

DOCKETED	
Docket Number:	23-OPT-01
Project Title:	Fountain Wind Project
TN #:	253290-7
Document Title:	County of Shasta Wind Ordinance Administrative Record Part 7 of 8
Description:	N/A
Filer:	Dawn Forgeur
Organization:	County of Shasta
Submitter Role:	Public Agency
Submission Date:	11/21/2023 6:50:19 PM
Docketed Date:	11/22/2023

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- b. When directed by the Board of Supervisors, submit a comment letter regarding the economic impacts of the proposal to the California Energy Commission and on such other impacts as may be directed by the Board of Supervisors.
- c. In his/her capacity as the Shasta County Environmental Review Officer, review all environmental documents prepared for the proposal by the California Energy Commission in accordance with the California Environmental Quality Act and submit written comments to the commission when warranted and appropriate.
- d. In accordance with Public Resources Code section 25519, the Director of Resource Management shall review the application and submit comments on, among other things, the design of the facility, architectural and aesthetic features of the facility, access to highways, landscaping and grading, public use of lands in the area of the facility, and other appropriate aspects of the design, construction, or operation of the proposed site and related facility. The Director of Resource Management shall also provide the California Energy Commission copies of all relevant laws, ordinances, and regulations promulgated or administered by the County of Shasta.
- e. The Director of Resource Management shall also review the application and provide comments for conformance with the requirements of Public Resources Code section 25527 and whether the proposed site will impact any of the following areas:
 - i. State, regional, county and city parks; wilderness, scenic or natural reserves; areas for wildlife protection, recreation, historic preservation; or natural preservation areas located in the County of Shasta.
 - ii. Estuaries in an essentially natural and undeveloped state located within the County of Shasta.

Pursuant to Public Resources Code section 25527, in considering applications for certification, the California Energy Commission shall give the greatest consideration to the need for protecting areas of critical environmental concern, including, but not limited to, unique and irreplaceable scientific, scenic, and educational wildlife habitats; unique historical, archaeological, and cultural sites; lands of hazardous concern; and areas under consideration by the state or the United States for wilderness, or wildlife and game reserves.

- f. In accordance with Public Resources Code section 25538, the Director of Resource Management shall request a fee from the California Energy Commission to reimburse the County of Shasta for the actual and added costs of the review by the County of Shasta and such other fees as may authorized under that statute and other applicable laws.

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SECTION II.

The County finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) since it can be seen with certainty that this ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment.

SECTION III.

If any section, subsection, sentence, clause, phrase, or provision of this ordinance or its application to any person or circumstance is held invalid for any reason, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause, phrase, or provision thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional or invalid.

SECTION IV.

All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby superseded by this ordinance. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

SECTION V.

This ordinance shall take effect and be in full force and effect 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

Ordinance No. SCC 2023-_____

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DULY PASSED AND ADOPTED this XX day of XXXX, 2023, by the Board of Supervisors of the County of Shasta, State of California, by the following vote:

AYES: X
NOES: X
ABSENT: X
ABSTAIN: X
RECUSE: X

PATRICK JONES, CHAIR
Board of Supervisors
County of Shasta
State of California

ATTEST:

MARY WILLIAMS
Acting Clerk of the Board of Supervisors

By: _____
Deputy

STRIKEOUT VERSION OF ORDINANCE NO. SCC 2023-_____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA AMENDING SECTION 17.88.335,
LARGE WIND ENERGY SYSTEMS, OF THE SHASTA COUNTY CODE
IN LIGHT OF ASSEMBLY BILL 205**

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION I.

Section 17.88.335, “Large wind energy systems,” of the Shasta County Code is amended in its entirety as follows:

17.88.335 Large wind energy systems.

A. Legislative Findings.

The Board of Supervisors finds as follows:

1. California Government Code section 65850 authorizes the County of Shasta to adopt ordinances that regulate the use of buildings, structures, and land and the intensity of land uses.
2. Pursuant to Article XI, Section 7, of the California Constitution, the County of Shasta may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and general welfare of its citizens.
3. The adverse impacts of large wind energy systems, particularly with respect to wildfire, aerial firefighting, aesthetics, biological resources, and historical, cultural, and tribal resources, are of significant concern to many residents of Shasta County as evidenced by the numerous public comments received between 2019 and 2021 regarding the proposed Fountain Wind Project.
4. The vast majority of the unincorporated area of Shasta County is designated as being in the High and Very High Fire Hazard Severity Zones as recommended by the California Department of Forestry and Fire Protection. Large wind energy systems are incompatible in the High and Very High Fire Hazard Severity Zones.
5. In light of the foregoing concerns, the construction or operation of large wind energy systems will not have an overall net positive economic benefit to the County of Shasta. The foregoing concerns outweigh any potential economic benefits to the County that may be available from such large wind energy systems.

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56. Regulations are needed to protect the public health, safety, and welfare of residents from the adverse impacts of large wind energy systems.

67. The Board of Supervisors enacts this section to prohibit large wind energy systems in furtherance of the public necessity, health, safety, convenience, and general welfare.

B. Definitions.

The following definition governs this section:

“Large wind energy system” means a wind energy conversion system that is not defined as a small wind energy system pursuant to subsection 17.88.035.A. of this chapter.

C. Prohibition.

Large wind energy systems are prohibited in all zone districts of the unincorporated area of the County of Shasta and no permit or approval of any type shall be issued therefor.

D. Applications for Large Wind Energy Systems Filed with the California Energy Commission.

1. In connection with applications for large wind energy systems submitted to the California Energy Commission for review and approval, pursuant to Chapter 6.2 of Division 15 of the Public Resources Code (Government Code sections 25545 *et seq*), the County of Shasta makes the following findings:

a. As recognized by relevant legal authorities, the California Energy Commission is to give great weight to the comments, opinions, ordinances, and standards of local governments. The concerns of counties and cities are not to be ignored or to be given secondary consideration. As representatives of the people who live in the immediate area of large wind energy systems, county and city government officers are to be listened to and respected.

b. In accordance with Public Resources Code sections 25525 and 25545.8, the California Energy Commission may not certify a facility contained in the application when it finds, pursuant to subdivision (d) of Public Resources Code Section 25523, that the facility does not conform with any applicable state, local, or regional standards, ordinances, or laws, unless the commission determines that the facility is required for public convenience and necessity and that there are not more prudent and feasible means of achieving public convenience and necessity. In making the determination, the commission shall consider the entire record of the proceeding, including, but not limited to, the impacts of the facility on the environment, consumer benefits, and electric system reliability. The commission may not make a finding in conflict with applicable federal law or

