From: Huffer, Benjamin@Wildlife
To: Mark Roberts
Cc: Wildlife R2 CEQA
Subject: RE: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52
Date: Thursday, January 5, 2023 3:18:26 PM
Attachments: image001.png

Good afternoon Mark,

Thank you for providing the Biological Resources Assessment (BRA). After reviewing the BRA I would suggest including in any future environmental documents at a minimum a habitat assessment to determine if Western Bumble Bee (WBB) habitat is present. If habitat for WBB is present within the project footprint, a WBB survey should be conducted to determine if the species is present and establish the project impacts to WBB. This is essential to incorporate adequate avoidance, minimization, and/or mitigation measures in the future CEQA document. As previously stated WBB is a candidate species and has the same protections as any other listed species under the California Endangered Species Act. If it is determined WBB habitat is present appropriate surveys should be conducted to ensure there is no take of WBB during project activities. Thank you for the opportunity to provide comments, and I look forward to reviewing any future documents.

Best regards,
Ben

Ben Huffer
Environmental Scientist
(916) 216-6253
1701 Nimbus Rd.
Rancho Cordova, CA 95670

CALIFORNIA DEPARTMENT OF FISH and WILDLIFE

From: Mark Roberts <mroberts@clearlake.ca.us>
Sent: Thursday, January 5, 2023 8:49 AM
To: Huffer, Benjamin@Wildlife <Benjamin.Huffer@Wildlife.ca.gov>
Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Subject: RE: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52

Hi Ben,

This is a preliminary review of the project since it was just submitted and we are obtaining the first round of agency comments/concerns. Once the commenting period has ended, we will collect the comments received and begin the formal CEQA process, which will be circulated (once complete) at a later time. I have attached a copy of the Biological report for you to review.

Mark

From: Huffer, Benjamin@Wildlife <Benjamin.Huffer@Wildlife.ca.gov>
Sent: Wednesday, January 4, 2023 3:43 PM
To: Mark Roberts <mroberts@clearlake.ca.us>
Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Subject: RE: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52

Hi Mark,

Thank you for your response. Is this a notification that an Initial Study (IS) is being prepared? If not and you have an IS, please send it to CDFW as soon as you can. With the information provided in the RFR, I cannot provide you with specific comments on the proposed project, as the information provided in the RFR is not sufficient and lacks specific studies that should be prepared in support of the CEQA document. I recommend that the future environmental document includes but is not limited to rare plant surveys (*Navarretia leucocephala ssp. Bakeri*, has been recorded within 1 mile of the project site) and a map created by a qualified biologist delineating impacts to wetlands and other habitat types, including vernal pools that could be present within the project footprint. We would also need surveys to determine the presence and potential project impacts to bats and Western Bumble Bee (*Bombus occidentalis*), among others. Please note that Western Bumble Bee is a candidate species and has the same protections as any other listed species under the California Endangered Species Act and could be present within the project footprint. Additionally, a Streambed Alteration Agreement may be necessary, as an arm of Burns Valley goes through the property and may be significantly impacted by project activities. I am happy to provide additional comments on any future environmental document regarding this project. Please let me know if you have any questions or concerns. Thank you.

Best regards,
Ben

Ben Huffer
Environmental Scientist
(916) 216-6253
1701 Nimbus Rd.
Rancho Cordova, CA 95670

CALIFORNIA DEPARTMENT OF FISH and WILDLIFE

From: Mark Roberts <mroberts@clearlake.ca.us>
Sent: Tuesday, January 3, 2023 10:12 AM
To: Huffer, Benjamin@Wildlife <Benjamin.Huffer@Wildlife.ca.gov>
Subject: RE: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52

Hi Ben,

Our offices were closed lasty week due to the holidays. The packet is sent to you as a representative of Fish and Game and it allows you to review and provide comments on the project if you have any. If you have any concerns and/or comments in regards to fish and wildlife concerns, etc. If you do not have any comments/concerns upon review, you can let me know.

Mark

From: Huffer, Benjamin@Wildlife <Benjamin.Huffer@Wildlife.ca.gov>
Sent: Tuesday, December 27, 2022 2:42 PM
To: Mark Roberts <mroberts@clearlake.ca.us>
Subject: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52

Good afternoon Mark,

My name is Ben Huffer I am an Environmental Scientist with the California Department of Fish and Wildlife reviewing the RFR you submitted. I had a couple of questions I wanted to ask you about the packet and what specifically you need form me. I tried giving you a call, but the lines were busy, please feel free to call me back at 916-216-6253 to discuss the proposed project. Thank you.

