Valley Band of Pomo Indians			
GEO-1: In the event that fossils or fossil-bearing deposits are discovered during project construction, the contractor shall notify a qualified paleontologist to examine the discovery and excavations within 50 feet of the find shall be temporarily halted or diverted. The area of discovery shall be protected to ensure that fossils are not removed, handled, altered, or damaged until the Site is properly evaluated, and further action is determined. The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 1995), evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the	Monitoring and potential investigation	During primary grading and trenching	Daily	City of Lakeport Community Develop. Dept., Public Works Dept. and City Contractor			

Mitigation Measure/Condition of Approval	Action	Monitoring	Monitoring	Responsible	Со	mpliance	Verification
	Required	Timing	Frequency	Agency	Initial	Date	Comments
project based on the qualities that make the	***************************************						
resource important. The plan shall be submitted to							
the City of Lakeport for review and approval prior							
to implementation.							
HYDRO-1: A grading Plan and Erosion and	Review and	Prior to	Daily,	City of			
Sedimentation Control Plan prepared by a	approval prior	const.	once	Lakeport		1	
qualified professional (Registered Civil Engineer)	to and during	and	approved	Engineering			
shall be prepared for the project. This plan shall	Const.	during		Dept.,			
indicate both temporary and permanent erosion		const.		Public			
control measures to be implemented in				Works			
accordance with standard Best Management				Dept. and			
Practices (BMP). Also, depending on whether or				City			
not required by the Regional Water Quality Control				Contractor			
Board, a Storm Water Pollution Prevention Plan							
may also be necessary. Prior to commencement							
of any grading activity on-site, structural control							
measures shall be installed to reduce erosion							
control and retain sedimentation. Measures may		-					
include, but not limited to, stabilization of control							
entrance, temporary gravel and construction							
entrance, and installation of filter fabric fence							
and/or waddles along the shoreline of Clear Lake							
and adjacent habitat. Erosion and sedimentation							
control shall be installed in accordance with the							
approved plan prior to project construction.							
NOISE-1: Construction noise shall be limited through	Monitoring	During all	Daily	City of			
operational standards. Construction activities shall		const.		Lakeport			
be limited to between the hours of 7:00AM and		phases		Community			
7:00PM Monday through Friday and between				Develop.			
8:00AM and 7:00PM on Saturdays and Sundays. The				Dept.,		·	
City may allow construction between 7:00PM and				Public			
7:00AM on any day if it can be demonstrated that				Works			
noise would not adversely impact the				1			

Mitigation Measure/Condition of Approval	Action	Monitoring	Monitoring	Responsible	Со	mpliance	Verification
	Required	Timing	Frequency	Agency	Initial	Date	Comments
neighborhood, or in the event of necessity as				Dept. and			
determined by the Building Official. Neighboring				City			
landowners shall be notified of the anticipated				Contractor			
construction schedule prior to the commencement							
of construction activities.							
NOISE-2: All equipment driven by internal	Monitoring	During all	Daily	City of			
combustion engines shall be equipped with		const.	,	Lakeport			
mufflers, which are in good condition and		phases		Community			
appropriate for the equipment. The construction		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		Develop.			
contractor shall utilize "quiet" models of air				Dept.,			
compressors and other stationary noise sources				Public			
where technology exists. At all times during project				Works			
construction, stationary noise-generating				Dept. and			
equipment shall be located as far as practicable				City			
from sensitive receptors and placed so that				Contractor			
emitted noise is directed away from residences.				Contractor			
Unnecessary idling of internal combustion engines							
shall be prohibited. Construction staging areas shall							
be established at locations that would create the							
greatest distance between the construction-							
related noise sources and noise-sensitive receptors							
nearest the project Site during all project				}			
construction activities, to the extent feasible. The							
construction contractor shall designate a "noise							
disturbance coordinator" who shall be responsible							
for responding to any local complaints about							
construction noise. The disturbance coordinator					ļ		
shall be responsible for determining the cause of							
the noise complaint (e.g., starting too early, poor							
muffler, etc.) and instituting reasonable measures							
as warranted to correct the problem. A telephone							
number for the disturbance coordinator shall be						anico	
conspicuously posted at the construction site.							

Attachment D: 35% Lakefront Park Concept Plan





303 potrero street, suite 40-c santa cruz, ca 95060 p: 831.459.0455 f: 831-459-0484

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RENDERING

PARK SITE PLAN -AGENCY APPROVAL

LAKE I

DRAWN BY . RT

CHECKED . KF SCALE • 1" = 30'-0" DATE

PARK SITE PLAN RENDERING

L-1.0



CITY OF LAKEPORT PLANNING COMMISSION

STAFF REPORT							
RE: APP 2020-025 Microenterprise Home Kitchen Operations – ZC	MEETING DATE: December 9, 2020						
SUBMITTED BY: Jennifer M. Byers, Community Development Director Daniel Chance, Associate Planner							
PURPOSE OF REPORT: Information only I	Discussion 🛛 Commission Action						

WHAT IS BEING ASKED OF THE PLANNING COMMISSION:

The Planning Commission is requested to consider the Lake County recently adopted ordinance permitting Microenterprise Home Kitchens in accordance with AB 626 and direct staff accordingly.

SUMMARY OF THE ISSUE:

On September 18, 2018, Assembly Bill 626, California Retail Food Code: Microenterprise Home Kitchen Operations was signed into effect. The bill established Microenterprise Home Kitchen Operation ("MHKO") as a new food category of retail food facilities that cities or counties had the ability to opt-in and authorize a local MHKO program.

On October 7, 2019, Assembly Bill 377 was enacted that provided clarification language to Health and Safety Code 114367 that, "If a governing body of a city, county, or city and county authorizes the permitting of microenterprise home kitchen operations, the authorization shall apply to all areas within its jurisdiction, including being applicable to all cities within a county that authorizes microenterprise home kitchen operations, regardless of whether each city located within the jurisdiction of the county separately authorizes them."

On December 1, 2020, the Lake County Board of Supervisors held a second reading of an ordinance that provided the Lake County Department of Environmental Health the authority to administer and implement MHKO permits. Section 7 of the County Ordinance identifies that the MHKO program is at this time only a pilot program allowing for a maximum of ten (10) permits in total with only two (2) permits to be approved per supervisorial district. The pilot program with possible expansion of the program would occur as of July 1, 2021.

ISSUE ANALYSIS:

In summary, AB 626 provides that Microenterprise Home Kitchens allow food to be stored, handled, prepared, and served at a private residence with the following restrictions:

Meeting Date: 12.09.2020 Page 1 Agenda Item VI. E.

- No more than thirty (30) individual meals per day (the local enforcement agency may decrease the limit based on capacity of the operation).
- No more than sixty (60) individual meals per week are allowed.
- No more than \$50,000 in gross annual sales

Food may be served at the residence, outdoors, or in habitable accessory structures. The product may be sold and delivered either through an internet website or direct sales, as well as provisions are included for take-out service.

In addition to specific operating requirements listed within California Health and Safety Code Section 114367, MHKO's are subject to the following criteria:

- The operation has no more than one (1) full-time equivalent employee (not including a family member or household member);
- Food is prepared, cooked, and served on the same day;
- Food is consumed on-site at the MHKO or off-site if the food is picked up by the consumer or delivered within a safe time period based on holding equipment capacity;
- Food preparation does not involve processes that require a Hazardous Analysis Critical Control Point Plan or the production, service, or sale of raw milk products;
- The service and sale of raw oysters is prohibited;
- The operation only sells food directly to consumers and not to any wholesaler or retailer;
- Abstain from posting signage or other outdoor displays advertising the MHKO operation;
- Be in compliance with applicable noise ordinances.

Section 6 of Lake County's Ordinance requires applicants to obtain certain approvals from other agencies and local jurisdictions for water, sewer (which includes meeting minimum requirements including the need for a grease trap); and finally the applicant shall obtain appropriate licensing from city jurisdiction Planning Departments. Lake County required a zoning permit for delivery only and a minor use permit for curbside pickup.

As noted previously, AB 377 requires that if a County Health Department adopts an ordinance to permit MHKO's, then the local jurisdiction is not permitted to opt-out; however, the City of Lakeport may adopt similar guidance and as provided in the County's Ordinance, the applicant is required to receive local jurisdiction approval.

SUGGESTED MOTIONS:

I move that the Planning Commission direct staff to prepare a minute order to initiate a text amendment to the Zoning Ordinance to address Microenterprise Home Kitchen Operations.

- 1. Assembly Bill 626
- 2. Assembly Bill 377
- 3. Lake County Ordinance Regulating Microenterprise Home Kitchen Operations



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AB-626 California Retail Food Code: microenterprise home kitchen operations. (2017-2018)

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Date Published: 09/18/2018 09:00 PM

Assembly Bill No. 626

CHAPTER 470

An act to amend Sections 110460, 111955, 113789, and 114390 of, to add Section 113825 to, and to add Chapter 11.6 (commencing with Section 114367) to Part 7 of Division 104 of, the Health and Safety Code, relating to the California Retail Food Code.

Approved by Governor September 18, 2018. Filed with Secretary of State September 18, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 626, Eduardo Garcia. California Retail Food Code: microenterprise home kitchen operations.

Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for retail food facilities for regulation by the State Department of Public Health, and requires local enforcement agencies to enforce these provisions. Existing law defines "food facility" as an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, as specified. Existing law exempts, among others, a private home, including a registered or permitted cottage food operation, from the definition of food facility. A violation of the California Retail Food Code is generally a misdemeanor.

This bill would, among other things, include a microenterprise home kitchen operation within the definition of a food facility, and would define a microenterprise home kitchen operation to mean a food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to, consumers, and that meets specified requirements, including, among others, that the operation has no more than one full-time equivalent food employee and has no more than \$50,000 in verifiable gross annual sales. The bill would specify that the governing body of a city or county, or city and county, shall have full discretion to authorize, by ordinance or resolution, the permitting of microenterprise home kitchen operations in accordance with the provisions of this bill, except as provided. The bill would require a microenterprise home kitchen operation to be considered a restricted food service facility for purposes of certain provisions of the code, except as otherwise provided, and would exempt a microenterprise home kitchen operation from various provisions applicable to food facilities, including, among others, provisions relating to handwashing, sinks, ventilation, and animals. The bill would require the applicant for a permit to operate a microenterprise home kitchen operation to submit to the local enforcement agency written standard operating procedures that include specified information, including all food types or products that will be handled and the days and times that the home kitchen will potentially be utilized as a microenterprise home kitchen operation.

The bill would require an Internet food service intermediary, as defined, that lists or promotes a microenterprise home kitchen operation on its Internet Web site or mobile application to, among other things, be registered with the department, to clearly and conspicuously post on its Internet Web site or mobile application the requirements for the permitting of a microenterprise home kitchen operation, as specified, prior to the publication of the microenterprise home kitchen operation's offer of food for sale, and to submit the name and permit number of a microenterprise home kitchen operation to the local enforcement agency if it receives, through its Internet Web site or mobile application, 3 or more unrelated individual food safety or hygiene complaints in a calendar year from consumers who have made a purchase through its Internet Web site or mobile application. The bill would also make related findings and declarations.

By expanding the scope of a crime, this bill would impose a state-mandated local program.