- regulation. The basis for these findings shall be reduced to writing and submitted as part of the record pursuant to Public Resources Section 25523.
- c. The foregoing statutes reflect a legislative policy that local ordinances, laws and standards are to be given such weight as to prevent or substantially influence the construction of a proposed facility not in compliance therewith if there exists a more prudent and feasible means of achieving the public convenience and necessity than constructing the facility as proposed or on the site proposed.
 - d. Pursuant to Shasta County Code section 17.88.335(C), large wind energy systems are prohibited in all zone districts of the unincorporated area of the County of Shasta and no permit or approval of any type shall be issued therefor. There are more prudent and feasible means of achieving any possible public convenience and necessity than constructing large wind energy systems in the unincorporated area of the County of Shasta.
 - e. Pursuant to section 25545.9 of the Public Resources Code, the California Energy Commission shall not certify a site and related facility unless the commission finds that the construction or operation of the facility will have an overall net positive economic benefit to the County of Shasta. Pursuant to the findings in Shasta County Code section 17.88.335(A), large wind energy systems will not have an overall net positive economic benefit to the County of Shasta.
 - f. Pursuant to section 25545.10 of the Public Resources Code, the California Energy Commission shall not certify a site and related facility unless the commission finds that the applicant has entered into one or more legally binding and enforceable agreements with, or that benefit, a coalition of one or more community-based organizations, including local governmental entities. No County officer, agency, or department is authorized to agree to any such community benefit agreement for large wind energy systems without the prior approval of the Board of Supervisors.
2. For each application for a large wind energy system within the unincorporated area of Shasta County filed with the California Energy Commission for review and approval, pursuant to Chapter 6.2 of Division 15 of the Public Resources Code (Government Code sections 25545 *et seq*), the Director of Resource Management shall perform the following duties:
- a. In consultation with all applicable Shasta County departments, Native American tribal governments, agencies, organizations, and groups, evaluate the economic impacts of the proposal and prepare and present a comment letter regarding the economic impacts of the proposal to the Board of Supervisors for their consideration.

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- b. When directed by the Board of Supervisors, submit a comment letter regarding the economic impacts of the proposal to the California Energy Commission and on such other impacts as may be directed by the Board of Supervisors.
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AYES: X
NOES: X
ABSENT: X
ABSTAIN: X
RECUSE: X

PATRICK JONES, CHAIR
Board of Supervisors
County of Shasta
State of California

ATTEST:

MARY WILLIAMS
Acting Clerk of the Board of Supervisors

By: _____
Deputy

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6. Regulations are needed to protect the public health, safety, and welfare of residents from the adverse impacts of large wind energy systems.
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AYES: X
NOES: X
ABSENT: X
ABSTAIN: X
RECUSE: X

PATRICK JONES, CHAIR
Board of Supervisors
County of Shasta
State of California

ATTEST:

MARY WILLIAMS
Acting Clerk of the Board of Supervisors

By: _____
Deputy

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Special Meeting

Date: November 10, 2021
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors Chambers

ROLL CALL

Commissioners

Present:	Patrick Wallner	District 5
	Tim MacLean	District 2
	Jim Chapin	District 1
	Steven Kerns	District 3

Commissioners

Absent:	Donn Walgamuth	District 4
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Staff Present:

Paul Hellman, Director of Resource Management
Adam Fieseler, Planning Division Manager
Adam Pressman, Senior Deputy County Counsel
Luis Topete, Associate Planner
Ken Henderson, Sr. Environmental Health Specialist
Venton Trotter, Supervising Engineer
Tracie Huff, Administrative Secretary I/Recording Secretary

PUBLIC COMMENT PERIOD - OPEN TIME: None.

PLANNING DIRECTOR'S REPORT: Director Paul Hellman reported on the Board's denial of the Fountain Wind Project on October 26th. Planning Division Manager Adam Fieseler informed the Commission that an agreement with planning consulting firm Opticos Design, Inc. for the preparation of the Palo Cedro Town Center Specific Plan will be considered by the Board on November 16th. Commissioner Kerns distributed copies of a draft resolution recommending that the Board adopt a moratorium on wind turbine developments pending further study and potential changes to the County's zoning ordinance and general plan and proposed that the consideration of this resolution be placed on the Commission's December 9th agenda. Mr. Hellman recommended that the Commission direct staff to provide a report regarding options for regulating wind turbine developments, including a potential moratorium, to the Commission on December 9th and that if after receiving this report the Commission decides to recommend that the Board adopt a moratorium the consideration of the draft resolution proposed by Commissioner Kerns could be placed on a subsequent agenda.

By motion made, seconded (Kerns/Chapin) and carried by a 4-0 vote, the Planning Commission voted to place the presentation of a report regarding options for regulating wind turbine developments and consideration of the draft resolution proposed by Commissioner Kerns recommending that the Board adopt a moratorium on wind turbine developments on the December 9th Planning Commission agenda.

PLANNING COMMISSION MEETING MINUTES

November 10, 2021

1 of 2

REGULAR CALENDAR:

R1: APPROVAL OF MINUTES:

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission approved the Minutes of October 14, 2021, as submitted.

CONFLICT OF INTEREST DECLARATIONS: None.

Ex-parte Communications Disclosures: None.

R2: Parcel Map 21-0004 (Rooker): Ron J. Anfuso, Trustee of The Jamie Maria Rooker Trust, has requested approval of Parcel Map 21-0004 to lawfully establish the subject 11.59-acre undeveloped parcel, which was not lawfully created in accordance with the State of California Subdivision Map Act. The request includes exceptions from the Shasta County Road Policies and Standards for Minor road improvement standards and from Section 6.12 of the Shasta County Fire Safety Standards for private road standards. The undeveloped project site is located in the Bella Vista area approximately 0.2 miles northwest of the intersection of Kim Larry Lane and Oak Run Road (Assessor's Parcel Number 098-380-015). Staff Planner: Luis A. Topete.

Luis Topete presented the staff report and addressed the recommended revisions to one of the findings in the revised resolution that was distributed to the commissioners. Commissioner Chapin asked a question about driveway standards which was answered by Jimmy Zanotelli. Commissioner Kerns asked about the location of the turnouts which was answered by Luis Topete. The applicant agreed to the conditions of approval. The public hearing was opened. There being no speakers the public hearing was closed.

By motion made and seconded (Kerns/Chapin), and carried unanimously, the Planning Commission adopted a resolution, as amended, to: a) find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15061(b)(3) and 15303; b) adopt the recommended findings listed in Resolution 2021-020; c) approve Parcel Map 21-0004, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2021-020; d) make the findings for a deviation from Chapter 2, Section B(2)(a) of the Shasta County Development Standards for Minor road improvement standards; e) approve a deviation from Chapter 2, Section B(2)(a) of the Shasta County Development Standards; f) in accordance with Sections 6.91 through 6.93 of the Shasta County Fire Safety Standards make the findings for an exception to Section 6.12 for private road standards; and g) approve Shasta County Fire Safety Exception #21-41, subject to the conditions as set forth in the exception.

ADJOURNMENT: The Planning Commission adjourned at 2:30 p.m.