Best regards,
Ben

Ben Huffer
Environmental Scientist
(916) 216-6253
1701 Nimbus Rd.
Rancho Cordova, CA 95670

CALIFORNIA DEPARTMENT OF
FISH and WILDLIFE

California Department of Transportation

DISTRICT 1
P.O. BOX 3700 | EUREKA, CA 95502–3700
(707) 445-6600 | FAX (707) 441-6314 TTY 711
www.dot.ca.gov

January 12, 2023

1-LAK-53-3.92
SD 2022-01
APN: 010-048-08

Mr. Mark Roberts
Planning Department
City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422

Dear Mr. Mark Roberts:

Thank you for giving Caltrans the opportunity to review and comment on the Initial Study for the Subdivision Map to create a 22-parcel lot. The lots would range in size from 1.25 acres to 2.75 acres in size. The development would include two (2) 50 foot right of ways located off Old Highway 53. The subdivision is located north of the intersection of Olympic Drive and State Route 53, at 2890 Old Highway 53, in the City of Clearlake. We have the following input:

The Lake County/City Area Planning Council (Lake APC) Senate Bill 743 Vehicle Miles Traveled (VMT) Regional Baseline Study defines the screening threshold for small projects as up to 22 residential units. Recent legislation to streamline the approvals and development of Accessory Dwelling Units, such as AB 2299 and SB 1069, put into question the allowable number of residences that could be constructed on a 22-lot subdivision. Lacking other constraints on development, the subdivision could result in 44 new residences, which would exceed the small project threshold. We request that the city consider requiring the project assessment to include further VMT analysis.

While VMT is focused on vehicle travel, the goal of reducing VMT growth focuses on changing development patterns (e.g., land use mix and density) together with providing more pedestrian, bicycle, and transit infrastructure. The subdivision is consistent with the low-density residential designation in the City of Clearlake's General Plan 2040, so to reduce VMT, the subdivision will need to promote an increase in walking and bicycling trips. The General Plan policies support new multimodal facilities along Old Highway 53 with the following language:

Page 2 of 194 of the Clearlake General Plan 2040 states:

Connectivity and Universal Access

Closely related to the vision of steady, incremental, sustainable growth is the desire of the community to improve its multi-modal connectivity. The near-downtown grid pattern should be continued and reinforced (which will also facilitate transit). Sidewalks should be designed for universal access and installed along all streets.

Page 29 of 194 of the Clearlake General Plan 2040 states:

Among the considerations in the design of new neighborhoods and infill of existing neighborhoods is the following:

• Their location relative to existing development. This relates to the continuity of the street and pedestrian system as a means for achieving a walkable community, as well as the character transition and the means of compatibility within and between developments.

Page 66 of 194 of the Clearlake General Plan 2040 states:

"Complete streets" are those designed to support safe, attractive, and comfortable access and travel for all users, whether in motor vehicles, on foot, on bicycle, or using the public transit. The City will require complete streets in all new neighborhoods and will improve existing streets to be more complete in accommodating bicycle and pedestrian movements, as funding is available. Improvements required for complete streets depend on the type of street. While all streets will be required to have sidewalks for pedestrians, the required bicycle improvements will vary.

The following General Plan policies also support the incorporation of non-motorized facilities into the scope of the project:

Policy LU 1.1.4
Walkability and good connectivity should be promoted through continuity of the street and pedestrian system, together with a compact community form.

Program CI 1.1.1.1
In accordance with the Complete Streets Act, new development shall construct and dedicate streets that accommodate the full range of locally available travel modes.

Policy CI 4.1.1
The City shall require sidewalks in new developments.

Program CI 4.1.1.1
New development shall construct and dedicate and/or contribute to a connected

bicycle/pedestrian network that is designed to promote travel to schools, parks, and other major destinations.

We request that the City consider requiring the addition of new sidewalks and bicycle lanes to the project frontage along Old Highway 53 as a condition of project approval. The improvements would provide non-motorized access from the subdivision to transit stops and commercial retail districts in the City, including the shopping center approximately 1.5 miles away, on Olympic Drive. Adding non-motorized facilities as a condition of project approval may help to mitigate for any VMT impacts.

Please contact me with questions or for further assistance with the comments provided at (707) 684-6879 or by email at: <jesse.robertson@dot.ca.gov>.

Sincerely,

Jesse Robertson
Transportation Planning
Caltrans District 1

HABEMATOLEL POMO
CULTURAL RESOURCES

January 09, 2023

City of Clearlake

Attn: Mark Roberts, Senior Planner
14050 Olympic Drive
Clearlake, CA 95422

RE: Burns Valley Subdivision Project, HP-20221227-01

Dear Mr. Mark Roberts:

Thank you for your project notification letter dated December 27, 2022, regarding cultural information on or near the proposed 2890 Old Hwy 53, Clearlake, Lake County. We appreciate your effort to contact us and wish to respond.

On behalf of the Koi Nation, the Habematolel Pomo Cultural Resources Department has reviewed the project and concluded that it is within the Aboriginal territories of the Koi Nation. Therefore, on behalf of the Koi Nation, we have a cultural interest and authority in the proposed project area and would like to initiate a formal consultation with the lead agency.

Koi Nation and the Habematolel Pomo Cultural Resources Department highly recommend that cultural monitors on-site during all ground disturbance activities. Please send project details, detailed ground disturbance plan, and the latest cultural resource study for this project prior to consultation.