This bill would incorporate additional changes to Section 113789 of the Health and Safety Code proposed by AB 2178 and AB 2524 to be operative only if this bill and AB 2178, this bill and AB 2524, or all 3 bills are enacted and this bill is enacted last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares all of the following:

- (1) California is the largest agricultural producer and exporter in the United States.
- (2) California is home to the "farm-to-table" movement, which embraces the idea that restaurants and other food sellers should prioritize locally and sustainably produced foods.
- (3) Many cities have embraced the idea of locally grown, produced, and prepared foods. Sacramento, for example, proclaimed itself the farm-to-fork capital of America.
- (4) Accordingly, Californians have shown a preference for supporting local agriculture and local business and for finding sustainable solutions to food insecurity.
- (5) The retail and commercial food market is an integral part of California's economy.
- (6) Small-scale, home-cooking operations can create significant economic opportunities for Californians that need them most often women, immigrants, and people of color.
- (7) Under existing law, individuals can sell food through retail food facilities or cottage food operations, the latter of which being limited to a restricted list that primarily consists of nonperishable food items that can be prepared in the home. Both of these options make it difficult for the vast majority of home cooks to independently benefit from their labor, skills, and limited resources.
- (8) Because the bar for entry to restaurant ownership is high, and the cost of renting a retail kitchen is so great, an informal economy of locally produced and prepared hot foods exists in the form of meal preparation services, food carts, and communally shared meals.
- (9) However, due to a lack of appropriate regulations, many experienced cooks in California are unable to legally participate in the locally prepared food economy and to earn an income legally therein.
- (10) As a result, and because they feel they have no other option, thousands of private chefs, home caterers, and many other food microentrepreneurs cook out of private homes or unlicensed food facilities, with little access to education for best practices or safety guidelines.
- (11) Many of these cooks are unable to enter the traditional food economy based on disability, family responsibilities, or lack of opportunity.
- (12) Under existing law, preparing and selling food from a home kitchen normally can be treated as a criminal act and may be punishable as a misdemeanor.
- (13) Providing guidelines, training, and safety resources to home cooks would also increase public health safeguards in existing informal food economies.
- (14) The exchange of home-cooked food can also improve access to healthy foods for communities, particularly in food deserts with severely limited options.

- (15) The California Retail Food Code establishes health and sanitation standards for retail food facilities. That law exempts private homes from the definition of a food facility and includes cottage food operations in that exemption.
- (16) Therefore, the Legislature should create a framework that authorizes the safe preparation and sale of meals prepared in home kitchens, providing adequate regulations and requirements for food handling and safety.
- (b) It is the intent of the Legislature that this act authorize the use of home kitchens for small-scale, direct food sales by home cooks to consumers, providing appropriate flexibility in food types and appropriate health and sanitation standards.
- SEC. 2. Section 110460 of the Health and Safety Code is amended to read:
- **110460.** No person shall engage in the manufacture, packing, or holding of any processed food in this state unless the person has a valid registration from the department, except those engaged exclusively in the storing, handling, or processing of dried beans. The registration shall be valid for one calendar year from the date of issue, unless it is revoked. The registration shall not be transferable. This section shall not apply to a cottage food operation that is registered or has a permit pursuant to Section 114365 or a microenterprise home kitchen, as defined in Section 113825.
- SEC. 3. Section 111955 of the Health and Safety Code is amended to read:
- **111955.** "Food processing establishment," as used in this chapter, shall mean any room, building, or place or portion thereof, maintained, used, or operated for the purpose of commercially storing, packaging, making, cooking, mixing, processing, bottling, canning, packing, slaughtering, or otherwise preparing or handling food except restaurants. "Food processing establishment" shall not include a cottage food operation that is registered or has a permit pursuant to Section 114365 or a microenterprise home kitchen, as defined in Section 113825.
- SEC. 4. Section 113789 of the Health and Safety Code is amended to read:
- **113789.** (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:
- (1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.
- (2) A place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.
- (b) "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:
- (1) Public and private school cafeterias.
- (2) Restricted food service facilities.
- (3) Licensed health care facilities, except as provided in paragraph (12) of subdivision (c).
- (4) Commissaries.
- (5) Mobile food facilities.
- (6) Mobile support units.
- (7) Temporary food facilities.
- (8) Vending machines.
- (9) Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.
- (10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.
- (11) Fishermen's markets.
- (12) Microenterprise home kitchen operations.

- (c) "Food facility" does not include any of the following:
- (1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.
- (2) A private home when used for private, noncommercial purposes or when used as a cottage food operation that is registered or has a permit pursuant to Section 114365.
- (3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.
- (4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.
- (5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code, or premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, and in the regulations adopted pursuant to those sections, that comply with Section 118375, regardless of whether there is a charge for the wine or beer tasting, if no other beverage, except for bottles of wine or beer and prepackaged nonpotentially hazardous beverages, is offered for sale or for onsite consumption and no food, except for crackers, pretzels, or prepackaged food that is not potentially hazardous food is offered for sale or for onsite consumption.
- (6) An outlet or location, including, but not limited to, premises, operated by a producer, selling or offering for sale only whole produce grown by the producer or shell eggs, or both, provided the sales are conducted at an outlet or location controlled by the producer.
- (7) A commercial food processing establishment, as defined in Section 111955.
- (8) A child day care facility, as defined in Section 1596.750.
- (9) A community care facility, as defined in Section 1502.
- (10) A residential care facility for the elderly, as defined in Section 1569.2.
- (11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.
- (12) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.
- (B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.
- (13) A community food producer, as defined in Section 113752.
- **SEC. 4.1.** Section 113789 of the Health and Safety Code is amended to read:
- **113789.** (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:
- (1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food
- (2) A place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.
- (b) "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:
- (1) Public and private school cafeterias.
- (2) Restricted food service facilities.
- (3) Licensed health care facilities, except as provided in paragraph (12) of subdivision (c).
- (4) Commissaries.

- (5) Mobile food facilities.
- (6) Mobile support units.
- (7) Temporary food facilities.
- (8) Vending machines.
- (9) Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.
- (10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.
- (11) Fishermen's markets.
- (12) Microenterprise home kitchen operations.
- (c) "Food facility" does not include any of the following:
- (1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.
- (2) A private home when used for private, noncommercial purposes or when used as a cottage food operation that is registered or has a permit pursuant to Section 114365.
- (3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.
- (4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.
- (5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code, or premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, and in the regulations adopted pursuant to those sections, that comply with Section 118375, regardless of whether there is a charge for the wine or beer tasting, if no other beverage, except for bottles of wine or beer and prepackaged nonpotentially hazardous beverages, is offered for sale or for onsite consumption and no food, except for crackers, pretzels, or prepackaged food that is not potentially hazardous food is offered for sale or for onsite consumption.
- (6) An outlet or location, including, but not limited to, premises, operated by a producer, selling or offering for sale only whole produce grown by the producer or shell eggs, or both, provided the sales are conducted at an outlet or location controlled by the producer.
- (7) A commercial food processing establishment, as defined in Section 111955.
- (8) A child day care facility, as defined in Section 1596.750.
- (9) A community care facility, as defined in Section 1502.
- (10) A residential care facility for the elderly, as defined in Section 1569.2.
- (11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.
- (12) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.
- (B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.
- (13) A community food producer, as defined in Section 113752.
- (14) A limited service charitable feeding operation, as defined in Section 113819.
- **SEC. 4.2.** Section 113789 of the Health and Safety Code is amended to read:
- **113789.** (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:

- (1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.
- (2) A place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.
- (b) "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:
- (1) Public and private school cafeterias.
- (2) Restricted food service facilities.
- (3) Licensed health care facilities, except as provided in paragraph (12) of subdivision (c).
- (4) Commissaries.
- (5) Mobile food facilities.
- (6) Mobile support units.
- (7) Temporary food facilities.
- (8) Vending machines.
- (9) Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.
- (10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.
- (11) Fishermen's markets.
- (12) Microenterprise home kitchen operations.
- (13) Catering operation.
- (14) Host facility.
- (c) "Food facility" does not include any of the following:
- (1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.
- (2) A private home when used for private, noncommercial purposes or when used as a cottage food operation that is registered or has a permit pursuant to Section 114365.
- (3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.
- (4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.
- (5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code, or premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, and in the regulations adopted pursuant to those sections, that comply with Section 118375, regardless of whether there is a charge for the wine or beer tasting, if no other beverage, except for bottles of wine or beer and prepackaged nonpotentially hazardous beverages, is offered for sale or for onsite consumption and no food, except for crackers, pretzels, or prepackaged food that is not potentially hazardous food is offered for sale or for onsite consumption.
- (6) An outlet or location, including, but not limited to, premises, operated by a producer, selling or offering for sale only whole produce grown by the producer or shell eggs, or both, provided the sales are conducted at an outlet or location controlled by the producer.
- (7) A commercial food processing establishment, as defined in Section 111955.
- (8) A child day care facility, as defined in Section 1596.750.
- (9) A community care facility, as defined in Section 1502.

- (10) A residential care facility for the elderly, as defined in Section 1569.2.
- (11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.
- (12) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.
- (B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.
- (13) A community food producer, as defined in Section 113752.
- SEC. 4.3. Section 113789 of the Health and Safety Code is amended to read:
- **113789.** (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:
- (1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.
- (2) A place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.
- (b) "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:
- (1) Public and private school cafeterias.
- (2) Restricted food service facilities.
- (3) Licensed health care facilities, except as provided in paragraph (12) of subdivision (c).
- (4) Commissaries.
- (5) Mobile food facilities.
- (6) Mobile support units.
- (7) Temporary food facilities.
- (8) Vending machines.
- (9) Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.
- (10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.
- (11) Fishermen's markets.
- (12) Microenterprise home kitchen operations.
- (13) Catering operation.
- (14) Host facility.
- (c) "Food facility" does not include any of the following:
- (1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.
- (2) A private home when used for private, noncommercial purposes or when used as a cottage food operation that is registered or has a permit pursuant to Section 114365.
- (3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.
- (4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.

- (5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code, or premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, and in the regulations adopted pursuant to those sections, that comply with Section 118375, regardless of whether there is a charge for the wine or beer tasting, if no other beverage, except for bottles of wine or beer and prepackaged nonpotentially hazardous beverages, is offered for sale or for onsite consumption and no food, except for crackers, pretzels, or prepackaged food that is not potentially hazardous food is offered for sale or for onsite consumption.
- (6) An outlet or location, including, but not limited to, premises, operated by a producer, selling or offering for sale only whole produce grown by the producer or shell eggs, or both, provided the sales are conducted at an outlet or location controlled by the producer.
- (7) A commercial food processing establishment, as defined in Section 111955.
- (8) A child day care facility, as defined in Section 1596.750.
- (9) A community care facility, as defined in Section 1502.
- (10) A residential care facility for the elderly, as defined in Section 1569.2.
- (11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.
- (12) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.
- (B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.
- (13) A community food producer, as defined in Section 113752.
- (14) A limited service charitable feeding operation, as defined in Section 113819.
- SEC. 5. Section 113825 is added to the Health and Safety Code, to read:
- **113825.** (a) "Microenterprise home kitchen operation" means a food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to, consumers, and that meets all of the following requirements:
- (1) The operation has no more than one full-time equivalent food employee, not including a family member or household member.
- (2) Food is prepared, cooked, and served on the same day.
- (3) Food is consumed onsite at the microenterprise home kitchen operation or offsite if the food is picked up by the consumer or delivered within a safe time period based on holding equipment capacity.
- (4) Food preparation does not involve processes that require a HACCP plan, as specified in Section 114419, or the production, service, or sale of raw milk or raw milk products, as defined in Section 11380 of Title 17 of the California Code of Regulations.
- (5) The service and sale of raw oysters is prohibited.
- (6) Food preparation is limited to no more than 30 individual meals per day, or the approximate equivalent of meal components when sold separately, and no more than 60 individual meals, or the approximate equivalent of meal components when sold separately, per week. The local enforcement agency may decrease the limit of the number of individual meals prepared based on food preparation capacity of the operation, but shall not, in any case, increase the limit of the number of individual meals prepared.
- (7) The operation has no more than fifty thousand dollars (\$50,000) in verifiable gross annual sales, as adjusted annually for inflation based on the California Consumer Price Index.
- (8) The operation only sells food directly to consumers and not to any wholesaler or retailer. For purposes of this paragraph, the sale of food prepared in a microenterprise home kitchen operation through the Internet Web site or mobile application of an Internet food service intermediary, as defined in Section 114367.6, is a direct sale to

consumers. An operation that sells food through the Internet Web site or mobile application of an Internet food service intermediary shall consent to the disclosures specified in paragraphs (6) and (7) of subdivision (a) of Section 114367.6.