Submitted by:



Paul Hellman, Director of Resource Management
Secretary of the Planning Commission

RESOLUTION NO. _____

A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION RECOMMENDING TO THE BOARD OF SUPERVISORS THE ADOPTION OF A MORATORIUM ON WIND TURBINE DEVELOPMENTS IN SHASTA COUNTY PENDING FURTHER STUDY AND POTENTIAL CHANGES TO THE COUNTY'S ZONING ORDINANCES AND GENERAL PLAN TO BETTER GUIDE FUTURE DEVELOPERS AND THE PUBLIC

WHEREAS, on June 22, 2021, the Shasta County Planning Commission conducted a public hearing where it considered Fountain Wind LLC's application for approval of a use permit for the Fountain Wind Project, a wind energy generation development, Use Permit 16-007; and

WHEREAS, after receiving presentations from staff, the applicant, various groups, and receiving public comment, the Planning Commission unanimously denied the application of Use Permit 16-007 by a vote of 5 to 0; and

WHEREAS, the Commission denied Use Permit 16-007 due to several significant and unavoidable issues both in the Final Environmental Impact Report (FEIR) and in public testimony during the special meeting, as well as comprehensive reviews of the Draft EIR along with public testimony, both written and oral, received over the last 2.5 years. The FEIR stated that the proposed project was for the construction of up to 72 wind turbines and associated infrastructure with the actual number and location to be determined at a future date (FEIR pp. 1-3). The FEIR noted significant and unavoidable issues concerning the impacts of the project on the aesthetics of the area, impacts to selected wildlife species, impacts to forest resources, and impacts to Native American culture. The Commission found that the FEIR erred in not addressing the significant impact of the removal of aerial firefighting capability due to the location and height of the proposed structures, thus putting the communities of Round Mountain, Montgomery Creek, Moose Camp, Big Bend, and Burney into a significantly dangerous position. The Commission acknowledged that there would be a significant revenue increase to Shasta County during the buildout phase of the project. However, looking at the long term, the financial return would be minimal and, therefore, did not constitute an overriding circumstance. The Commission noted that those who spoke in favor of the project were from out of the project area, while all of those within the project area were against the project. With these considerations, the Commission found that the establishment, operation, and maintenance of the subject use, under the circumstances of the particular case will be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or will be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County (Shasta County Code subsection 17.92.020.F); and

WHEREAS, on June 25, 2001, the Applicant for the Fountain Wind project timely appealed the determination of the Planning Commission; and

WHEREAS, on October 26, 2021, the Board of Supervisors of the County of Shasta considered the appeal by Fountain Wind, LLC of the Shasta County Planning Commission's denial of Use Permit 16-007 for the Project, a renewable wind energy generation development consisting of the construction, operation, maintenance, and ultimately the decommissioning of up to 72 wind turbines and associated transformers together with the associated infrastructure and ancillary facilities in unincorporated Shasta County on approximately 4,464 acres of a 29,500-acre leasehold comprised of 76 Shasta County

Assessor's parcels operated as managed forest timberlands located approximately one mile west of the existing Hatchet Ridge Wind Project, 6 miles west of Burney, CA and 35 miles northeast of Redding, CA, in accordance with Section 17.92.020 of the Shasta County Ordinance Code, Title 17, Zoning; and

WHEREAS, the Applicant proposed modifications to the Project; and

WHEREAS, the Board of Supervisors received and reviewed the proposed Project, including the modifications to the Project proposed by the Applicant following the filing of its appeal, along with all draft, final, and supporting documents of the environmental impact report (EIR) prepared in compliance with the California Environmental Quality Act (CEQA), staff reports, correspondence to the County concerning the application, in addition to a report from the Director of Resource Management; and

WHEREAS, a duly noticed public hearing on the Final EIR and the Project was conducted by the Board of Supervisors on October 26, 2021, at which time all interested persons were given an opportunity to comment which were considered in accordance with the modified procedures for the conduct of the Board of Supervisors resulting from the current COVID-19 pandemic and in compliance with orders and recommendations of federal, state, and local authorities, and those comments were considered by the Board of Supervisors; and

WHEREAS, the Board of Supervisors received testimony regarding the following detrimental impacts of the proposed project: impacts to aesthetics; potential increased fire danger; impediments to firefighting efforts; damage to wildlife; damage to natural resources; and damage to cultural of tribal resources; and

WHEREAS, after independent consideration and determinations of the Board of Supervisors following its de novo review of the application, the CEQA determination, and the issues on appeal, the Board of Supervisors of the County of Shasta made the following use permit finding: The establishment, operation, and maintenance of the subject use, under the circumstances of the particular case, will be detrimental to the health safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or will be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County. Testimony was received regarding potential increased fire danger and impaired emergency evacuation and/or hindrance of firefighting efforts. Testimony was received from residents in the area regarding the impaired aesthetics of the region caused by visual blight. Testimony was received by residents and tribal members regarding encroachment on and impact to historical, cultural, and tribal resources considered to be spiritually and culturally important to local tribes. Testimony was also received that the detriment to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the area of the project and the County, in general, outweighed the proposed benefits to the County. In addition to the testimony received, documents were presented to the Board and made a part of the record that supported the testimony received and the findings made herein; and

WHEREAS, the Board of Supervisors affirmed the decision of the Planning Commission's denial of Use Permit 16-007 and denied Use Permit 16-007 as originally proposed and as modified by the Applicant, by a vote of 4-1; and

WHEREAS, following the denial of Use Permit 16-007 by the Planning Commission, the appeal, and the final denial of Use Permit 16-007 by the Board of Supervisors, the Planning Commission met on December 9, 2021; and

WHEREAS, at the meeting of the Planning Commission on December 9, 2021, the Planning Commission discussed the issue of a potential moratorium (the "Moratorium") on future wind turbine developments pending further study of the issues raised by the Planning Commissioners and the Board of Supervisors in denying the permit for the Fountain Wind project, and pending potential changes to the County Zoning Ordinances and General Plan, and otherwise, to provide future developers additional guidance in advance concerning such projects that might be proposed in the future, as well as to further protect the public from the types of potential negative impacts that led to the denial of the use permit for the Fountain Wind project; and

WHEREAS, following discussion and public comments on the proposed Moratorium, and due consideration by Shasta County Planning Commission;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Shasta recommends to the Shasta County Board of Supervisors:

1. That a Moratorium on future wind turbine developments in Shasta County be adopted until such time as the County considers the following on a county wide basis: (A) studies of the potential impacts of wind turbine developments, particularly those that might be proposed to be located in areas of the County that are in or near communities, in or near forested areas, or in or near high fire danger zones, including whether such projects should not be allowed in such areas due to potential increased fire danger and impediments to firefighting efforts; (B) studies of the potential impacts of wind turbine developments on aesthetics in Shasta County and the issue of visual blight, and addressing the protection of the rural nature and scenic beauty of Shasta County, and its mountain tops and ridge lines; (C) studies concerning the potential impacts of wind turbine developments on forest resources, wildlife and other biological or natural resources; and (D) studies concerning the potential impacts of wind turbine developments on historical, cultural, and tribal resources considered to be spiritually and culturally important to local tribes; and
2. Following completion of the further studies outlined above, and after receiving any additional input from interested groups, experts, and the public that the Planning Commission and/or Board of Supervisors may receive, and after undertaking the appropriate processes, (A) the Board of Supervisors determines whether any future wind turbine developments will be allowed in Shasta County, given the rural nature of the county, high fire danger in the County, and the potential impacts posed by such projects; and (B) makes and adopts appropriate changes to Shasta County's Zoning Ordinances and General Plan, including consideration and adoption of an Open Space Plan or equivalent as part of the General Plan, to specifically address industrial wind turbine developments, the potential impacts of such developments, and whether any such projects will be allowed in the County in the future, and if so, in what area or areas of the County, and under what conditions and restrictions.