Please contact the following individual to coordinate a date and time for the consultation meeting:

Lourdes Guillory, Executive Assistant
Habematolel Pomo of Upper Lake
Office: (707) 900-6931
Email: lguillory@hpultribe-nsn.gov

Please refer to identification number HP–20221227-01 in any correspondence concerning this project.

Thank you for providing us with the opportunity to comment.

Sincerely,

Robert Geary
Cultural Resources Director/Tribal Historic Preservation Officer

Distribution Date: 12/19/2022
Return by Date: 01/13/2023

City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

HWC Received 12/19/2022 KS

Agency Request for Review

Community Development Dept. Request for Review (RFR)

Local Departments	Regional Departments	State/Federal Departments	Tribal Organizations	Other
☐Building	☒ **LC Air Quality Mgmt**	☒ **Caltrans**	☒ Elem Indian Colony	☐ Cal Cannabis
☐Code Enforcement	☒ **Assessor/Recorder**	☐ CA Air Board	☐ Middletown Ranch.	☐ CA Dept PH
☒**Police Department**	☒ **Env Health**	☒ **CA Dept F&W**	☒ Koi Nation of NCA	☐ BCC
☒**Engineering**	☒ **Lake Co. Special Dist.**	☒ **USA Corps of Eng**	☒ NAHC	☐ CDFA
☒**Fire**	☐ LC Surveyor	☒ **US F&W Serv**	☒ HERC	
☒ **PG&E**	☐ LC Water Resources	☒ **Sonoma State**		
☐ Golden State Water	☒ **LC Tax Collector**	☐ CHP		
☐ Konocti Water	☐ LC Transit	☐ ABC		
☒ **Highlands Water**	☐ Lake Area Plng Cncl	☒ **CA Water Boards**		

Request: Please review the enclosed application packet material and return any comments no later than January 13th, 2023. Comments may be submitted via email: mroberts@clearlake.ca.us, or postage: Clearlake City Hall attn. Planning Department, 14050 Olympic Drive, Clearlake, CA 95422.

From: Mark Roberts
File: Subdivision Map Application, SD 2022-01 & Environmental Analysis, CEQA IS 2022-08
Applicant: DANCO Communities
Location: 2890 Old Highway 53; Clearlake, CA 95422
APN: 010-048-08
Zoning: "RR" Rural Residential

Project Description: The applicant is requesting approval of a Subdivision Map with corresponding environmental analysis (CEQA – Initial Study) to allow the development of a 22 Subdivision Lot. The lots would range in size from 1.25 acres to 2.75 Acres in size. The development would include two (2) 50 foot right of ways located off Old Highway 53. Please Refer to attachment map for details.

Comment Below: *(you may provide comments on a separate sheet if necessary).*

No specific comments at this time.

Please Note: Should it be determined or agreed upon that a particular development is within the Highlands Water Company area of service, ALL items beginning with #1 thru #24 of the Highlands Water Checklist (attached page 2) MUST be completed prior to an installation of water service to a development.

Name: Jeff Dean

Date: 1/10/23

Highlands Water Company
14580 Lakeshore Drive
Clearlake, California 95422
(707) 994-2393

Initial Proposed Development Project
Supporting Information Sheet

Applicant/Developer- Please Complete and Submit this form to Highlands Water Company, physical location at 14580 Lakeshore Dr. in Clearlake, California. Alternate Submission may be done by emailing completed form to sarah@highlandswater.com with CC: to rick@highlandswater.com. Completed form may also be Faxed directly to Sarah at (707) 994-7654.

1) Name or Title Assigned to the Development Project:

2) Physical Address & APN# of Parcel(s) Associated with Development:

Physical Address	Parcel APN#
Physical Address	Parcel APN#
Physical Address	Parcel APN#
Physical Address	Parcel APN#

3) Name and Mailing Address of Legal Owner of Development Parcel(s):

Name: _____ Contact# _____

Mailing Address: _____

Other Contact Information: _____

4) Engineer Contact Information Responsible for Developer's Project:
(This will be Highlands Water Company main point of contact unless otherwise noted on this form)

Engineer's Name _____

Phone: _____ Cell: _____

Other Contact Information: _____

5) Description as to Type of Development [Commercial, Housing, Apts., Etcetera]. _____
Please forward parcel maps, design plans or any other layouts pertinent to the proposed development. Should the developer decide to move forward with intended project, Highlands will require 2 Full Size sets of Plans (Offsite & Onsite) to be Delivered or Mailed to: ATTN: Sarah / Highlands Water Company at 14580 Lakeshore Drive, Clearlake CA 95422.