- (b) "Microenterprise home kitchen operation" does not include either of the following:
- (1) A catering operation.
- (2) A cottage food operation, as defined in Section 113758.
- (c) For purposes of this section, "resident of a private home" means an individual who resides in the private home when not elsewhere for labor or other special or temporary purpose.
- **SEC. 6.** Chapter 11.6 (commencing with Section 114367) is added to Part 7 of Division 104 of the Health and Safety Code, to read:

CHAPTER 11.6. Microenterprise Home Kitchen Operation

- **114367.** (a) Except as provided in subdivision (b), the governing body of a city or county, or city and county, shall have full discretion to authorize, by ordinance or resolution, the permitting of microenterprise home kitchen operations in accordance with this chapter.
- (b) A permit issued by a county that has authorized the permitting of microenterprise home kitchen operations in accordance with this chapter shall be valid in any city within the county regardless of whether the city has separately enacted an ordinance or resolution to authorize or prohibit the permitting of microenterprise home kitchen operations within that city.
- **114367.1.** (a) A microenterprise home kitchen operation, as defined in Section 113825, shall be considered a restricted food service facility for purposes of, and subject to all applicable requirements of, Chapter 1 (commencing with Section 113700) to Chapter 9 (commencing with Section 114265), inclusive, Chapter 12.6 (commencing with Section 114377), and Chapter 13 (commencing with Section 114380), except as otherwise provided in this chapter.
- (b) A microenterprise home kitchen operation shall be exempt from all of the following provisions:
- (1) Handwashing facilities requirements, as required in Section 113953, provided that a handwashing sink is supplied with warm water and located in the toilet room and supplied, as specified in Section 113953.2.
- (2) Any provision in this part relating to sinks, warewashing machines, and manual or machine sanitation, including but not limited to, Sections 114099, 114099.2, 114099.4, 114099.6, 114099.7, 114101.1, 114101.2, 114103, 114107, 114123, 114125, 114163, and 114279, provided that the sink in a microenterprise home kitchen operation has hot and cold water and is fully operable.
- (3) Prohibition on the presence of persons unnecessary to the food facility operation in the food preparation, food storage, or warewashing areas, as specified in Section 113945.1.
- (4) No smoking sign posting requirements, as specified in Section 113978.
- (5) Limitations on employee consumption of food, drink, or tobacco outside of designated areas, as specified in Sections 113977 and 114256.
- (6) Limitations on consumer access to the food facility through food preparation areas, as specified in Section 113984.1.
- (7) Display guard, cover, and container requirements, as specified in Section 114060, provided that any food on display that is not protected from the direct line of a consumer's mouth by an effective means is not served or sold to any subsequent consumer.
- (8) Limitations on outdoor display and sale of foods, as specified in Section 114069.
- (9) Requirements to provide clean drinking cups and tableware for second portions and beverage refills, as specified in Section 114075.
- (10) Requirements pertaining to the characteristics and certification of utensils and equipment, as specified in Sections 114130, 114130.1, and 114139, provided that utensils and equipment are designed to retain their

characteristic qualities under normal use conditions.

- (11) Requirements pertaining to the characteristics, construction, and multiuse of food-contact and nonfood-contact surfaces, as specified in Sections 114130.1, 114130.3, and 114130.4, provided that food contact surfaces are smooth, easily cleanable, and in good repair.
- (12) Requirements pertaining to the characteristics, construction, and disassembly of clean in place (CIP) equipment, as specified in Section 114130.5.
- (13) Limitations on the use of wood as a food contact surface and in connection with other equipment, as specified in Section 114132.
- (14) Any provision in this part relating to ventilation, including, but not limited to, Article 2 (commencing with Section 114149) of Chapter 6, provided that gases, odors, steam, heat, grease, vapors, and smoke are able to escape from the kitchen.
- (15) Requirements that cold or hot holding equipment used for potentially hazardous food be equipped with integral or permanently affixed temperature measuring device or product mimicking sensors, as specified in subdivision (c) of Section 114157.
- (16) Requirements pertaining to the installation of fixed, floor-mounted, and table-mounted equipment, as specified in Section 114169.
- (17) Dedicated laundry facility requirements, as specified in Section 114185.5, provided that linens used in connection with the microenterprise home kitchen operation shall be laundered separately from the household and other laundry.
- (18) Requirements pertaining to water, plumbing, drainage, and waste, as specified in Sections 114193, 114193.1, and 114245.7.
- (19) Any requirement that a microenterprise home kitchen operation have more than one toilet facility or that access to the toilet facility not require passage through the food preparation, food storage, or utensil washing areas, including, but not limited to, the requirements specified in Sections 114250 and 114276.
- (20) Light intensity, light source, and lightbulb requirements, as specified in Sections 114252 and 114252.1, provided that food preparation areas are well lighted by natural or artificial light whenever food is being prepared.
- (21) Requirements to provide and use lockers, storage facilities, and designated dressing areas, and that food facility premises be free of litter and items that are unnecessary to the operation, as specified in Sections 114256.1 and 114257.1, provided that personal effects and clothing not ordinarily found in a home kitchen are placed or stored away from food preparation areas and dressing takes place outside of the kitchen.
- (22) Limitations on the presence and handling of animals, such as domestic, service, or patrol animals, as specified in Sections 114259.4 and 114259.5, provided that all animals, other than service animals, are kept outside of the kitchen and dining areas during food service and preparation.
- (23) Requirements pertaining to floor, wall, and ceiling surfaces, as specified in Sections 114268, 114269, and 114271, provided that the floor, wall, and ceiling surfaces of the kitchen, storage, and toilet areas are smooth, of durable construction, and easily cleanable with no limitations on the use of wood, tile, and other nonfiber floor surfaces ordinarily used in residential settings.
- (24) Any local evaluation or grading system for food facilities, as authorized by Section 113709.
- (25) All prohibitions and limitations on the use of a kitchen in a private home as a food facility, including, but not limited to, prohibitions and limitations specified in Section 114285, provided that food is not prepared in designated sleeping quarters. Open kitchens adjacent to living and sleeping areas, kitchens in efficiency, studio, and loft-style residences, and kitchens without doors at all points of ingress and egress may be used in microenterprise home kitchen operations.
- (26) Planning and permitting provisions of Sections 114380, 114381, and 114381.2.
- (c) A microenterprise home kitchen operation may operate an open-air barbecue or outdoor wood-burning oven, pursuant to the requirements of Section 114143.

- (d) The operator of a microenterprise home kitchen operation shall successfully pass an approved and accredited food safety certification examination, as specified in Section 113947.1.
- (e) Any individual, other than the operator, who is involved in the preparation, storage, or service of food in a microenterprise home kitchen operation shall be subject to the food handler card requirements specified in Section 113948.
- **114367.2.** (a) A microenterprise home kitchen operation shall not be open for business unless it has obtained a permit issued from the local enforcement agency.
- (b) The department shall post on its Internet Web site the requirements for the permitting of a microenterprise home kitchen operation, pursuant to this chapter and any ordinance, resolution, or rules adopted by any city or county, or city and county, that has authorized the permitting of microenterprise home kitchen operations, which shall be written at a high school level.
- (c) The applicant shall submit to the local enforcement agency written standard operating procedures that include all of the following information:
- (1) All food types or products that will be handled.
- (2) The proposed procedures and methods of food preparation and handling.
- (3) Procedures, methods, and schedules for cleaning utensils, equipment, and for the disposal of refuse.
- (4) How food will be maintained at the required holding temperatures, as specified in Section 113996, pending pickup by consumer or during delivery.
- (5) Days and times that the home kitchen will potentially be utilized as a microenterprise home kitchen operation.
- (d) (1) The local enforcement agency shall issue a permit after an initial inspection has determined that the proposed microenterprise home kitchen operation and its method of operation comply with the requirements of this chapter.
- (2) A local enforcement agency shall not require a microenterprise home kitchen operation to comply with food safety requirements that are different from, or in addition to, the requirements of this chapter.
- (e) For purposes of permitting, the permitted area includes the home kitchen, onsite consumer eating area, food storage, utensils and equipment, toilet room, janitorial or cleaning facilities, and refuse storage area. Food operations shall not be conducted outside of the permitted areas.
- (f) A local enforcement agency may require a microenterprise home kitchen operation to renew its permit annually.
- (g) A permit, once issued, is nontransferable. A permit shall be valid only for the person and location specified by that permit, and, unless suspended or revoked for cause, for the time period indicated.
- (h) The permit, or an accurate copy thereof, shall be retained by the operator onsite and displayed at all times the microenterprise home kitchen operation is in operation.
- (i) A local enforcement agency may collect a fee for the issuance of a permit pursuant to this chapter in an amount that does not exceed the reasonable administrative costs by the local enforcement agency in issuing the permit.
- (j) Notwithstanding any other law, if there are multiple local agencies involved in the issuance of any type of permit, license, or other authorization to a microenterprise home kitchen operation, the governing body of the city or county, or city and county, shall designate one lead local agency that shall be vested with the sole authority to accept all applications for, to collect all fees for, and to issue, any permit, license, or other authorization required for a microenterprise home kitchen operation to operate in the city or county, or city and county. A local agency other than the lead local agency shall not accept any applications for, collect any fees for, nor issue, any permits for the same purpose.
- **114367.3.** (a) Notwithstanding any other law, after the initial inspection for purposes of determining compliance with this chapter, a microenterprise home kitchen operation shall not be subject to routine inspections, except

that a representative of a local enforcement agency may access, for inspection purposes, the permitted area of a microenterprise home kitchen operation after the occurrence of either of the following:

- (1) The representative has provided the microenterprise home kitchen operation with reasonable advance notice.
- (2) The representative has a valid reason, such as a consumer complaint, to suspect that adulterated or otherwise unsafe food has been produced or served by the microenterprise home kitchen operation, or that the microenterprise home kitchen operation has otherwise been in violation of this part.
- (b) Notwithstanding any other law, a microenterprise home kitchen operation shall not be subject to more than one inspection each year by the local enforcement agency, except in cases in which the local enforcement agency has valid reason, such as a consumer complaint, to suspect that adulterated or otherwise unsafe food has been produced or served by the microenterprise home kitchen operation, or that the microenterprise home kitchen operation has otherwise been in violation of this part.
- (c) The local enforcement agency shall document the reason for the inspection, keep that documentation on file with the microenterprise home kitchen operation's permit, and provide the reason in writing to the operator of the microenterprise home kitchen operation.
- (d) Access provided under this section is limited to the permitted area of the microenterprise home kitchen operation, during the posted operating hours of the microenterprise home kitchen operation, and solely for the purpose of enforcing or administering this part.
- (e) A local enforcement agency may seek recovery from a microenterprise home kitchen operation of an amount that does not exceed the local enforcement agency's reasonable costs of inspecting the microenterprise home kitchen operation for compliance with this part if the microenterprise home kitchen operation is found to be in violation of this part.
- **114367.4.** (a) (1) A city, county, or city and county shall not prohibit the operation of, require a permit to operate, require a rezone of the property for, or levy any fees on, or impose any other restriction on, a microenterprise home kitchen operation in any residential dwelling for zoning purposes. A microenterprise home kitchen operation shall be a permitted use of residential property in any residential dwelling for zoning purposes if the microenterprise home kitchen operation complies with both of the following criteria:
- (A) Abstain from posting signage or other outdoor displays advertising the microenterprise home kitchen operation.
- (B) Be in compliance with applicable local noise ordinances.
- (2) This subdivision does not supersede or otherwise limit the investigative and enforcement authority of the city, county, or city and county with respect to violations of its nuisance ordinances.
- (b) The use of a residence for the purposes of a microenterprise home kitchen operation shall not constitute a change of occupancy for purposes of the State Housing Law (Part 1.5 (commencing with Section 17910) of Division 13 of the Health and Safety Code), or for purposes of local building and fire codes.
- (c) A microenterprise home kitchen operation shall be considered a residence for the purposes of the State Uniform Building Standards Code and local building and fire codes.
- **114367.5.** (a) A person delivering food on behalf of a microenterprise home kitchen operation with a permit issued pursuant to Section 114367.2 shall be an employee of the operation or a family member or household member of the permitholder, and, if the person drives a motor vehicle in the delivery of the food, the person shall have a valid driver's license.
- (b) The microenterprise home kitchen operation shall keep on file a copy of the valid driver's license of a person delivering food on behalf of the operation.
- **114367.6.** (a) An Internet food service intermediary that lists or promotes a microenterprise home kitchen operation on its Internet Web site or mobile application shall meet all of the following requirements:
- (1) Be registered with the department.
- (2) Prior to the listing or publication of a microenterprise home kitchen operation's offer of food for sale, clearly and conspicuously post on its Internet Web site or mobile application the requirements for the permitting of a

microenterprise home kitchen specified in this chapter, which shall be written at the high school level and be provided by the department.

- (3) Clearly and conspicuously post on its Internet Web site or mobile application the fees associated with using its platform in a manner that allows both the consumer and the microenterprise home kitchen operation to see and understand the amount being charged for the services provided by the Internet food service intermediary. The Internet food service intermediary shall notify microenterprise home kitchen operations of any changes to these fees exceeding a 2-percent increase in writing and no later than one month before the changes take effect.
- (4) Clearly and conspicuously post on its Internet Web site or mobile application whether or not it has liability insurance that would cover any incidence arising from the sale or consumption of food listed or promoted on its Internet Web site or mobile application.
- (5) Provide a dedicated field on its platform for a microenterprise home kitchen operation to post the permit number, and shall provide notice to the microenterprise home kitchen operation of the requirement that the permit number be updated annually.
- (6) Clearly and conspicuously post on its Internet Web site or mobile application how a consumer can contact the Internet food service intermediary through its Internet Web site or mobile application if the consumer has a food safety or hygiene complaint and a link to the department's Internet Web site that contains information for how to file a complaint with the local enforcement agency.
- (7) Submit the name and permit number of a microenterprise home kitchen operation to the local enforcement agency if it receives, through its Internet Web site or mobile application, three or more unrelated individual food safety or hygiene complaints in a calendar year from consumers that have made a purchase through its Internet Web site or mobile application. The Internet food service intermediary shall submit this information to the local enforcement agency within two weeks of the third complaint received.
- (8) If it is notified by the local enforcement agency of significant food safety related complaints from a verified consumer that has made a purchase through its Internet Web site or mobile application, submit to the local enforcement agency the name and permit number of microenterprise home kitchen operation where the food was purchased, and a list of consumers who purchased food on the same day from that microenterprise home kitchen operation through its Internet Web site or mobile application.
- (9) Prior to the listing or publication of a microenterprise home kitchen operation's offer of food for sale, obtain consent from the microenterprise home kitchen operation to make the disclosures to government entities required pursuant to this section.
- (b) For purposes of this chapter, an "Internet food service intermediary" means an entity that provides a platform on its Internet Web site or mobile application through which a microenterprise home kitchen operation may choose to offer food for sale and from which the Internet food service intermediary derives revenues, including, but not limited to, revenues from advertising and fees for services offered to a microenterprise home kitchen operation. Services offered by an Internet food service intermediary to a microenterprise home kitchen operation may include, but are not limited to, allowing a microenterprise home kitchen operation to advertise its food for sale and providing a means for potential consumers to arrange payment for the food, whether the consumer pays directly to the microenterprise home kitchen operation or to the Internet food service intermediary. Merely publishing an advertisement for the microenterprise home kitchen operation or food cooked therein does not make the publisher an Internet food service intermediary.
- SEC. 7. Section 114390 of the Health and Safety Code is amended to read:
- 114390. (a) Enforcement officers shall enforce this part and all regulations adopted pursuant to this part.
- (b) (1) For purposes of enforcement, any authorized enforcement officer may, during the facility's hours of operation and other reasonable times, enter, inspect, issue citations to, and secure any sample, photographs, or other evidence from a food facility, cottage food operation, or any facility suspected of being a food facility or cottage food operation, or a vehicle transporting food to or from a retail food facility, when the vehicle is stationary at an agricultural inspection station, a border crossing, or at any food facility under the jurisdiction of the enforcement agency, or upon the request of an incident commander.
- (2) If a food facility is operating under an HACCP plan, the enforcement officer may, for the purpose of determining compliance with the plan, secure as evidence any documents, or copies of documents, relating to the facility's adherence to the HACCP plan. Inspection may, for the purpose of determining compliance with this

part, include any record, file, paper, process, HACCP plan, invoice, or receipt bearing on whether food, equipment, or utensils are in violation of this part.

- (3) The enforcement officer may, for the purpose of determining compliance with the gross annual sales requirements for operating a microenterprise home kitchen operation or a cottage food operation, require those operations to provide copies of documents related to determining gross annual sales.
- (c) Notwithstanding subdivision (a), an employee may refuse entry to an enforcement officer who is unable to present official identification showing the enforcement officer's picture and enforcement agency name. In the absence of the identification card, a business card showing the enforcement agency's name plus a picture identification card such as a driver's license shall meet this requirement.
- (d) It is a violation of this part for any person to refuse to permit entry or inspection, the taking of samples or other evidence, access to copy any record as authorized by this part, to conceal any samples or evidence, withhold evidence concerning them, or interfere with the performance of the duties of an enforcement officer, including making verbal or physical threats or sexual or discriminatory harassment.
- (e) A written report of the inspection shall be made, and a copy shall be supplied or mailed to the owner, manager, or operator of the food facility.
- **SEC. 8.** (a) Section 4.1 of this bill incorporates amendments to Section 113789 of the Health and Safety Code proposed by both this bill and Assembly Bill 2178. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019, (2) each bill amends Section 113789 of the Health and Safety Code, (3) Assembly Bill 2524 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 2178, in which case Sections 4, 4.2, and 4.3 of this bill shall not become operative.
- (b) Section 4.2 of this bill incorporates amendments to Section 113789 of the Health and Safety Code proposed by both this bill and Assembly Bill 2524. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019, (2) each bill amends Section 113789 of the Health and Safety Code, (3) Assembly Bill 2178 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 2524, in which case Sections 4, 4.1, and 4.3 of this bill shall not become operative.
- (c) Section 4.3 of this bill incorporates amendments to Section 113789 of the Health and Safety Code proposed by this bill, Assembly Bill 2178, and Assembly Bill 2524. That section of this bill shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2019, (2) all three bills amend Section 113789 of the Health and Safety Code, and (3) this bill is enacted after Assembly Bill 2178 and Assembly Bill 2524, in which case Sections 4, 4.1, and 4.2 of this bill shall not become operative.
- **SEC. 9.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.



Assembly Bill No. 377

CHAPTER 536

An act to amend Sections 113825, 114367.1, 114367.2, 114367.5, and 114367.6 of, and to repeal and add Sections 114367 and 114367.3 of, the Health and Safety Code, relating to retail food facilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 7, 2019. Filed with Secretary of State October 7, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 377, Eduardo Garcia. Microenterprise home kitchen operations.

(1) The California Retail Food Code (code) authorizes the governing body of a city, county, or city and county, by ordinance or resolution, to permit microenterprise home kitchen operations if certain conditions are met. The code requires a microenterprise home kitchen operation, as a restricted food service facility, to meet specified food safety standards. A

violation of the code is generally a misdemeanor.

This bill would prohibit a microenterprise home kitchen operation from producing, manufacturing, processing, freezing, or packaging milk or milk products, including, but not limited to, cheese and ice cream. The bill would modify the conditions for a city, county, or city and county to permit microenterprise home kitchen operations within its jurisdiction. The bill would modify the inspections and food safety standards applicable to microenterprise home kitchen operations. The bill would prohibit an internet food service intermediary or a microenterprise home kitchen operation from using the word "catering" or any variation of that word in a listing or advertisement of a microenterprise home kitchen operation's offer of food for sale. The bill would require a microenterprise home kitchen operation to include specific information, including its permit number, in its advertising. The bill would prohibit a third-party delivery service from delivering food produced by a microenterprise home kitchen operation, except to an individual who has a physical or mental condition that is a disability which limits the individual's ability to access the food without the assistance of a third-party delivery service. By expanding the scope of a crime for a violation of the code, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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(3) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 113825 of the Health and Safety Code is amended to read:

- 113825. (a) "Microenterprise home kitchen operation" means a food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to, consumers, and that meets all of the following requirements:
- (1) The operation has no more than one full-time equivalent food employee, not including a family member or household member.

(2) Food is prepared, cooked, and served on the same day.

- (3) Food is consumed onsite at the microenterprise home kitchen operation or offsite if the food is picked up by the consumer or delivered within a safe time period based on holding equipment capacity.
- (4) Food preparation does not involve processes that require a HACCP plan, as specified in Section 114419, or the production, service, or sale of raw milk or raw milk products, as defined in Section 11380 of Title 17 of the California Code of Regulations.
 - (5) The service and sale of raw oysters is prohibited.
- (6) The production, manufacturing, processing, freezing, or packaging of milk or milk products, including, but not limited to, cheese, ice cream, yogurt, sour cream, and butter, is prohibited.
- (7) Food preparation is limited to no more than 30 individual meals per day, or the approximate equivalent of meal components when sold separately, and no more than 60 individual meals, or the approximate equivalent of meal components when sold separately, per week. The local enforcement agency may decrease the limit of the number of individual meals prepared based on food preparation capacity of the operation, but shall not, in any case, increase the limit of the number of individual meals prepared.
- (8) The operation has no more than fifty thousand dollars (\$50,000) in verifiable gross annual sales, as adjusted annually for inflation based on the California Consumer Price Index.
- (9) The operation only sells food directly to consumers and not to any wholesaler or retailer. For purposes of this paragraph, the sale of food prepared in a microenterprise home kitchen operation through the internet website or mobile application of an Internet food service intermediary, as defined in Section 114367.6, is a direct sale to consumers. An operation that sells food through the internet website or mobile application of an Internet food service intermediary shall consent to the disclosures specified in paragraphs (6) and (7) of subdivision (a) of Section 114367.6.
- (b) "Microenterprise home kitchen operation" does not include either of the following:
 - (1) A catering operation.