DULY PASSED AND ADOPTED this 9th day of December 2021, by the Shasta County Planning Commission by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

PATRICK WALLNER, Chair
Planning Commission
County of Shasta, State of California

ATTEST:

PAUL A. HELLMAN, Secretary
Planning Commission
County of Shasta, State of California

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SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES**Regular Meeting**

Date: December 9, 2021
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors Chambers

ROLL CALL**Commissioners**

Present: Patrick Wallner District 5
Jim Chapin District 1
Steven Kerns District 3
Donn Walgamuth District 4

Commissioners

Absent: Tim MacLean District 2

Staff Present: Paul Hellman, Director of Resource Management
Adam Fieseler, Planning Division Manager
Adam Pressman, Senior Deputy County Counsel
Lio Salazar, Senior Planner
Jimmy Zanolli, Shasta County Fire Marshal
Tracie Huff, Administrative Secretary I/Recording Secretary

PUBLIC COMMENT PERIOD - OPEN TIME: None.

PLANNING DIRECTOR'S REPORT: Director Paul Hellman informed the Commission that Chair Wallner has scheduled a special meeting to consider the Tierra Robles Planned Development project on Wednesday, January 19, 2022, at 3:00 p.m. in the Board Chambers. He also informed the Commission that the Final EIR for this project is posted online on the Planning Division's website, that hard copies are available for review at local libraries and at the Department of Resource Management, and that the document is available in electronic format upon request. Mr. Hellman thanked the Commission for their hard work and dedication throughout the year.

REGULAR CALENDAR:**R1: APPROVAL OF MINUTES:**

By motion made, seconded (Chapin/Kerns) and carried unanimously, the Planning Commission approved the Minutes of November 10, 2021, as submitted.

CONFLICT OF INTEREST DECLARATIONS: None.

Ex-parte Communications Disclosures: Commissioner Kerns stated that an attorney assisted him with the preparation of his proposed alternative resolution following his consultation with County Counsel.

R2: Potential Zoning and General Plan Changes and Moratorium Concerning Large Wind Energy Systems:

On November 10, 2021, by a 4-0 vote the Planning Commission directed staff to place the presentation of a report regarding options for regulating wind turbine developments and consideration of a resolution proposed by Commissioner Kerns recommending that the Board of Supervisors adopt a moratorium on wind turbine developments pending further study and potential changes to the County Zoning Plan and General Plan. Subsequent to the issuance of a memorandum from County Counsel regarding whether the County may legally impose a moratorium on the development of large wind energy systems, Commissioner Kerns proposed an alternative resolution recommending that the Board of Supervisors take specific actions with respect to wind turbine developments, including initiating the process to amend the County Zoning Plan and General Plan. Staff Planner: Paul A. Hellman.

Paul Hellman and Adam Fieseler presented the staff report. Commissioner Kerns discussed maps depicting very high fire hazard severity zones, wind farm study areas, and recent major wildfires. Steve Johnson, Tony Ankis, Beth Messick-Lattin, and Gary Cadd spoke in favor of restricting or prohibiting the development of large wind energy systems. Paul Hellman answered questions from the Commission regarding the various actions the Commission make take.

By motion made and seconded (Chapin/Kerns), and carried by a 4-0 vote, the Planning Commission directed staff to prepare a resolution of intention to initiate an amendment to the County Zoning Plan prohibiting the development of large wind energy systems in the unincorporated area of Shasta County.

ADJOURNMENT: The Planning Commission adjourned at 3:06 p.m.

Submitted by:



**Paul Hellman, Director of Resource Management
Secretary of the Planning Commission**

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SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Regular Meeting

Date: January 13, 2022
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors Chambers

ROLL CALL

Commissioners

Present:

Jim Chapin	District 1
Steven Kerns	District 3
Tim MacLean	District 2
Patrick Wallner	District 5

Commissioners

Absent:

Donn Walgamuth	District 4
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Staff Present:

Paul Hellman, Director of Resource Management
Adam Fieseler, Planning Division Manager
Adam Pressman, Senior Deputy County Counsel
Venton Trotter, Supervising Engineer
Jimmy Zanolli, Shasta County Fire Marshal
Tracie Huff, Recording Secretary

Note:

All unanimous actions reflect a 4-0 vote.

ELECTION OF 2022 CHAIR AND VICE-CHAIR

ACTION: By motion made, seconded (Wallner/Chapin), and carried unanimously, the Planning Commission named Commissioner MacLean to serve as Chair for 2022.

ACTION: By motion made, seconded (MacLean/Kerns), and carried unanimously, the Planning Commission named Commissioner Chapin to serve as Vice-Chair for 2022.

PUBLIC COMMENT PERIOD - OPEN TIME: Kelly Tanner regarding the Tierra Robles project.

PLANNING DIRECTOR'S REPORT: Director Paul Hellman stated that the special meeting to consider the Tierra Robles Planned Development will be conducted on Wednesday, January 19th, at 3:00 p.m. He informed the Commission that the staff report was posted on the Planning Division's website on January 12th and was provided to the commissioners who will be participating in the meeting. He stated that the meeting agenda will be posted at least 24 hours prior to the meeting and will be provided to the commissioners.

PLANNING COMMISSION MEETING MINUTES

January 13, 2022

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REGULAR CALENDAR:

R1: APPROVAL OF MINUTES:

By motion made, seconded (Chapin/Kerns) and carried unanimously, the Planning Commission approved the Minutes of December 9, 2021, as submitted.

CONFLICT OF INTEREST DECLARATIONS: None.

Ex-parte Communications Disclosures: Commissioner Kerns stated that an attorney assisted him with the preparation of his proposed alternative resolution following his consultation with County Counsel.

R2: Zone Amendment 21-0001 and Use Permit 21-0001 (LW Holdings, LLC): LW Holdings, LLC has requested to change the zoning of Assessor's Parcel Number 307-170-013 from the Public Facilities combined with Mineral Resource Buffer (PF-MRB) zone district to the Mixed Use combined with Mineral Resource Buffer (MU-MRB) zone district and a use permit to redevelop the 5.66-acre former North Woods Discovery School property into a recreational vehicle, boat, and mini-storage facility comprised of fourteen buildings for approximately 53,862 square feet of storage space. The project site is located in the Mountain Gate area at 14732 Bass Drive, Redding, CA 96003, approximately 0.1 miles southeast of the intersection of Bass Drive and Wonderland Boulevard (Assessor's Parcel Numbers 307-170-012 and 307-170-013). The proposal includes repurposing four buildings, demolishing three buildings, and constructing ten new buildings containing a total of 216 storage spaces ranging in size from 187 to 480 square feet. The proposal also includes a 1,140-square-foot office/caretaker's residence, grading to prepare the site for improvements, paving for parking and drive aisles, landscaping, drainage improvements, fencing, abandonment of an onsite sewage disposal system, installation of an onsite wastewater treatment system, and other ancillary onsite improvements. Staff Planner: Luis A. Topete.