(Attach Additional Sheets if needed)

HIGHLANDS WATER COMPANY

14580 Lakeshore Drive
Clearlake, California 95422
(707) 994-2393

DEVELOPMENTS - WATER SERVICE CHECKLIST

Development Project Name:

* *The Below Designated Items Represent Steps Required by the Developer to Complete*

*		1	Initial Developer/Proposed Development Project Information Sheet
*		2	Date Received 2 Full Size copies of Site Plan from the Developer: (Plan MUST include Fire Dept. Approved Fire Flow)
		3	Send Site Plan to Engineer for Task Order to Run the Model for Fireflow Determinations
		4	Receive Task Order from Engineer to Determine if Any Off-Site Requirements are Necessary
		5	Add Ten Percent (10%) to Task Order and Bill Developer
		6	Received Payment from the Developer for Off-Site Task Order
		7	Sign Off-Site Task Order and Send to Engineer
		8	Received Recommendations for Condition of Approval from Engineer
		9	Highlands Water Company Pays Engineer for Review of Off-Site Plans
		10	Send "Conditions of Approval" (Will Serve) to Developer (Developer Signs Off)
*		11	Received Signed "Conditions of Approval" from Developer
*		12	Developer Submits Complete Plans Showing On-Site and Off-Site Improvements
		13	Send Complete Plans to Engineer for Task Order
		14	Receive Task Order from Engineer to Review Complete Plans
		15	Add Ten Percent (10%) to Task Order and Bill Developer
*		16	Payment by Developer Made Payable to Highlands Water Co. for Task Order
		17	Sign Task Order and Send to Engineer
		18	Receive Completed Prints Signed by Engineer on Behalf of the Highlands Water Company
		19	Highlands Water Company Pays Engineer for Review of Completed Plans
		20	Return Signed Completed Plans to Developer
*		21	Developer Completes Required Improvements (To Specs)
*		22	Developer Conveys Mains, Right-of-Ways, Easements, Etc.
*		23	Developer Applies for Meter Set(s)
*		24	Developer Pays the Meter fee(s)
		25	Highlands Water Co. Provides Developer with Meter(s) for Developer to do the Installation
*		26	Developer's Completion Date of Project: _____

Note: Rates Subject to Change. Please refer to our website at www.highlandswater.com for the most recent rates and charges associated with Water Service Connections. Please attach a separate sheet for any comments or questions you wish to submit. Submissions may be directed to Jeff@highlandswater.com with CC: to sarah@highlandswater.com and rick@highlandswater.com

* *Please Review HIGHLANDS WATER COMPANY CONDITIONS and SPECIFICATIONS*

HIGHLANDS WATER COMPANY

14580 Lakeshore Drive
Clearlake, California 95422
(707) 994-2393

DEVELOPMENTS - WATER SERVICE CHECKLIST

Development Project Name:

*			***The Below Designated Items Represent Steps Required by the Developer to Complete***
*	X	1	Initial Developer/Proposed Development Project Information Sheet
*		2	Date Received 2 Full Size copies of Site Plan from the Developer:
			(Plan MUST include Fire Dept. Approved Fire Flow)
		3	Send Site Plan to Engineer for Task Order to Run the Model for Fireflow Determinations
		4	Receive Task Order from Engineer to Determine if Any Off-Site Requirements are Necessary
		5	Add Ten Percent (10%) to Task Order and Bill Developer
		6	Received Payment from the Developer for Off-Site Task Order
		7	Sign Off-Site Task Order and Send to Engineer
		8	Received Recommendations for Condition of Approval from Engineer
		9	Highlands Water Company Pays Engineer for Review of Off-Site Plans
		10	Send "Conditiopns of Approval" (Will Serve) to Developer (Developer Signs Off)

Instructions on How to Use this Form:

In the above example:

*	X	Line #1 tells us that someone/developer has sent an initial inquiry/request for investigating water service for a possible development
*		Line #2 (Yellow Highlighted) Indicates the Next Step in the Process that Needs to be completed (in this case, the developer's engineer needs to send 2 Full Size copies of the development Site Plan)

From: Ryan Lewelling
To: Mark Roberts
Subject: RE: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52
Date: Wednesday, January 4, 2023 11:51:35 AM
Attachments: image001.png
image002.png

Mark,

This Assessor's Office review of proposed Subdivision Map 2022-01, CITY OF CLEARLAKE REDEVELOPMENT AGENCY, APN 010-048-080-000, has the following comments:

- No Tax Rate Area conflicts identified
- No property taxes due or assessed; coded as non-taxable
- Ownership confirmed per doc #1999004156
- Draft subdivision map reviewed. Please provide GIS shapefile or CAD dataset following City approval of project
- Development located adjacent to Old Hwy 53; two 50-foot roadways with 50ft cul-de-sac noted for access to lots
- Proposed sewage leach fields noted as being located 50ft from creek that drains to Clear Lake, 30ft from building pads

Please proceed accordingly.

Ryan Lewelling
Cadastral Mapping Specialist
707-263-2302 | *Ryan.Lewelling@LakeCountyCA.gov*

From: Mark Roberts [mailto:mroberts@clearlake.ca.us]
Sent: Monday, December 19, 2022 12:13 PM
Subject: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52
Importance: High

Good Afternoon,

You are receiving this Request for Request (RFR) Packet as an applicant is requesting approval of a Subdivision Map (SD 2022-01) with corresponding environmental analysis (CEQA – Initial Study) to allow the development of a 22 Lot Subdivision located at the above noted address. The lots would range in size from approximately 1.25 to 2.75 Acres in size. The development would include two (2) 50-foot rights-of-ways located off Old Highway 53.