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- (2) A cottage food operation, as defined in Section 113758.
- (c) For purposes of this section, "resident of a private home" means an individual who resides in the private home when not elsewhere for labor or other special or temporary purpose.
 - SEC. 2. Section 114367 of the Health and Safety Code is repealed.
- SEC. 3. Section 114367 is added to the Health and Safety Code, to read: 114367. The governing body of a city, county, or city and county that is designated as the enforcement agency, as defined in Section 113773, may authorize, by ordinance or resolution, within its jurisdiction the permitting of microenterprise home kitchen operations in accordance with this chapter. If a governing body of a city, county, or city and county authorizes the permitting of microenterprise home kitchen operations, the authorization shall apply to all areas within its jurisdiction, including being applicable to all cities within a county that authorizes microenterprise home kitchen operations, regardless of whether each city located within the jurisdiction of the county separately authorizes them.
- SEC. 4. Section 114367.1 of the Health and Safety Code is amended to read:
- 114367.1. (a) A microenterprise home kitchen operation, as defined in Section 113825, shall be considered a restricted food service facility for purposes of, and subject to all applicable requirements of, Chapter 1 (commencing with Section 113700) to Chapter 9 (commencing with Section 114265), inclusive, and Chapter 13 (commencing with Section 114380), except as otherwise provided in this chapter.
- (b) A microenterprise home kitchen operation shall be exempt from all of the following provisions:
- (1) Handwashing facilities requirements, as required in Section 113953, provided that a handwashing sink is supplied with warm water and located in the toilet room and supplied, as specified in Section 113953.2.
- (2) Any provision in this part relating to sinks, warewashing machines, and manual or machine sanitation, including, but not limited to, Sections 114099, 114099.2, 114099.4, 114101.1, 114101.2, 114103, 114107, 114123, 114125, 114163, and 114279, provided that all of the following conditions are met:
 - (A) Utensils and equipment are able to be properly cleaned and sanitized.
- (B) The sink in a microenterprise home kitchen operation has hot and cold water and is fully operable.
- (C) If a dishwasher is used, it shall be operated in accordance with the manufacturer's specifications.
- (3) Prohibition on the presence of persons unnecessary to the food facility operation in the food preparation, food storage, or warewashing areas, as specified in Section 113945.1, provided that the permitholder takes steps to avoid any potential contamination to food, clean equipment, utensils, and unwrapped single-service and single-use articles and prevents a person suffering from symptoms associated with acute gastrointestinal illness or person known to be infected with a communicable disease that is

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transmissible through food to enter the food preparation area while food is being prepared as part of a microenterprise home kitchen operation.

- (4) No smoking sign posting requirements, as specified in Section 113978.
- (5) Limitations on employee consumption of food, drink, or tobacco outside of designated areas, as specified in Sections 113977 and 114256, provided that the permitholder takes steps to avoid any potential contamination to food, clean equipment, utensils, and unwrapped single-service and single-use articles and prevents a person suffering from symptoms associated with acute gastrointestinal illness or person known to be infected with a communicable disease that is transmissible through food to enter the food preparation area while food is being prepared as part of a microenterprise home kitchen operation.
- (6) Limitations on consumer access to the food facility through food preparation areas, as specified in Section 113984.1, provided that the permitholder takes steps to avoid any potential contamination to food, clean equipment, utensils, and unwrapped single-service and single-use articles and prevents a person suffering from symptoms associated with acute gastrointestinal illness or person known to be infected with a communicable disease that is transmissible through food to enter the food preparation area while food is being prepared as part of a microenterprise home kitchen operation.
- (7) Display guard, cover, and container requirements, as specified in Section 114060, provided that any food on display that is not protected from the direct line of a consumer's mouth by an effective means is not served or sold to any subsequent consumer.
- (8) Requirements to provide clean drinking cups and tableware for second portions and beverage refills, as specified in Section 114075.
- (9) Requirements pertaining to the characteristics and certification of utensils and equipment, as specified in Sections 114130 and 114139, provided that utensils and equipment are designed to retain their characteristic qualities under normal use conditions.
- (10) Requirements pertaining to the characteristics, construction, and multiuse of food-contact and nonfood-contact surfaces, as specified in Sections 114130.3 and 114130.4, provided that food contact surfaces are smooth, easily cleanable, and in good repair.
- (11) Requirements pertaining to the characteristics, construction, and disassembly of clean in place (CIP) equipment, as specified in Section 114130.5.
- (12) Limitations on the use of wood as a food contact surface and in connection with other equipment, as specified in Section 114132, provided that hard maple or equivalent wood is approved for use in direct contact with food during preparation.
- (13) Any provision in this part relating to ventilation, including, but not limited to, Article 2 (commencing with Section 114149) of Chapter 6, provided that gases, odors, steam, heat, grease, vapors, and smoke are able to escape from the kitchen.

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(14) Requirements that cold or hot holding equipment used for potentially hazardous food be equipped with integral or permanently affixed temperature measuring device or product mimicking sensors, as specified in subdivision (c) of Section 114157.

(15) Requirements pertaining to the installation of fixed, floor-mounted,

and table-mounted equipment, as specified in Section 114169.

- (16) Dedicated laundry facility requirements, as specified in Section 114185.5, provided that linens used in connection with the microenterprise home kitchen operation shall be laundered separately from the household and other laundry.
- (17) Requirements pertaining to water, plumbing, drainage, and waste, as specified in Sections 114193, 114193.1, and 114245.7.
- (18) Any requirement that a microenterprise home kitchen operation have more than one toilet facility or that access to the toilet facility not require passage through the food preparation, food storage, or utensil washing areas, including, but not limited to, the requirements specified in Sections 114250 and 114276.

(19) Light intensity, light source, and lightbulb requirements, as specified in Sections 114252 and 114252.1, provided that food preparation areas are well lighted by natural or artificial light whenever food is being prepared.

- (20) Requirements to provide and use lockers, storage facilities, and designated dressing areas, and that food facility premises be free of litter and items that are unnecessary to the operation, as specified in Sections 114256.1 and 114257.1, provided that personal effects and clothing not ordinarily found in a home kitchen are placed or stored away from food preparation areas and dressing takes place outside of the kitchen.
- (21) Limitations on the presence and handling of animals, such as domestic, service, or patrol animals, as specified in Sections 114259.4 and 114259.5, provided that all animals are kept outside of the kitchen during food service and preparation.
- (22) Requirements pertaining to floor, wall, and ceiling surfaces, as specified in Sections 114268, 114269, and 114271, provided that the floor, wall, and ceiling surfaces of the kitchen, storage, and toilet areas are smooth, of durable construction, and easily cleanable with no limitations on the use of wood, tile, and other nonfiber floor surfaces ordinarily used in residential settings.
- (23) Any local evaluation or grading system for food facilities, as authorized by Section 113709.
- (24) All prohibitions and limitations on the use of a kitchen in a private home as a food facility, including, but not limited to, prohibitions and limitations specified in Section 114285, provided that food is not prepared in designated sleeping quarters. Open kitchens adjacent to living and sleeping areas, kitchens in efficiency, studio, and loft-style residences, and kitchens without doors at all points of ingress and egress may be used in microenterprise home kitchen operations.
 - (25) Planning and permitting provisions of Sections 114380 and 114381.2.

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- (c) A microenterprise home kitchen operation may operate an open-air barbecue or outdoor wood-burning oven, pursuant to the requirements of Section 114143.
- (d) The operator of a microenterprise home kitchen operation shall successfully pass an approved and accredited food safety certification examination, as specified in Section 113947.1.
- (e) Any individual, other than the operator, who is involved in the preparation, storage, or service of food in a microenterprise home kitchen operation shall be subject to the food handler card requirements specified in Section 113948.
- (f) A microenterprise home kitchen operation shall only offer for sale or sell food that was prepared during a food demonstration or preparation event to a consumer who was present at that food demonstration or preparation event.
- SEC. 5. Section 114367.2 of the Health and Safety Code is amended to read:
- 114367.2. (a) A microenterprise home kitchen operation shall not be open for business unless it has obtained a permit issued from the enforcement agency.
- (b) The department shall post on its internet website the requirements for the permitting of a microenterprise home kitchen operation, pursuant to this chapter and any ordinance, resolution, or rules adopted by any city, county, or city and county, that has authorized the permitting of microenterprise home kitchen operations, which shall be written at a high school level.
- (c) The applicant shall submit to the enforcement agency written standard operating procedures that include all of the following information:
 - (1) All food types or products that will be handled.
- (2) The proposed procedures and methods of food preparation and handling.
- (3) Procedures, methods, and schedules for cleaning utensils, equipment, and for the disposal of refuse.
- (4) How food will be maintained at the required holding temperatures, as specified in Section 113996, pending pickup by consumer or during delivery.
- (5) Days and times that the home kitchen may potentially be utilized as a microenterprise home kitchen operation. The stated days and times are not binding on the permitholder and shall be used for information purposes only.
- (d) (1) The enforcement agency shall issue a permit after an initial inspection has determined that the proposed microenterprise home kitchen operation and its method of operation comply with the requirements of this chapter.
- (2) An enforcement agency shall not require a microenterprise home kitchen operation to comply with food safety requirements that are different from, or in addition to, the requirements of this chapter.

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(e) For purposes of permitting, the permitted area includes the home kitchen, onsite consumer eating area, food storage, utensils and equipment, toilet room, janitorial or cleaning facilities, and refuse storage area. Food operations shall not be conducted outside of the permitted areas.

(f) An enforcement agency may require a microenterprise home kitchen

operation to renew its permit annually.

(g) A permit, once issued, is nontransferable. A permit shall be valid only for the person and location specified by that permit, and, unless suspended or revoked for cause, for the time period indicated.

(h) The permit, or an accurate copy thereof, shall be retained by the operator onsite and displayed at all times the microenterprise home kitchen

operation is in operation.