Adam Fieseler summarized the January 12th memorandum from Director Paul Hellman stating that this item will need to be renoticed since the published legal notice failed to specify that the Planning Commission would be considering an exception from the Shasta County Fire Safety Standards. Therefore, Mr. Fieseler recommended that the public hearing not be opened and that this item be continued to the February 10th Planning Commission meeting to allow for the required renoticing.

By motion made and seconded (Chapin/Wallner), and carried by unanimously, the Planning Commission continued the item to February 10, 2022.

R3: Potential Zoning Changes Concerning Large Wind Energy Systems: On December 9, 2021, by a 4-0 vote the Planning Commission directed staff to prepare a resolution of intention to initiate an amendment to the Shasta County Zoning Plan prohibiting the development of large wind energy systems in the unincorporated area of Shasta County. Staff Planner: Paul A. Hellman.

Paul Hellman presented the staff report. The Commission asked questions of staff and discussed potential modifications to the draft resolution.

Steve Johnson, Kelly Tanner, Maggie Osa, and David Ledger spoke in favor of adoption of the resolution of intention. The Commission further discussed potential modifications to the draft resolution.

By motion made and seconded (Wallner/Chapin), and carried unanimously, the Planning Commission adopted the resolution of intention to initiate an amendment to the County Zoning Plan prohibiting the development of

PLANNING COMMISSION MEETING MINUTES

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large wind energy systems, with a modification to change the references to the “Very High Fire Hazard Severity Zone” to the “High and Very High Fire Hazard Severity Zones”.

ADJOURNMENT: The Planning Commission adjourned at 3:05 p.m.

Submitted by:



Paul Hellman, Director of Resource Management
Secretary of the Planning Commission

RESOLUTION NO. 2022-003

**RESOLUTION OF INTENTION OF THE SHASTA COUNTY PLANNING
COMMISSION TO CONSIDER AMENDMENTS TO THE SHASTA COUNTY
ZONING PLAN REGULATING LARGE WIND ENERGY SYSTEMS**

WHEREAS, the County of Shasta has adopted a Zoning Plan identified as Title 17 (Zoning) of the Shasta County Code.

WHEREAS, the County of Shasta may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.

WHEREAS, California Government Code section 65850 authorizes the County of Shasta to adopt ordinances that regulate the use of buildings, structures, and land and the intensity of land uses.

WHEREAS, the Zoning Plan regulates small wind energy systems, which are defined as wind energy conversion systems consisting of a wind turbine, a tower, and associated control or conversion electronics used primarily to reduce on-site consumption of utility power.

WHEREAS, private wind energy production systems not classified as small wind energy systems are regulated by the Zoning Plan as public utilities, which are permissible in all zone districts with the approval of a use permit.

WHEREAS, the adverse impacts of private wind energy production systems not classified as small wind energy systems, particularly with respect to wildfire, aerial firefighting, aesthetics, biological resources, and historical, cultural, and tribal resources, are of significant concern to many residents of Shasta County as evidenced by the numerous public comments received regarding the proposed Fountain Wind Project between 2019 and 2021.

WHEREAS, the vast majority of the unincorporated area of Shasta County is designated as being in the High and Very High Fire Hazard Severity Zones as recommended by the California Department of Forestry and Fire Protection.

WHEREAS, the Shasta County Planning Commission is of the opinion that private wind energy production systems not classified as small wind energy systems are incompatible in the High and Very High Fire Hazard Severity Zones.

WHEREAS, amendments to the Zoning Plan to define and regulate private wind energy production systems not classified as small wind energy systems in the unincorporated area of Shasta County, should be considered, in furtherance of the public necessity, convenience, and general welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Shasta County Planning Commission, pursuant to section 17.92.080(B) of the Shasta County Code, hereby intends to consider amendments to the Zoning Plan to regulate private wind energy production systems not classified as small wind energy systems in furtherance of the public necessity, convenience, and general welfare.

BE IT FURTHER RESOLVED, that such proposed regulations consist of defining private wind energy production systems not classified as small wind energy systems as large wind energy systems and prohibiting the development of such systems in the unincorporated area of Shasta County.

BE IT FURTHER RESOLVED, that the Shasta County Department of Resource Management is directed to study the matter, propose amendments to the Zoning Plan, and submit any proposed amendments to the Shasta County Planning Commission, in accordance with section 17.92.080 of the Shasta County Code, for the Planning Commission's consideration and recommended action.

DULY PASSED AND ADOPTED this 13th day of January 2022, by the following vote:

AYES: CHAPIN, KERNS, MACLEAN, WALLNER

NOES:

ABSENT: WALGAMUTH

ABSTAIN:

RECUSE:



TIM MACLEAN, Chair
Planning Commission
County of Shasta, State of California

ATTEST:



PAUL A. HELLMAN, Secretary
Planning Commission
County of Shasta, State of California

Produced in Native Format

File may be accessed at the following link: <https://www.imanageshare.com/pd/43oeAOJQw36>

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Regular Meeting

Date: April 14, 2022
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors Chambers

ROLL CALL

Commissioners

Present:

Jim Chapin	District 1
Steven Kerns	District 3
Tim MacLean	District 2
Donn Walgamuth	District 4
Patrick Wallner	District 5

Staff Present:

Paul Hellman, Director of Resource Management
Adam Fieseler, Assistant Director of Resource Management
Lio Salazar, Planning Division Manager
Adam Pressman, Senior Deputy County Counsel
Elisabeth Towers, Assistant Planner
Venton Trotter, Supervising Engineer
Scott Ross, Shasta County Fire Inspector
Dan Dennett, Assistant Chief, Shasta County Fire Department
Ken Henderson, Senior Environmental Health Specialist
Tracie Huff, Recording Secretary

Note: All unanimous actions reflect a 5-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: None.

PLANNING DIRECTOR'S REPORT: Director Paul Hellman announced the promotions of Lio Salazar to Planning Division Manager and Adam Fieseler to Assistant Director of Resource Management. Mr. Hellman reported the Commission's action regarding the Tierra Robles Planned Development Project during a special meeting on April 6th and thanked the Commissioners for their participation in that process.

REGULAR CALENDAR:

R1: APPROVAL OF MINUTES:

By motion made, seconded (Chapin/Wallner) and carried unanimously, the Planning Commission approved the Minutes of February 10, 2022, as submitted.

PLANNING COMMISSION MEETING MINUTES

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COS0001071

CONFLICT OF INTEREST DECLARATIONS: None.

Ex-parte Communications Disclosures: None.