Please review the attached packet and provide comments no later than January 13th, 2023. If you do not have any comments/concerns, please respond to this email stating you have no concerns/comments.

If you have any questions, please let me know.

Sincerely,

Mark Roberts

Senior Planner

Mark Roberts | *Senior Planner*
City of Clearlake
14050 Olympic Drive | Clearlake, CA 95422
707-994-8201

Please Note: Building Permit and Land Use Applications will not be accepted via email and must be submitted in person. Applications submitted via email will no longer be accepted or acknowledged.

From: Cara Salmon
To: Mark Roberts
Cc: Vance Ricks
Subject: RE: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52
Date: Wednesday, December 21, 2022 11:36:07 AM
Attachments: image001.png
image002.png
Cities - SM PM review checklist-Circa 2002.pdf

Good morning Mark. The County Surveyors Office wouldn't have any comments to a City Subdivision RFR, however, this seems like the appropriate time to let you know what our office will need for filing your City Subdivision Map. I've attached an older letter and checklist of requirements. I'm sure we are a long way off from filing, but please keep our checklist in mind as you get closer. Thank you & Merry Christmas.
Cara

From: Mark Roberts [mailto:mroberts@clearlake.ca.us]
Sent: Monday, December 19, 2022 12:13 PM
Subject: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52
Importance: High

Good Afternoon,

You are receiving this Request for Request (RFR) Packet as an applicant is requesting approval of a Subdivision Map (SD 2022-01) with corresponding environmental analysis (CEQA – Initial Study) to allow the development of a 22 Lot Subdivision located at the above noted address. The lots would range in size from approximately 1.25 to 2.75 Acres in size. The development would include two (2) 50-foot rights-of-ways located off Old Highway 53.

Please review the attached packet and provide comments no later than January 13th, 2023. If you do not have any comments/concerns, please respond to this email stating you have no concerns/comments.

If you have any questions, please let me know.

Sincerely,

Mark Roberts

Senior Planner

Mark Roberts | *Senior Planner*
City of Clearlake
14050 Olympic Drive | Clearlake, CA 95422
707-994-8201

Please Note: Building Permit and Land Use Applications will not be accepted via email and must be submitted in person. Applications submitted via email will no longer be accepted or acknowledged.

Distribution Date: 12/19/2022
Return by Date: 01/13/2023

SR000 4967

City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

Agency Request for Review

Community Development Dept. Request for Review (RFR)

Local Departments	Regional Departments	State/Federal Departments	Tribal Organizations	Other
☐Building	☒ **LC Air Quality Mgmt**	☒ **Caltrans**	☒ Elem Indian Colony	☐ Cal Cannabis
☐Code Enforcement	☒ **Assessor/Recorder**	☐ CA Air Board	☐ Middletown Ranch.	☐ CA Dept PH
☒**Police Department**	☒ **Env Health**	☒ **CA Dept F&W**	☒ Koi Nation of NCA	☐ BCC
☒**Engineering**	☒ **Lake Co. Special Dist.**	☒ **USA Corps of Eng**	☒ NAHC	☐ CDFA
☒**Fire**	☐ LC Surveyor	☒ **US F&W Serv**	☒ HERC	
☒ **PG&E**	☐ LC Water Resources	☒ **Sonoma State**		
☐ Golden State Water	☒ **LC Tax Collector**	☐ CHP		
☐ Konocti Water	☐ LC Transit	☐ ABC		
☒ **Highlands Water**	☐ Lake Area Plng Cncl	☒ **CA Water Boards**		

Request: Please review the enclosed application packet material and return any comments no later than January 13th, 2023. Comments may be submitted via email: mroberts@clearlake.ca.us, or postage: Clearlake City Hall attn. Planning Department, 14050 Olympic Drive, Clearlake, CA 95422.

From: Mark Roberts
File: Subdivision Map Application, SD 2022-01 & Environmental Analysis, CEQA IS 2022-08
Applicant: DANCO Communities
Location: 2890 Old Highway 53; Clearlake, CA 95422
APN: 010-048-08
Zoning: "RR" Rural Residential

Project Description: The applicant is requesting approval of a Subdivision Map with corresponding environmental analysis (CEQA – Initial Study) to allow the development of a 22 Subdivision Lot. The lots would range in size from 1.25 acres to 2.75 Acres in size. The development would include two (2) 50 foot right of ways located off Old Highway 53. Please Refer to attachment map for details.

Received
DEC 19 2022
Environmental Health

Comment Below: *(you may provide comments on a separate sheet if necessary).*

See attached memorandum

Name: Ina Rubin

Date: 12/21/22

COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1164
FAX 707/263-1681

Jonathan Portney
Health Services Director

Craig Wetherbee
Environmental Health Director

MEMORANDUM

DATE: December 21, 2022

TO: Mark Roberts Senior Planner

FROM: Tina Dawn-Rubin, Environmental Health Aide

RE: SD 2022-01; CEQA IS 2022-08
Subdivision Map Application

APN: 010-048-08 2890 Old Highway 53, Clearlake

Lake County Division of Environmental Health (EH) has on file for the subject parcel:
APN: 010-048-08 – On October 17, 2022, our office received applications for 14 site evaluations (soils test) in which field inspections are still pending; 8 site evaluations (soils test) were performed in 2005 for a proposed subdivision; a 1991 site evaluation (soils test)**;** a 1991 well permit (WE 589) for a domestic well; a 1991 well permit (WE 593A) for a well abandonment for an improperly equipped well.