- (i) An enforcement agency may collect a fee for the issuance of a permit pursuant to this chapter in an amount that does not exceed the reasonable administrative costs by the enforcement agency in issuing the permit.
- SEC. 6. Section 114367.3 of the Health and Safety Code is repealed. SEC. 7. Section 114367.3 is added to the Health and Safety Code, to read:

114367.3. (a) Notwithstanding any other law, a microenterprise home kitchen operation shall only be subject to the three following types of inspections by the enforcement agency:

- (1) A routine inspection for the purpose of allowing the enforcement agency to observe the permitholder engage in the usual activities of a microenterprise home kitchen operation, including, but not limited to, active food preparation. The enforcement agency shall provide notice to a permitholder before a routine inspection and shall conduct the routine inspection at a mutually agreeable date and time. A microenterprise home kitchen operation shall not be subject to more than one routine inspection within 12 months. This paragraph shall not be deemed to require the enforcement agency to conduct a routine inspection.
- (2) An investigation inspection for the purpose of allowing the enforcement agency to perform an inspection when the enforcement agency has just cause that adulterated or otherwise unsafe food has been produced or served by the microenterprise home kitchen operation or that the permitholder has otherwise violated this part. One or more consumer complaints may constitute just cause for an investigation inspection. The enforcement agency shall provide notice to a permitholder before an investigation inspection and shall conduct the investigation inspection at a mutually agreeable date and time.
- (3) An emergency inspection for the purpose of allowing the enforcement agency to perform a limited inspection when the enforcement agency has just cause that the microenterprise home kitchen operation poses a serious hazard or immediate threat to public health. To the extent that notice of an emergency inspection is reasonable under the circumstances, the enforcement agency shall provide notice to a permitholder before an emergency inspection. The scope of emergency inspection shall be limited in duration and scope to address the facts giving just cause that the microenterprise

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home kitchen operation poses a serious hazard or immediate threat to public health.

- (b) The enforcement agency shall only inspect the permitted area of the microenterprise home kitchen operation for the purpose of enforcing or administering this part.
- (c) The enforcement agency may seek recovery from a microenterprise home kitchen operation of an amount that does not exceed the enforcement agency's reasonable costs of inspecting the microenterprise home kitchen operation for compliance with this part if the microenterprise home kitchen operation is found to be in violation of this part.
- SEC. 8. Section 114367.5 of the Health and Safety Code is amended to read:
- 114367.5. (a) A person delivering food on behalf of a microenterprise home kitchen operation with a permit issued pursuant to Section 114367.2 shall be an employee of the microenterprise home kitchen operation or a family member or household member of the permitholder.
- (b) (1) Except as provided in paragraph (2), food produced in a microenterprise home kitchen operation shall not be delivered by a third-party delivery service.
- (2) (A) Food produced in a microenterprise home kitchen operation may be delivered by a third-party delivery service to an individual who has a physical or mental condition that is a disability which limits the individual's ability to access the food without the assistance of a third-party delivery service.
- (B) A microenterprise home kitchen operation or an internet food service intermediary that offers or facilitates food delivery pursuant to subparagraph (A) shall do all of the following:
- (i) Record and maintain a record of the number and dates of food deliveries made pursuant to subparagraph (A). A microenterprise home kitchen operation shall make the record available to an enforcement agency pursuant to any inspection authorized pursuant to Section 114367.3. An internet food service intermediary shall make the record available to an enforcement agency upon request.
- (ii) Clearly and conspicuously post on its internet website or mobile application alongside any mention of third-party delivery options a notice that a third-party delivery service is prohibited from delivering food except to an individual who has a physical or mental condition that is a disability which limits the individual's ability to access the food without the assistance of a third-party delivery service.
- (C) Food delivery by a third-party delivery service pursuant to subparagraph (A) does not apply to dine-in meals sold for consumption on the premises of a microenterprise home kitchen or to cooking classes or demonstrations.
- SEC. 9. Section 114367.6 of the Health and Safety Code is amended to read:

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114367.6. (a) An internet food service intermediary that lists or promotes a microenterprise home kitchen operation on its internet website or mobile application shall meet all of the following requirements:

(1) Be registered with the department. A registration, once issued, is nontransferable. A registration shall be valid only for the person and type of business specified by that registration, and unless suspended or revoked

for cause by the department.

- (2) Prior to the listing or publication of a microenterprise home kitchen operation's offer of food for sale, clearly and conspicuously post on its internet website or mobile application the requirements for the permitting of a microenterprise home kitchen specified in this chapter, which shall be written at the high school level and be provided by the department.
- (3) Clearly and conspicuously post on its internet website or mobile application the fees associated with using its platform and fees associated with third-party delivery service pursuant to paragraph (2) of subdivision (b) of Section 114367.5 in a manner that allows both the consumer and the microenterprise home kitchen operation to see and understand the amount being charged for the services provided by the internet food service intermediary. The internet food service intermediary shall notify the microenterprise home kitchen operation of any changes to these fees exceeding a 2-percent increase in writing and no later than one month before the changes take effect.
- (4) Clearly and conspicuously post on its internet website or mobile application whether or not it has liability insurance that would cover any incidence arising from the sale or consumption of food listed or promoted on its internet website or mobile application.
- (5) Provide a dedicated field on its platform for a microenterprise home kitchen operation to post the permit number and the name of the enforcement agency that issued the permit.
- (6) Clearly and conspicuously post on its internet website or mobile application how a consumer can contact the internet food service intermediary through its internet website or mobile application if the consumer has a food safety or hygiene complaint and a link to the department's internet website that contains information for how to file a complaint with the enforcement agency.
- (7) Submit the name and permit number of a microenterprise home kitchen operation to the enforcement agency that issued the permit to the microenterprise home kitchen operation if the internet food service intermediary receives, through its internet website or mobile application, three or more unrelated individual food safety or hygiene complaints in a calendar year from consumers that have made a purchase through its internet website or mobile application. The internet food service intermediary shall submit this information to the enforcement agency within two weeks of the third complaint received.
- (8) If it is notified by the enforcement agency of significant food safety related complaints from a verified consumer that has made a purchase through its internet website or mobile application, submit to the enforcement

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agency the name and permit number of the microenterprise home kitchen operation where the food was purchased, and a list of consumers who purchased food on the same day from that microenterprise home kitchen operation through its internet website or mobile application.

- (9) Prior to the listing or publication of a microenterprise home kitchen operation's offer of food for sale, obtain consent from the microenterprise home kitchen operation to make the disclosures to government entities required pursuant to this section.
- (10) Shall not permit the use of the word "catering" or any variation of that word in a listing or publication of a microenterprise home kitchen operation's offer of food for sale.
- (11) Shall not use, or knowingly facilitate the use of, a third-party delivery service for food produced by the microenterprise home kitchen operation, except as authorized pursuant to paragraph (2) of subdivision (b) of Section 114367.5.
- (b) For purposes of this chapter, an "internet food service intermediary" means an entity that provides a platform on its internet website or mobile application through which a microenterprise home kitchen operation may choose to offer food for sale and from which the internet food service intermediary derives revenues, including, but not limited to, revenues from advertising and fees for services offered to a microenterprise home kitchen operation. Services offered by an internet food service intermediary to a microenterprise home kitchen operation may include, but are not limited to, allowing a microenterprise home kitchen operation to advertise its food for sale and providing a means for potential consumers to arrange payment for the food, whether the consumer pays directly to the microenterprise home kitchen operation or to the internet food service intermediary. Merely publishing an advertisement for the microenterprise home kitchen operation or food cooked therein does not make the publisher an internet food service intermediary.
- (c) (1) A microenterprise home kitchen operation that advertises to the public, including, but not limited to, advertising by website, internet, social media platform, newspaper, newsletter, or other public announcement, shall include all of the following within the advertisement:
 - (A) Name of the enforcement agency that issued the permit.
 - (B) Permit number.
- (C) Statement that the food prepared is "Made in a Home Kitchen" in a clear and conspicuous font and location within a written advertisement and an audible and comprehensible manner in a verbal advertisement.
- (2) A microenterprise home kitchen operation shall not use the word "catering" or any variation of that word in an advertisement relating to the microenterprise home kitchen operation's offer of food for sale.
- SEC. 10. No reimbursement is required by this act pursuant to Section 6 of Article XIIIB of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of

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Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIIIB of the California Constitution.

SEC. 11. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

To ensure a uniform implementation of the health and food safety responsibilities of microenterprise home kitchen operations throughout the state, it is necessary that this act take effect immediately.

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

	ORDIN	ANCE	NO.	
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AN ORDINANCE OF THE COUNTY OF LAKE REGULATING MICROENTERPRISE HOME KITCHEN OPERATIONS AND INCORPORATING BY REFERENCE HEALTH AND SAFETY CODE SECTIONS 113789, 113825, 114367, 114367.1 – 114367.6 AND 114390

The Board of Supervisors of the County of Lake County ordains as follows:

Section 1. PURPOSE AND INTENT. The purpose and intent of this Ordinance is to allow for small-scale, direct food sales from home-based food facilities to prioritize locally prepared foods to consumers. This entry into the food economy will help provide access to guidelines, training, and safety resources.

Section 2. AUTHORITY. Assembly Bill 626 was passed on September 18, 2018, adding to, and amending sections of the California Health and Safety Code, relating to food safety. This ordinance is adopted in accordance with Assembly Bill 626 and pursuant to the Board of Supervisors' police powers as set forth under Article XI, section 7 of the California Constitution. This Ordinance shall be administered and implemented by the Lake County Department of Environmental Health.

Section 3. DEFINITIONS. The definitions set forth in Health and Safety Code section 113789 are incorporated by reference in this ordinance. The following terms are consistent with California Health and Safety Code Section 113825 and shall have the following meanings:

- A. Department. Lake County Department of Environmental Health.
- B. Enforcement Officer. The Director of Environmental Health and his or her duly authorized designees.
- C. Microenterprise Home Kitchen Operation Operator. The resident of the private home who holds the permit for the MHKO and is responsible for the operation.
- D. Microenterprise Home Kitchen Operation (MHKO). As defined by section 113825 of the California Health and Safety Code, is a food facility with gross annual sales limits set forth in subdivision (a) subsection (7) of section 113825 operated by a MKHO Operator and having not more than one full-time equivalent food employee, not including a family member or household member of the MHKO Operator, and conducted within the Permitted Area of a private home where the MHKO Operator resides and where Microenterprise Home Kitchen foods are prepared or packaged for direct sales or delivery to consumers pursuant to section 113825 subdivision (a) subsection (3) of the Health and Safety Code.
- E. Permitted Area. A private home kitchen described and authorized in the permit for the MHKO, on-site consumer eating area, toilet room, janitorial or cleaning facilities, refuse storage area, and attached rooms within the home that are used exclusively for food, utensil and equipment storage. Detached accessory buildings, including garages, and sleeping quarters, enclosed patios or second units are not included as a Permitted Area.
- F. Resident of a Private Home. An individual who resides in the private home when not elsewhere for labor or other special or temporary purposes.

Section 4. INSPECTIONS. The Department shall inspect MHKO upon the initial application, as well as on an annual basis, or due to a consumer complaint, if there is reason to suspect that unsafe food has been produced, or there is another violation of this Ordinance. An inspection form provided by the

Department shall be used for all inspections. An inspection will be conducted after reasonable advanced notice is given to the Resident of a Private Home and will include Permitted Areas and vehicles used for transporting food to or from a MHKO. The Department may seek cost recovery, based on the hourly rate established in the current version of Lake County Master Fee Schedule if additional inspections or complaint investigations are required to ensure compliance with this Ordinance.

A. If the applicant refuses to allow an inspection, or is otherwise unable to allow an inspection within a reasonable time, permits may be denied, revoked, or placed on hold.