R2: Use Permit 22-0003 (Dickinson): Kevin and Danielle Dickinson have requested a use permit to legalize an existing Recreational Vehicle (RV) repair shop, installation services, RV sales, outdoor RV and trailer storage, and to construct a 2,560-square-foot RV repair structure, landscaping, and other ancillary onsite improvements. The 0.77-acre project site is located at 18691 Old Oasis Road, Redding, CA 96003 (Assessor's Parcel Number 074-100-030), on the east side of Old Oasis Road, approximately 0.18 miles south of the intersection of Oasis Road and Old Oasis Road. Staff Planner: Elisabeth Towers.

Elisabeth Towers recommended that the item be continued to the next regularly scheduled meeting on May 12, 2022 to allow time for the applicant to revise the site plan to address questions which have come up within the past 24 hours and that the public hearing not be opened unless members of the public wish to speak on this item. Chair MacLean asked if any members of the public wished to speak on this item; there being none, Chair MacLean invited discussion or a motion for a continuance from the commissioners.

By motion made and seconded (Kerns/Walgamuth), and carried unanimously, the Planning Commission continued this item to the May 12, 2022 Planning Commission meeting.

R3 Zone Amendment 22-0001 Regulation of Wind Energy Systems County-Wide Text Amendment (Shasta County): The Planning Commission will hold a public hearing to consider recommending that the Board of Supervisors adopt an ordinance amending Title 17, Zoning Plan, of the Shasta County Code (SCC) by adding SCC Section 17.88.335 to define and prohibit large wind energy systems within the unincorporated area of Shasta County, amending SCC Section 17.88.035 to modify the definition of, and development regulations for, small wind energy systems, and amending SCC Section 17.88.100 to exclude large wind energy systems from being a permissible public utility with the approval of a use permit. Staff Planner: Paul Hellman.

Paul Hellman presented the staff report and recommended that the item be continued to the next regularly scheduled meeting on May 12, 2022 to enable staff to address the comments received in opposition to the proposed ordinance, including a letter from an attorney representing ConnectGen LLC. The public hearing was opened, and the following persons spoke in support of and in opposition to the proposed ordinance: Ron Dykstra, Bill Walker, Eihnard Diaz, Steve Johnson, David Ledger, Tony Yiamkis, Beth Messick Lattin, Kelly Tanner, and Bradley Davis. There being no other speakers, the public hearing was closed.

A recess was called at 2:45 p.m. at the request of Commissioner Kerns to allow staff to display slides provided by Commissioner Kerns and the meeting resumed at 2:47 p.m.

Commissioner Kerns presented his slides regarding the proposal. The Commissioners discussed the proposal further, including staff's recommendation to continue the item.

A motion to recommend that the Board of Supervisors adopt the proposed ordinance was made by Commissioner Kerns and seconded by Commissioner Chapin. By a 3-2 vote, with Commissioners Walgamuth, Wallner, and MacLean voting NO and Commissioners Kerns and Wallner voting AYE, the motion failed.

By motion made and seconded (Chapin/Wallner), and carried unanimously, the Planning Commission continued this item to the May 12, 2022 Planning Commission meeting.

PLANNING COMMISSION MEETING MINUTES


April 14, 2022

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By motion made and seconded (Walgamuth/Kerns), and carried unanimously, the Planning Commission voted to reopen the public hearing on this item during the May 12, 2022 Planning Commission meeting.

ADJOURNMENT: The Planning Commission adjourned at 3:24 p.m.

Submitted by:

A handwritten signature in blue ink, reading "Paul G. Hellman", is written over a horizontal line.

**Paul Hellman, Director of Resource Management
Secretary to the Planning Commission**



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Anne E. Mudge
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April 13, 2022

Shasta County Planning Commission
1855 Placer St Suite 103,
Redding, CA 96001

Re: Proposed Amendments to Shasta County Zoning Code to Prohibit Large Wind Energy Systems

Dear Chair and Members of the Planning Commission:

This firm represents ConnectGen LLC. ConnectGen LLC is a leading developer of renewable energy with projects throughout the United States. I am writing about the proposed amendments to Shasta County's zoning code (Zone Amendment 22-0001) which, if approved, would prohibit "private wind energy production systems not classified as small wind energy systems" (also referred to as "large wind energy systems") in almost all areas of unincorporated Shasta County. The Planning Commission is scheduled to hear this item at its April 14, 2022 regularly scheduled meeting.

Poor Public Policy. There are compelling policy reasons why Shasta County should not adopt the proposed zoning code amendments:

- Large wind energy systems can safely and compatibly be developed in Shasta County, including in areas of high fire risk.
- Shasta County 's professional planning staff recommended approval of both the Hatchett Ridge and Fountain Wind Project because they determined, based on substantial and highly credible evidence that, properly designed and mitigated, large wind energy systems are compatible with high fire risk lands and are not detrimental to health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County.
- No wildfires have resulted from the construction and operation of the Hatchett Ridge project, which has been operational for over 10 years. There is simply no basis to conclude that other wind projects will cause wildfires.
- Small wind energy systems do not supply electricity to the retail market and do appreciably reduce carbon emissions on regional or statewide scale
- Large wind energy systems are a critical part of how California plans to address climate change, which will help reduce wildfire risk.

- Electricity produced from large wind energy systems displaces carbon emissions from fossil fuel power plants.
- Large wind energy systems create jobs and substantial tax benefits for Shasta County.
- Under the existing zoning code, the County can already carefully consider individual large wind energy systems on their merits through the conditional use permit process.

Violation of CEQA. In addition to these policy reasons, there are legal reasons the County should not proceed with the proposed amendments. Based on the current record, adoption of these zoning changes without environmental review would violate the California Environmental Quality Act (CEQA), Public Resources Code section 21100 et seq. Unless a project is exempt, CEQA requires an agency to conduct an environmental review to determine whether a project may have a significant effect on the environment. *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. App. 4th 372 at 380-381.) A "[s]ignificant effect on the environment" means a substantial, or potentially substantial, *adverse change in the environment*." Public Resources Code section 21068, italics added.) The Guidelines define "[s]ignificant effect on the environment" as "a substantial, or potentially substantial, *adverse change* in any of the physical conditions within the area affected by the project including land [and] . . . flora" (Guidelines, § 15382, italics added.)

Draft Resolution 2022-013 claims that Zone Amendment 22-0001 is exempt pursuant to CEQA Guidelines sections 15060(c)(2) since "it can be seen with certainty that this ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment." But this exemption -- known as the "common sense exemption" -- does not apply here for the reasons stated below. Before it can approve these amendments, the County is therefore required to prepare an environmental document in compliance with CEQA.¹

In its entirety, CEQA Guidelines section 15061, subdivision (b)(3) provides: "(b) A project is exempt from CEQA if: [¶] . . . [¶] (3) The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

The common sense exemption can be relied on only if a factual evaluation of the agency's proposed activity reveals that it applies. *Davidon Homes vs City of San Jose* (1997) 54 Cal. App. 4th 106 at 114. The agency invoking the exemption has the burden of demonstrating that it applies. *Id.* at p. 116. Further, it applies only when it is *undisputed* that a project will enhance rather than degrade existing environmental conditions. *CREED-21 v. City of San Diego* (215) 234 Cal. App. 4th 488, 512.