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water.

Environmental Health will require a site evaluation (soils test) to be completed on each of the proposed parcels to ensure an Onsite Wastewater Treatment System (OWTS) can be installed on each parcel before final subdivision map is approved.

From: Autumn Lancaster
To: Mark Roberts
Cc: Willie Sapeta; Marc Hill; pbleuss@kelseyvillefire.com
Subject: Request for Review Old Hwy 53
Date: Tuesday, December 20, 2022 8:45:57 AM

Good Morning,
We received the request for review Old Hwy 53 Development of 22 Subdivision lots-
Our only comment at this time is that they follow all current applicable California Fire Codes and Standards.
Hope you've had a great weekend,
Autumn Lancaster

From: Lori Baca
To: Mark Roberts
Subject: RE: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52
Date: Tuesday, December 20, 2022 8:46:53 AM
Attachments: image004.png
image001.png

Mark,

Parcel 010-048-080 is outside of any Special Districts service area, no impact.

Happy Holidays!

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

From: Mark Roberts [mailto:mroberts@clearlake.ca.us]
Sent: Monday, December 19, 2022 12:13 PM
Subject: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52
Importance: High

Good Afternoon,

You are receiving this Request for Request (RFR) Packet as an applicant is requesting approval of a Subdivision Map (SD 2022-01) with corresponding environmental analysis (CEQA – Initial Study) to allow the development of a 22 Lot Subdivision located at the above noted address. The lots would range in size from approximately 1.25 to 2.75 Acres in size. The development would include two (2) 50-foot rights-of-ways located off Old Highway 53.

Please review the attached packet and provide comments no later than January 13th, 2023. If you do not have any comments/concerns, please respond to this email stating you have no concerns/comments.

If you have any questions, please let me know.

Sincerely,

Mark Roberts

Senior Planner

Mark Roberts | *Senior Planner*
City of Clearlake
14050 Olympic Drive | Clearlake, CA 95422
707-994-8201

Please Note: Building Permit and Land Use Applications will not be accepted via email and must be submitted in person. Applications submitted via email will no longer be accepted or acknowledged.

From: Steven Phillips
To: Mark Roberts
Cc: Lori Baca; Scott Harter; Scott Hornung
Subject: RE: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52
Date: Friday, December 30, 2022 2:44:37 PM
Attachments: image004.png
image003.png

Mark,

Since this project is located outside of the area where we provide sanitary sewer service Special Districts does not have any comments on this project. Please contact Lake County Environmental Health regarding on-site septic system questions or requirements.
Thanks,

Steve Phillips
Utility Systems Compliance Coordinator

Lake County Special Districts
230 N. Main Street
Lakeport, CA 95453
Phone: (707) 263-0119
Fax: (707) 263-3836
steven.phillips@lakecountyca.gov

From: Mark Roberts [mailto:mroberts@clearlake.ca.us]
Sent: Monday, December 19, 2022 12:13 PM
Subject: Request for Review (RFR) for Proposed Subdivision located at 2890 Old Highway 52
Importance: High

Good Afternoon,

You are receiving this Request for Request (RFR) Packet as an applicant is requesting approval of a Subdivision Map (SD 2022-01) with corresponding environmental analysis (CEQA – Initial Study) to allow the development of a 22 Lot Subdivision located at the above noted address. The lots would range in size from approximately 1.25 to 2.75 Acres in size. The development would include two (2) 50-foot rights-of-ways located off Old Highway 53.

Please review the attached packet and provide comments no later than January 13th, 2023. If you do not have any comments/concerns, please respond to this email stating you have no concerns/comments.

If you have any questions, please let me know.

Sincerely,

Mark Roberts

Senior Planner

Mark Roberts | *Senior Planner*
City of Clearlake
14050 Olympic Drive | Clearlake, CA 95422
707-994-8201

NATIVE AMERICAN HERITAGE COMMISSION

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

December 21, 2022

Mark Roberts
City of Clearlake

Via Email to: ***mroberts@clearlake.ca.us***

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Danco Subdivision Map Project, Lake County

Dear Mr. Roberts:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures.

  All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was positive. Please contact the Tribes on the attached list for more information.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Cameron.vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

Attachment

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE
HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1400 Valley House Drive, Suite 210
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
https://nwic.sonoma.edu

January 13, 2023 File No.: 22-0963

Mark Roberts, Senior Planner
City of Clearlake
14050 Olympic Drive
Clearlake, California 95422

re: SD 2022-01 and IS 2022-08 / APN: 010-048-08 at 6653 and 2890 Old Highway 53 / DANCO Communities

Dear Mark Roberts,

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

Project Description:

The applicant is requesting approval of a Subdivision Map with corresponding environmental analysis (CEQA – Initial Study) to allow the development of a 22 Subdivision Lot. The lots would range in size from 1.25 acres to 2.75 Acres in size. The development would include two (2) 50 foot right of ways located off Old Highway 53.