Section 5. OPERATING REQUIREMENTS. Consistent with the operational requirements set forth in California Health and Safety Code Section 114367, et seq., a MHKO shall comply with the following:

- A. No MHKO food preparation, packaging, or handling may occur concurrent with any other domestic activities, including, but not limited to, family meal preparation, guest entertaining, or dishwashing.
- B. Other than service animals, as defined in section 35.104 of Title 28 of the Code of Federal Regulation, all animals shall be excluded from the kitchen and dining areas during food service and preparation.
- C. Equipment and utensils used to produce MHKO food shall be smooth, easily cleanable, and maintained in a good state of repair.
- D. All food contact surfaces, equipment, and utensils used for the preparation, packaging, or handling of any MHKO food shall be washed, rinsed, and sanitized before each use.
- E. All MHKO food must be stored, prepared, packaged, transported, and kept for sale, and served to be pure and free from adulteration and spoilage and shall be maintained protected from contamination.
- F. All MHKO potentially hazardous food must be stored and transported with proper internal food temperatures.
- G. All Permitted Areas and vehicles used to transport shall be maintained clean, sanitary, in a good state of repair, and free of rodents and insects.
- H. No preparation, packaging, storage, or handling of MHKO food and related ingredients and/or equipment shall occur outside of the Permitted Area.
- I. A person with a contagious illness shall not work in the MHKO.
- J. A person involved in the preparation or packaging of MHKO food shall keep his or her hands and exposed portions of his or her arms clean and shall properly wash his or her hands before any food preparation or packaging activity.
- K. Water used during the preparation of MHKO food products shall meet potable drinking water standards.
- L. The private sewage disposal system must be adequate for the additional liquid waste.
- M. The MHKO Operator shall successfully pass an approved and accredited food safety manager certification examination.
- N. Any person(s) involved with the MHKO shall obtain a Food Handler Certification prior to receiving a valid MHKO permit.
- O. The MHKO Operator shall submit and maintain standard operating procedures with a complete menu, and operational days/hours.
- P. Only one (1) MHKO may operate per site.
- Q. No signage or other outdoor displays advertising the MHKO are allowed.

- R. All MHKO food shall be prepared, cooked, and served on the same day.
- S. MHKO food shall be consumed onsite at the MHKO, offsite if the food is picked up by the consumer or delivered to the consumer. The sale of MHKO food through an internet food service intermediary is a direct sale. The MHKO cannot provide food to any wholesaler or retailer for resale and is not a Cottage Food Operation as defined in section 113758 of the California Health and Safety Code nor a catering operation as defined in section 113739.1 subdivision (a) of the California Health and Safety Code.
- T. A person who delivers food on behalf of a MHKO shall be an employee, or family member or household member of the MHKO Operator.
- U. Only California Department of Public Health approved internet food service intermediaries may be used.
- V. MHKO may not engage in food processes that would require a HACCP plan as specified in section 114419 of the California Health and Safety Code, or produce, serve, or sell raw milk or raw milk products as defined in section 11380 of Title 17 of the California Code of Regulations, or serve raw oysters.
- W. Food preparation is limited to no more than 30 individual meals per day, or the approximate equivalent of meal components when sold separately, and no more than 60 individual meals per week, or the approximate equivalent of meal components when sold separately. The Department may decrease the number of individual meals prepared based on the food preparation capacity of the MHKO, but shall not, in any case, increase the limit of the number of individual meals prepared.
- X. The MHKO has no more than fifty thousand dollars (\$50,000) in verifiable gross annual sales, as adjusted annually for inflation based on the California Consumer Price Index.
- Y. For MHKO with cooking equipment, a properly charged and maintained minimum 10 BC-rated fire extinguisher to combat grease fires shall be readily accessible and a first aid kit shall be provided and located in a convenient, accessible area.
- Z. Special accommodations may be required during a Public Health Emergency

Section 6. PERMIT FEES & PLAN CHECK. No person shall conduct a MHKO without holding a valid permit issued by the Department. Application for a permit shall be made upon a form issued by the Department and shall be accompanied by a fee as listed below:

- A. Annual Permit \$256 This fee covers annual inspections

 Plan Check \$128/hr This fee covers the initial plan checks as well as address changes, facility remodel, or menu changes
 - A minimum of one (1) hour shall be collected at time of application. Additional time may be billed out at 15-minute increments should additional time be required.

The Annual Permit and Plan Check fee listed in this section shall be valid until such time as the Lake County Master Fee Schedule is revised to incorporate this new fee therein. Prior to incorporating these new fees into the Lake County Master Fee Schedule, a time/cost accounting study will be completed to ensure that the proposed fee is adequate and fair or adjusted accordingly. Once the Lake County Master Fee Schedule has been updated, the fee listed in this Section shall be void and the fee in the Lake County Master Fee Schedule shall be the valid fee. Any annual permit shall be valid until the end of the calendar year in which it is obtained. The application shall not be deemed as completed unless accompanied with documentation indicating that all applicable planning requirements have been met. A permit is not

transferrable. The owner of the property, if different from the MHKO Operator, must provide written consent for the MHKO, prior to the issuance of a permit from this Department.

Prior to obtaining a MHKO permit, applicants will be required to obtain the following approvals:

- Approved Property for Use
 - Applicant shall provide proof of ownership or approval from the owner of the property where MHKO activities will occur.

Water

- Whether a well or a water district, water shall meet minimum requirements for use in a MHKO.
- There may be indirect costs for using water for commercial purposes and for manufacturing consumable goods. Any additional costs related to meeting potable water standards are the responsibility of the applicant.

Sewer

- Whether a septic or sewer district, sewer shall meet minimum requirements for use in a MHKO, including the need for a grease trap.
- There may be indirect costs for installing or upgrading plumbing to meet minimum requirements. Any additional costs related to meeting wastewater standards are the responsibility of the applicant.

Permit

- The applicant shall obtain the appropriate permit from Lake County Community
 Development, or city jurisdiction Planning Department, to ensure that the location is
 appropriate for licensing. MHKO permits are only allowed in residential districts.
 - For delivery only MHKO permits, a zoning permit from Lake County Community Development is required.
 - If applicant is located within a city jurisdiction, obtain the appropriate permit from their planning department if such permits are available
 - For curbside pickup MHKO permits, applicant may need to obtain a minor use permit due to traffic and parking.
 - If applicant is located within a city jurisdiction, obtain the appropriate permit from their planning department if such permits are available

• Business License

• The applicant shall obtain a business license from the jurisdiction where MHKO activities will occur, if the jurisdiction requires a business license.

Section 7. PILOT PROGRAM. In order to ensure that the MHKO program will be successful, a pilot program will begin as of January 1, 2021. With any new program created, there is a learning curve from the staff and from the applicant perspective. The goal is to serve the public as best as we can to allow for applicants to obtain a permit efficiently and to ensure the safety of the products provided to the public through all MHKO.

- A. The pilot program will allow for a maximum of ten (10) permits in total with only two (2) permits approved per month.
- B. A maximum of two (2) permits per supervisorial districts will be allowed.

C. A review of the pilot program with possible expansion of the program will occur as of July 1, 2021.

Section 8. ENFORCEMENT. Notwithstanding the remedies set forth in California Health and Safety Code Sections 114390, 114405, and 114409, the Department reserves the right to issue administrative citations in accordance with Government Code section 53069.4. An administrative citation may be issued for any violation of this Ordinance. The following procedures shall govern the imposition, enforcement, collection and administrative review of administrative citations and penalties.

- A. Notice of Violation. If the violation is not corrected within the period stated in the notice of violation, or if the violation creates an immediate danger to health or safety, an administrative citation may be issued by the Enforcement Officer. The notice of violation shall specify the manner in which the conditions of the MHKO violate the provisions of this Ordinance and the corrective actions required to correct the condition or conduct. The notice shall also state that failure to come into compliance with this Ordinance could subject the registrant or permittee of the MHKO to administrative and criminal penalties. The failure of the notice to set forth all required contents shall not affect the validity of the proceedings.
- B. Content of Citation. The administrative citation shall be issued on a form approved by County Counsel and shall contain the information listed below. The failure of the citation to set forth all required contents shall not affect the validity of the proceedings.
 - 1. Date, location, and approximate time the violation was observed.
 - 2. The Ordinance section violated and a brief description of the violation.
 - 3. The amount of the administrative penalty imposed for the violation.
 - 4. Instructions for the payment of the penalty, the time period by which it shall be paid, and the consequences of failure to pay the penalty within this time period.
 - 5. Instructions on how to appeal the citation.
 - 6. The signature of the Enforcement Officer.

C. Service of Citation.

- If the registrant, permittee or other person who has violated the Ordinance is
 present at the scene of the violation, the Enforcement Officer shall attempt to
 obtain their signature on the administrative citation and shall deliver a copy of the
 administrative citation to them.
- 2. If the registrant, permittee or other person who has violated the Ordinance cannot be located at the property, then the administrative citation shall be posted in a conspicuous place on or near the property and a copy mailed by certified mail, return receipt requested to the registrant or permittee who has violated the Ordinance. The citation shall be mailed to the property address and/or the address listed for the owner on the last County Equalized Assessment Roll.
- 3. The failure of any interested person to receive the citation shall not affect the validity of the proceedings.

D. Administrative Penalties.

- 1. The penalties assessed for each violation shall not exceed the following amounts:
 - a.\$100.00 for a first violation;
 - b.\$200.00 for a second violation of the same Ordinance within one year; and

- c. \$500.00 for each additional violation of the same Ordinance within one year.
- 2. If the violation is not corrected, additional administrative citations may be issued for the same violation. The amount of the penalty shall increase at the rate specified above.
- 3. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.
- 4. The penalties assessed shall be payable to the County of Lake.
- 5. Penalties assessed pursuant to this section shall be in addition to the recovery of costs representing staff time necessary for the investigation of violations of this Ordinance and/or its enforcement.

E. Administrative Appeal.

- 1. Notice of Appeal. The recipient of an administrative citation may appeal the citation by filing a written notice of appeal with the Department. The written notice of appeal must be filed within twenty (20) days of the service of the administrative citation. Failure to file a written notice of appeal within this time period shall constitute a waiver of the right to appeal the administrative citation. The notice of appeal shall contain the following information:
 - a. A brief statement setting forth the appellant's interest in the proceedings;
 - b.A brief statement of the material facts which the appellant claims supports his/her contention that no administrative penalty should be imposed or that an administrative penalty of a different amount is warranted;
 - c. An address at which the appellant agrees notice of any additional proceeding or an order relating to the imposition of the administrative penalty may be received by mail.
 - d. The notice of appeal must be signed by the appellant.
- 2. Administrative Hearing. Upon a timely written request by the recipient of the administrative citation, an administrative hearing shall be held as follows:
 - a. Notice of Hearing. Notice of the administrative hearing shall be given at least ten (10) days before the hearing to the person requesting the hearing. The notice may be delivered to the person or may be mailed to the address listed in the notice of appeal.
 - b. Hearing Officer. The administrative hearing shall be held before the Board of Supervisors, the County Hearing Officer or the County Hearing Board. The hearing officer shall not be the Enforcement Officer who issued the administrative citation or their immediate supervisor or subordinate. The Board of Supervisors, the County Hearing Officer or the County Hearing Board may contract with a qualified provider to conduct administrative hearings or to process administrative citations.
 - c. Conduct of the Hearing. Except as may be required by the hearing officer, the Enforcement Officer who issued the administrative citation is not required to participate in the administrative hearing. The contents of the Enforcement Officer's file in the case shall be admitted as prima facie