As recognized by the leading treatise on CEQA (see Kostka & Zischke, *Practice under the Environmental Quality Act*, CEB, section 5.112) certain projects ostensibly adopted to protect or

¹ As a threshold matter, the proposed amendment of the zoning ordinance clearly constitutes a "project" subject to CEQA. The staff report makes no argument that the amendment is not a project and immediately addresses the second tier of analysis—whether the project is exempt from CEQA under the commonsense exemption.

improve the environment can have collateral effects on the environment that preclude application of the exemption. As a result, agencies cannot simply assume that measures intended to protect the environment are entirely benign. For example, the court in *Dunn-Edwards Corp. v. Bay Area Air Quality Management District* (1992) 9 Cal. App. 4th 644 overturned amendments to air district regulations designed to reduce the amount of volatile organic carbons (VOCs) in paint and other architectural coatings for failure to comply with CEQA. Because there was evidence that the new regulations would require lower quality products that would result in a net increase in VOC emissions, an exemption under 14 Cal Code Regs §15061(b)(3) was held to be improper. See also *Muzzy Ranch Co. v. Solano County Airport Land Use Commission*, supra, 41 Cal. App. 4th 372 at 380-381 (displacement of development pressure can be environmental impact, but common sense exemption applied to airport land use plan but chiefly because it kept preexisting designations in place); *Wildlife Alive v. Chickering* (1976) 18 Cal. 3d 190 (Fish and Game Commission action setting fishing and hunting seasons has potential for both beneficial and adverse effects on survival of certain species); *Building Code Action v. Energy Resources Conserv. & Dev. Comm'n* (1980) 102 CA 3d 577 (adoption of energy conservation regulations establishing double-glazing standards for new residential construction could have significant impact on air quality as result of increased glass production).

Here, the County's zoning code currently allows wind energy generation projects as a "public utility" in any zoning district with a conditional use permit. As in the *Dunn-Edwards* case and in stark contrast to the *Muzzy Ranch* case (which merely maintained existing zoning regulations and did not change them), the amendments here propose a prohibition on large scale wind energy in the vast majority of the unincorporated area of Shasta County where they are currently conditionally allowed. Draft Resolution 2022-013 defends the application of the common sense exemption on the ground that the prohibition would potentially educe wildfire risk and reduce biological and other impacts *in the County*. However, the Resolution fails to address or acknowledge the indirect but very real adverse regional and statewide impacts of precluding the potential development of approximately 1212 MW of emissions-free wind energy in Shasta County.² Precluding the development of these wind energy projects could result in a lost opportunity to displace 2,143,241 metric tons of CO₂ per year, the equivalent of removing 461,802 gasoline powered passenger vehicles driven for one year³ from the road as well as thwart the California Public Utility Commission's Adopted Plan for procurement of approximately 3500 MW of on-shore wind by 2025. This prohibition would also thwart the State of California's goals contained in SB 100 requiring renewable energy and zero-carbon resources to supply 100% of electric retail sales to end use customers by 2045. It would also undermine the state's goal of reducing GHG emissions by 40% by 2030 compared to 1990 levels under AB 32. A prohibition on all large wind energy systems in Shasta County would also undermine the Shasta County Air Quality Management District's Regional Climate Action Plan

² This figure is derived from the number of acres of private land in the unincorporated part of the County where wind speed would be commercial (above 6 m/s) based on California Energy Commission and National Renewal Energy Laboratories wind maps, then assuming 80 acres per MW.

³ <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

which reduce community GHG emissions to 49% below 2008 levels by 2035 (i.e. 291,340 MT CO₂e/yr.) This loss of clean electricity from large wind energy systems that could be produced in Shasta County could lead to higher levels of carbon emissions for a longer period, a diminished capacity to slow global warming and potentially higher risk of wildfires.

Furthermore, the conclusion that the prohibition would potentially educe wildfire risk ignores the record from the Fountain Wind conditional use permit which demonstrated that project actually enhanced the fire safety in the area of the project. The record also demonstrated that any impacts to wildlife would be mitigated under CEQA and applicable state and federal laws.

Given these potential results, it is abundantly clear that it *cannot* be seen *with certainty* that there is *no possibility* that the proposed amendments to the zoning code may have a significant effect on the environment. To the contrary, the proposed amendments *quite possibly* may have an adverse impact on the state's ability to address climate change, fight wildfires and reduce carbon emissions, all of which could result in significant adverse impacts on the environment. As such, the common sense exemption does not apply and the County must prepare an environmental analysis in compliance with CEQA before approving such amendments.

Inconsistent with the General Plan. Approval of these amendments would also be in violation of state planning law requiring that the zoning code be consistent with the General Plan. Shasta County's General Plan recognizes that renewable energy, including wind energy, are important features in the County's energy future. An outright prohibition on large wind energy systems would be inconsistent with the stated importance of renewable energy, including wind energy in the County's General Plan:

"Renewable energy resources, coupled with strategies to encourage conservation, are important features in the Shasta County region's energy future. In 2002, the Governor signed the Renewable Portfolio Standard (RPS), SB 1078. This standard requires an annual increase in renewable generation equivalent to at least 1 percent of electricity sales, with an aggregate goal of 20 percent by 2017. Currently renewable generation accounts for 11 percent of retail sales. California's Energy Action Plan has targeted a goal of 20 percent by 2010. 21 Achieving the RPS could displace 20,000 tons of nitrogen oxide (Nox) emissions from gas and coal-fired generation in the Western states over the 2004-2013 time frame. Also, the use of renewable resources can reduce carbon dioxide and greenhouse gas emissions associated with global climate change. Generation of electricity from renewable energy rather than by fossil fuels can reduce CO₂ and other green-house gas emissions associated with climate change. Model simulations in one instance indicate that achieving the RPS by 2010 could reduce annual CO₂ emissions by about 62 million tons by 2013. This is equivalent to estimated annual CO₂ emissions from more than 6 million automobiles. Geothermal energy provides the largest portion of renewable electricity in California where such generation is by systems 30 MW or smaller. Renewable energy (excluding small and large hydropower) provided four percent for the region's energy production in the Western Electricity Coordinating Council (WECC) states. If renewable energy could be used to replace the estimated growth in gas-fired generation from 2004- 2017, the total amount of

renewable energy by 2017 would reach about 38 percent. This would make renewable energy the largest source of electricity generation in California. Overall, existing renewable energy facilities utilize a small proportion of the technical potential for renewable energy in California.

Important renewable energy sources in Shasta County include solar, hydroelectricity, biomass, and cogeneration. There is also potential for development of wind, geothermal, and waste-to-energy as alternative sources of energy production. Technology improvements associated with renewable energy development will be a key to its rate of success. Renewable energy sources can be most effectively applied for space heating and cooling and for electrical generation. For the oil dependent transportation sector, renewable energy solutions involve developing marketable alternative fuel types as the cost of oil rises. Collectively, renewable energy offers a diverse and virtually inexhaustible resource, opportunities for developing new base industries, and all at substantially less environmental cost.