Previous Studies:

XX Study #13515 (Flaherty 1992) and Study #23490 (Flaherty 1999), which cover the proposed project area, identified no cultural resources within the proposed project area *(see recommendation below)*.

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological sites. Due to the passage of time since the previous surveys and the changes in archaeological theory and method since that time, we recommend a qualified archaeologist conduct further archival and field study for the entire project area to identify any unrecorded archaeological resources, including those that may show no signs or indicators on the surface.

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

____ The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended.

Built Environment Recommendations:

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Lake County conduct a formal CEQA evaluation.

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

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

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at http://www.chrisinfo.org.

If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,

Bryan Much
Coordinator

From:	Roberta Lyons
To:	Alan Flora; Mark Roberts
Cc:	Donna Mackiewicz; Deb Sally
Subject:	Comments on prosed subdivision
Date:	Thursday, January 12, 2023 12:31:40 PM
Attachments:	Comments re Clearlake Subdivision proposal.docx

Hi Mark,
I've attached my comments on the proposed subdivision on Old Highway 53. I've also attached an image of the flowing intermittent creek that flows into Burns Valley Creek that I took a couple of days ago. Then, I've attached images from 1983 when Burns Valley Creek flooded. The pictures are near where Austin's resort once stood along with some other buildings that have since been torn down. They are across the street (sort of) from City Hall. I was surprised Alan when you said there weren't any records from the floods in Clearlake. I have numerous images of that 1983 flood as we owned the Clearlake Observer at that time and covered the flood. It was really something. I don't have any of the intermittent creek but I would wager it was over-flowing it's banks. As you will see, any areas near the smaller creeks were inundated. Molesworth flooded many parts of the area between Olympic and Austin. I know this was a long time ago, but I think as the recent rains have indicated - we don't know what we are going to be facing. I'm copying Deb on this as she is commenting for the Sierra Club, and Donna Mackiewicz who is my co-conservation chair for Redbud Audubon.

Thank you!
Roberta

Comments re: Subdivision Map Application, SD 2022-01 and Environmental Analysis, CEQA IS 2022-08

Submitted by:
Redbud Audubon Society
PO Box 5780
Clearlake, CA 95457
To Mark Roberts, Planner City of Clearlake

Dear Mr. Roberts,
As Conservation co-chair for the Redbud Audubon Society of Lake County, I'm commenting on our concerns regarding the subdivision proposed near Old Highway 53 in the City of Clearlake.

On a whole we do not oppose the entire development but thoughtful changes to the proposed plan could be made. In looking at the City of Clearlake's General Plan objectives, it appears this project does not comply with the objectives. This project is not preserving wildlife habitat or open space nor does it result in connection corridors for wildlife (Objective CO 4.2).

Nor does it comply with Objective CO 4.3 of maintaining diverse and natural landscape to preserve the visual integrity of the landscape and provide habitat conditions for native vegetation and plants (paraphrased.)

What is the solution? A redesign of the subdivision following a Conservation Design objective. This would include excluding or reducing lots along the "intermittent," waterway; clustering the houses in cul de sac type situations, reducing lot size, and providing a significant pathway through the development and not allowing impassable fencing for wildlife.

The intermittent creek flowing along the edge of the property that is being suggested to be included in individual lots is a bad idea. I've enclosed an image of the creek running during our current time of heavy rains, but certainly not the heaviest rains we will possibly be seeing. As the Sierra Club comments point out, septic and leach field contamination is a real probability if houses are placed too close to this waterway. This waterway could be designated as a park for the development. It could be restored with more sloped banks and native wetland vegetation that would reduce erosion and danger of flooding into the adjacent houses.

The treed area could also be seen as a wildlife/park area with some removal for fire safety but not clear-cutting to make way for 2 or 3 story mega-houses. I would think developers would be open to the idea of an attractive, nature friendly, community that could be marketed as such.

I realize these are broad comments that need to be narrowed down to more specifics, but I have been faced with time constraints (as everyone, I know) and wanted to deliver my initial comments before tomorrow's deadline.

Thank you for considering my concerns
Roberta Lyons, Redbud Audubon Society Conservation Co-Chair

SIERRA CLUB
Lake Group

Attention:Mark Roberts
Planner, City of Clearlake

Re: Subdivision Map Application, SD 2022-01 & Environmental Analysis, CEQA IS 2022-08
Date: January 6, 2023

Dear Mr. Roberts,

The Sierra Club Lake Group has some concerns about this project that we believe need to be addressed before this project goes further. I have addressed the issues in the order of importance of impacts.

The seasonal creek (intermittent drainage area) located in and along the north side of the property carries a fair amount of water during rain events. There was water running it during the most recent storms. It is a tributary to Burn's Valley Creek which is the main waterway that enters the lake within the city boundaries. It fits the description of Natural Surface Water as given in 14-1.3 a.18 of the Storm Water Management Ordinance. The Ordinance states that "discharge of pollutants to storm water will be reduced to the maximum extent practicable through the implementation of BMPs designed to protect water quality and requirements of the Municipal Storm Water Permit".