- evidence of the facts stated therein. The hearing officer shall not be limited by the technical rules of evidence. If the person requesting the appeal fails to appear at the administrative hearing, the hearing officer shall make his or her determination based on the information contained in the notice of appeal.
- d. Hearing Officer's Decision. The hearing officer's decision following the administrative hearing shall be delivered to the person requesting the hearing personally or sent by mail. The hearing officer may allow payment of the administrative penalty in installments, if the person provides evidence satisfactory to the hearing officer of an inability to pay the penalty in full. The hearing officer's decision shall contain instructions for obtaining review of the decision by the superior court.
- F. Review of Administrative Hearing Officer's Decision.
 - 1. Notice of Appeal. Within twenty (20) days of the date of the delivery or mailing of the hearing officer's decision, a person may contest that decision by filing an appeal to be heard by the superior court. The fee for filing the notice of appeal is twenty-five dollars (\$25.00). The failure to file the written appeal and to pay the filing fee within this period shall constitute a waiver of the right to an appeal and the decision shall be deemed confirmed. A copy of the notice of appeal shall be served in person or by first class mail upon the issuing agency by the contestant.
 - 2. Conduct of Hearing. The conduct of the appeal is a subordinate judicial duty and may be performed by traffic trial commissioners and other subordinate judicial officials at the direction of the presiding judge of the court. The appeal shall be heard de novo, except that the contents of the issuing agency's file in the case shall be received in evidence. A copy of the document or Instrument of the issuing agency providing notice of the violation and imposition of the administrative penalty shall be admitted into evidence as prima facie evidence of the facts stated therein. The court shall request that the issuing agency's file on the case be forwarded to the court, to be received within fifteen (15) days of the request.
 - 3. Judgment. The court shall retain the twenty-five dollar (\$25.00) fee regardless of the outcome of the appeal. If the court finds in favor of the contestant, the amount of the fee shall be reimbursed to the contestant by the Department. Any deposit of the fine or penalty shall be refunded by the issuing agency in accordance with the judgment of the court. If the fine or penalty has not been deposited and the decision of the court is against the contestant, the issuing agency may proceed to collect the penalty pursuant to any manner provided by law.

Section 9. CRIMINAL PENALTIES.

- A. Any person violating any provision of this ordinance shall be guilty of an infraction or misdemeanor as hereinafter specified. Such individual shall be deemed guilty of a separate offense for each day during which any violation of this ordinance is committed or allowed to exist.
- B. Any individual convicted of a violation of this ordinance shall be:

- 1. Guilty of an infraction and punished by a fine of not less than fifty dollars (\$50.00), but not exceeding one hundred dollars (\$100.00) for the first offense.
- 2. Guilty of an infraction and punished by a fine of not less than one hundred dollars (\$100.00), but not exceeding two hundred dollars (\$200.00) for the second offense.
- 3. The third and subsequent offenses shall constitute misdemeanor and shall be punishable by a fine of not less than five hundred dollars (\$500.00) but not to exceed one thousand dollars (\$1,000.00), imprisonment of up to six months in the county jail, or both.
- 4. Notwithstanding subsections A. and B. above, the first or second offense may be charged and prosecuted as misdemeanor.
- C. Payment of any penalty herein shall not relieve any individual from the responsibility of correcting the violations as found by the enforcement officer.
- D. Any person found not in compliance with state law and/or this ordinance is subject to citation, permit suspension/revocation, lien, or other legal action as deemed necessary by the Department.

Section 10. NUISANCE DEFINED. Any MHKO, whether permitted or not pursuant to the procedures of this Ordinance, found in violation of this Ordinance is hereby declared to be a public nuisance and dangerous to the health and safety of Lake County.

Section 11. CIVIL ACTIONS.

- A. Injunctive Relief and Abatement. Whenever, in the judgment of the Enforcement Officer, any person is engaged in or about to engage in any act or practice which constitutes or will constitute a violation of any provision of this Ordinance, or any rule, regulation, order, permit or conditions of approval issued thereunder, upon the request of the Enforcement Officer, the County Counsel or District Attorney may commence proceedings for the abatement, removal, correction and enjoinment thereof, and require the violator to pay civil penalties and/or abatement costs.
- B. Civil Remedies and Penalties. Any person, whether acting as principal, agent, employee, Owner, lessor, lessee, tenant, occupant, operator, contractor or otherwise, who willfully violates the provisions of this Ordinance or any rule, regulation, order or conditions of approval issued thereunder, shall be liable for a civil penalty not to exceed \$1,000.00 for each day or portion thereof, that the violation continues to exist. In determining the amount of the civil penalty to impose, the court shall consider all relevant circumstances, including, but not limited to, the extent of the harm caused by the conduct constituting a violation, the nature and persistence of such conduct, the length of time over which the conduct occurred, the assets, liabilities, and net worth of the violator, whether corporate or individual, and any corrective action taken by the violator.

Section 12. COSTS AND DAMAGES. Any person, whether acting as a principal, agent, employee, Owner, lessor, lessee, tenant, occupant, operator or contractor, or otherwise, violating any provisions of this Ordinance or the rules, regulations, orders, permits or conditions of approval issued thereunder, shall be liable to the County of Lake for costs of abatement and any damages suffered by the County, its agents and agencies, as a result of such violations.

Section 13. RECOVERY OF ATTORNEYS' FEES IN NUISANCE ABATEMENT CASES. In any action, administrative proceeding, or special proceeding to abate a nuisance, attorneys' fees may be recovered by the prevailing party. In no action, administrative proceeding, or special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the County in the action or proceeding.

Section 14. REMEDIES AND PENALTIES. All remedies and penalties provided for herein shall be cumulative and not exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibility of correcting, removing or abating the violation, nor prevent the enforced correction, removal or abatement thereof. Each and every day during any portion of which any violation of this Ordinance or the rules, regulations, orders, Permits or conditions of approval issued thereunder is committed, continued, or permitted by such person, shall be deemed a separate and distinct offense.

Section 15. RIGHT OF INSPECTION. Pursuant to the Health and Safety Code, the Department shall have the right to enter, inspect, issue citations to, and secure any sample, photographs, or other evidence from any MHKO, or any facility suspected of being a MHKO, or a vehicle transporting food to or from a MHKO, at any reasonable time. Unless the Department fails to provide proper identification, refusing an inspection may result in the permit being suspended or revoked, and/or the owner or operator shall be guilty of an infraction or misdemeanor offense.

Section 16. SEVERABILITY. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or applications of the provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 17. The proposed ordinance is exempt under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that the project will have no significant effect on the environment.

Section 18. This ordinance shall take effect thirty (30) days after its adoption and before the expiration of fifteen days after its passage, it shall be published at least once in a newspaper of general circulation printed and published in the County of Lake.

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	The Foregoing Ordinance was introduced before the Board of	f Supervisors on	the	day
of	, 2020, and passed by the following vote on the	day of	, 2020.	
	AVEC			
	AYES:			
	NOES:			
	ABSENT OR NOT VOTING:			
COLIN:	TY OF LAKE			
COON	TT OF LAKE			
Chair E	Board of Supervisors			
ATTES [*]	T: CAROL J. HUCHINGSON			
	Clerk of the Board of Supervisors			
Ву:				
APPRO	OVED AS TO FORM:			
ANITA	L. GRANT			
By:				

PLANNING PROJECTS PENDING as of December 4, 2020

No.	Staff Assigned	File No./Name	Date Received	Progress	Next Action	PC / Staff Level
1.	Dan	GPA & Zoning Inconsistencies	6/2/2016	Staff currently preparing required exhibit maps and ordinance language for recommended General Plan and Zone changes.	C.C. review (October / November)	P.C. Approved 8/15/2018
2.	Kevin / Dan	City of Lakeport – Housing Element Update	4/2/2019	Update General Plan Housing Element.	Community Workshop	Adopted by CC 7/7/2020
3.	Kevin / Dan	Element 7 Lakeport LLC – UP 19-03, CE 19-07 1775 S. Main St.	4/24/2019	Application for a Use Permit and Categorical Exemption for a cannabis micro-business.	Waiting on further items from Applicant.	P.C.
4.	Kevin / Dan	Element 7 Lakeport LLC – CAN 19-02 1775 S. Main St.	4/24/2019	Application for a cannabis micro-business.	Waiting on further items from Applicant.	City Mgr. Review
5.	Kevin / Dan	City of Lakeport Safety Element Update		Update General Plan Safety Element to include Local Hazard Mitigation Plan.		City Council Action
6.	Kevin / Dan	City of Lakeport Eleventh Street Corridor Study – OA 19-01		Proposed expansion of bicycle, pedestrian, and transit improvements along the Eleventh Street Corridor and nearby roadways.	Under Review	City Council Action
7.	Kevin / Dan	City of Lakeport – Downtown Sign Board Regulations - ZC 19-03 & CE 19-18		An amendment to the Lakeport Zoning Ordinance Chapter 17.12 and 17.52 concerning the regulation of portable sandwich board signs in the Central Business (CB) zoning district.	Under Review	PC /CC
8.	Kevin / Dan	New Vista Development - AR 19-08, S 19-01, UP 19-04, ZP 19-05, and ER 19-03	10/7/2019	Application for a Combined Development Permit for the property at 1842 Todd Road in Lakeport California.	P.C. Review	P.C. Review

				The project would include the following: A Tentative Subdivision Map to subdivide a 14.89-acre parcel into eight (8) separate commercial properties. An Architectural and Design Review for the construction of ten (10) structures that include one (1) service station with bays, four (4) restaurants with drive thru facilities, two (2) restaurants, one (1) three story 70- unit hotel and three (3) commercial retail buildings. The total square footage of all the structures on the property would be approximately 94,850 square feet.		
9.	Kevin / Dan	Lake County Tribal Health – VM 19-01 & CE 19-19 Bevins Ct.	12/19/2019	Application for a Voluntary Merger of five contiguous parcels.		Staff Review
12.		Susie Q's Donut & Soft Serve – AR 20-05 & CE 20-11 – 501 S. Main St.	9/21/2020	Application for a minor Architectural and Design review to add a side door for food pickup.		Staff Approved 11/5/2020
13.		PG&E – Hugo Flores AR 20-04 & CE 20-10 – 1575 S High St.	9/22/2020	Application for an Architectural and Design review to install backup generator.	Request for Reviews sent out.	PC Review 12/9/2020
14.		PG&E – Blair, Church & Flynn – AR 20-06, CE 20-12 – 1575 S High St.	9/23/2020	Application for an Architectural and Design review for an 8 ft metal fence.	Request for Reviews sent out.	PC Review 12/9/2020
15.		City of Lakeport – PSPS Generator LPD - ER 20-04, CE 20-13	9/23/2020	The City of Lakeport received grant funds for critical infrastructure to provide resiliency during a Public Safety Power Shutoff (PSPS) event. The city will be replacing a generator for essential services.		
16.		City of Lakeport – PSPS Generator City Hall - ER 20-05, CE 20-14	9/23/2020	The City of Lakeport received grant funds for critical infrastructure to provide resiliency during a Public Safety Power		

			Shutoff (PSPS) event. The city will be replacing a generator for essential services.	
17.	City of Lakeport – PSPS Generator Corp. Yard ER 20-06, CE 20-15	9/23/2020	The City of Lakeport received grant funds for critical infrastructure to provide resiliency during a Public Safety Power Shutoff (PSPS) event. The city will be replacing a generator for essential services.	
18.	City of Lakeport – PSPS Generator Silveira Community Center - ER 20-07, CE 20-16	9/23/2020	The City of Lakeport received grant funds for critical infrastructure to provide resiliency during a Public Safety Power Shutoff (PSPS) event. The city will be replacing a generator for essential services.	