Having septic system leach fields on each of the northern lots (# 1-7) that extend to within seventy-five (75) feet of the waterway does not conform to county recommendations and is likely to result in increased amounts of nitrogenous waste entering the creek as Non-Storm Water Discharge. Contaminants are likely to eventually enter the lake next to Austin Park. This would add to the sediment as well as algal blooms and unwanted vegetation that would then lead to obstacles and odors that deter people from using Austin Park. This park is the focal point of the area's cultural events and therefore should not be degraded. The water quality in our area has a huge impact on its viability as a tourist destination. Unless the developer can relocate the leach fields to give at least a 75 foot setback from the creek, possibly by decreasing the number of lots, they must be required to use engineered septic systems.

The application states that no loss of stream side vegetation is expected at this time. Because the creek and its riparian zone is part of each of the lots, 1-7, along the northern border of the project, it is likely that stream side vegetation will be impacted when the lots are developed and occupied, unless there is a restriction imposed on the buyer of each lot that can be enforced. Loss of vegetation along the creek will result in increased sediment entering the waterway and ultimately Clear Lake. There should be a deed restriction on each of the seven properties that requires that that space be maintained as open space by the owners. Alternatively, the lot size could be decreased or plan altered to eliminate the seasonal creek and its riparian area from the lots. Furthermore, the City of Clearlake General Plan, Chapter 6: Open Space, Policy OS 6.1.1, states that " The City should establish and preserve buffers between developed areas and forested areas, fields, stream corridors, wetlands, and other open spaces."

SIERRA CLUB
Lake Group

The Special-Status Wildlife section of the Biological Resources Assessment states that there is Indian Milkweed located along portions of the intermittent drainage area. Because Monarch Butterfly caterpillars feed on this plant, the project design should incorporate a 25 foot setback around milkweed habitat. The BRA also states that pre-construction surveys should be conducted by a qualified biologist within one week prior to the onset of construction. Protecting this area is in line with the City of Clearlake General Plan, Objective CO 4.1: Protect all state and federally listed endangered and threatened species. This is one more reason to remove the drainage area/seasonal creek from lots 1-7.

Additionally, Burns Valley Creek is a historic spawning area for the Clear Lake Hitch, also known as chi, the name used by the local indigenous people. Protecting a potential site for this and other indigenous fish to be re-introduced could add to the area's potential for ecotourism and bring back a culturally important fish to the Pomo tribes in our area.

There is also concern about flooding along Burns Valley Road in heavier rain events. Degradation of the water holding capacity of the soil by vegetation removal could result in increased runoff to the creek and into the drainage ditch along the west side of the project which is along the east side of Old Highway 53. There is already a history of water overflowing this drainage ditch and entering the roadway. The curb and gutter to be put in would have to be designed to handle large amounts of flow.

The Tree Ordinance adopted by the City of Clearlake in Municipal Code 18-40 suggests that mature trees that belong to any of six varieties of oak tree or any designated heritage tree "enhance the aesthetic qualities of the community" and thereby are valuable. There are many trees that fit this description on the project site. Removal of these trees should be kept to an absolute minimum by requiring a biological survey to identify trees that should be saved. Oversight to ensure compliance to only permitted removal and specified mitigation is also necessary.

The Special-Status Wildlife section of the BRA states that all ground disturbing activity should be completed between September 1st and January 31st to minimize impacts on nesting birds. A pre-construction nesting bird survey should be completed within 14 days of the start of construction by a qualified biologist. We request that this be adhered to.

The View and Vista will be changed dramatically for neighbors in the area. Some residents consider the relatively dark sky in the area to be of immense value for their astronomical enjoyment. Fixtures that restrict upward-directed light and have low color temperature bulbs are required. We request that the number be minimized to decrease light pollution. Any houses built there are also required to utilize similar lighting. Enforcement of these regulations is essential.

Additionally, the daytime view from the houses across the road from the development will be altered significantly with the removal of trees. The treed areas add to the natural beauty of the area. Mature trees are known to increase residential property values. If a large number of the trees are removed, there will be no visual or sound barrier between the current neighbors and the highway from that direction.

SIERRA CLUB
Lake Group

This project does not appear to fulfill the Community Development Plan in providing additional low and medium income housing. There is no indication in the document that the developer plans to build out the lots. Building costs may result in an inability to sell the lots leaving a minimally developed subdivision for a long period. This would decrease the rural beauty of the area by removing an essential open space element along what is arguably the most scenic access road and one of the most frequented walking areas in the city. If this project moves forward, the applicant must demonstrate a commitment to build out the lots within a reasonable period of time.

Respectfully,
Deb Sally
Chair, Sierra Club Lake Group


NOBLE
HIGHLANDS
REALTY
(707) 994-8291
Jim's
Automotive


FLOODED
CITY OF CLEARLAKE