Conclusion: The proposal to prohibit all large wind energy systems in almost all of Shasta County based on the common sense exemption would violate CEQA, be poor public policy, and violate state planning and zoning laws requiring consistency with the General Plan. The County already has the ability to use its discretion to allow or disallow specific projects under the conditional use process. For all of the above reasons, we urge the Planning Commission to reject the proposed amendments.

Very truly yours,

A handwritten signature in blue ink, reading "Anne E. Mudge". The signature is fluid and cursive, with the first name "Anne" and last name "Mudge" being clearly legible, and "E." in the middle.

Anne E. Mudge

Produced in Native Format

File may be accessed using the following link: <https://www.imanageshare.com/pd/qgMo51VVvw>

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Regular Meeting

Date: May 12, 2022
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors Chambers

ROLL CALL

Commissioners Present:

Jim Chapin	District 1
Steven Kerns	District 3
Tim MacLean	District 2
Donn Walgamuth	District 4
Patrick Wallner	District 5

Staff Present: Paul Hellman, Director of Resource Management
Lio Salazar, Planning Division Manager
Adam Pressman, Senior Deputy County Counsel
Luis Topete, Associate Planner
Elisabeth Towers, Assistant Planner
Jonny Muller, Assistant Planner
Rob Stahl, Senior Air Pollution Inspector
Pedro Chacon, GIS Analyst
Jimmy Zanolli, Shasta County Fire Marshal
Dan Dennett, CAL FIRE Assistant Chief
Chris Wilson, CAL FIRE Division Chief
Ken Henderson, Senior Environmental Health Specialist
Tracie Huff, Recording Secretary

Note: All unanimous actions reflect a 5-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: None.

PLANNING DIRECTOR'S REPORT: Director Paul Hellman stated that a special meeting of the Board of Supervisors to consider the Tierra Robles Planned Development Project will be conducted on Thursday, July 21, 2022, at 3:00 p.m. in the Board Chambers.

REGULAR CALENDAR:

R1: APPROVAL OF MINUTES:

By motion made, seconded (Walgamuth/Wallner) and carried by a 3-0 vote with Commissioner Kerns and Commissioner MacLean abstaining, the Planning Commission approved the Minutes of April 6, 2022, as submitted.

By motion made, seconded (Chapin/Kerns) and carried unanimously, the Planning Commission approved the Minutes of April 14, 2022, as submitted.

CONFLICT OF INTEREST DECLARATIONS: Commissioner Kerns stated he had a conflict of interest on item R3 and Commissioner Walgamuth stated he had a conflict of interest on item R6.

Ex-parte Communications Disclosures: None.

R2: Use Permit 22-0003 (Dickinson): Kevin and Danielle Dickinson have requested a use permit to legalize an existing Recreational Vehicle (RV) repair shop, installation services, RV sales, outdoor RV and trailer storage, and to construct a 2,560-square-foot RV repair structure, landscaping, and other ancillary onsite improvements. The 0.77-acre project site is located at 18691 Old Oasis Road, Redding, CA 96003 (Assessor's Parcel Number 074-100-030), on the east side of Old Oasis Road, approximately 0.18 miles south of the intersection of Oasis Road and Old Oasis Road. Staff Planner: Elisabeth Towers.

Elisabeth Towers recommended that the item be continued to the next regularly scheduled meeting on June 9, 2022 to allow time for the applicant to complete the revised site plan and that the public hearing not be opened unless members of the public wish to speak on this item. Chair MacLean asked if any members of the public wished to speak on this item; there being none, Chair MacLean invited a motion from the commissioners.

By motion made and seconded (Chapin/Wallner), and carried unanimously, the Planning Commission continued this item to the June 9, 2022 Planning Commission meeting.

Commissioner Kerns left the chambers.

R3: Use Permit 20-0008 (Compton): Sonny Compton has requested a use permit to use an existing 720-square-foot commercial building and fenced outdoor area as a garden supply retail store that would be served by nonconforming off-street parking. The request includes exceptions from the landscaping requirements of the Shasta County Code. The project is located on a 0.36-acre property on the north side of State Hwy 299 E, at the northwest corner of State Highway 299 E and Round Mountain Road at 29430 State Hwy 299 E, Round Mountain, CA 96084 (Assessor's Parcel Number 029-430-004). Staff Planner: Luis Topete.

Luis Topete presented the staff report and the commissioners asked questions. The public hearing was opened. There being no speakers, the public hearing was closed.

By motion made and seconded (Chapin/Wallner), and carried by a 4-0 vote, the Planning Commission adopted a resolution to: a) find that Use Permit 20-0008 is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15061(b)(3) and 15301; b) adopt the recommended findings listed in Resolution 2022-012; and c) approve Use Permit 20-0008, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2022-012.

PLANNING COMMISSION MEETING MINUTES

May 12, 2022

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Commissioner Kerns returned to the chambers.

- R4 Amendment 21-0003 (Lehigh Cement West, Inc):** Lehigh Cement West, Inc. has requested approval of Amendment 21-0003 to amend Use Permit 297-78 for the construction of a Fortera™ ReCarb™ Plant. The Fortera™ ReCarb™ process is a proprietary process that will utilize a portion of the carbon dioxide (CO₂) emissions from the existing Lehigh cement kiln stack as feedstock to produce a Fortera proprietary patented product called Reactive Calcium Carbonate (RCC). The facility would produce approximately 15,000 tons of RCC over a time span of approximately 1.5 years and would then be decommissioned. This facility would not increase the production of the existing cement plant but would operate as a separate, temporary facility. The facility would be constructed within the existing facility boundary of Assessor's Parcel Number 307-030-002 located along the southwest border of the parcel. Consistent with the existing site, the facility would operate 24 hours per day, 7 days per week. Access to the facility site would be through the existing main gate of the Lehigh site located along Wonderland Boulevard. The plant includes structures that exceed the Mineral Resource (MR) zone district's 45-foot structural height limit. The project is located approximately 2 miles north of the intersection of Interstate 5 and Old Oregon Trail on the west side of Wonderland Boulevard in the Mountain Gate area at 15390 Wonderland Boulevard, Redding, CA 96003 (Assessor's Parcel Numbers 307-020-002 and 307-030-002). Staff Planner: Luis A. Topete.

Luis Topete presented the staff report. The public hearing was opened. Ryan Gilliam, cofounder and CEO of Fortera™, made a presentation and answered questions from the commissioners. The following persons spoke in favor and in opposition to the proposal: Todd Jones, Steve Owens, Steve Fitch, Steve Johnson, Eric Schnitzler, and Christine Bragge. Mr. Gilliam addressed the public comments and Mr. Topete addressed visual and noise impacts. Jessie Rouse, Steve Owens, and Tony Yiampkis spoke in opposition to the proposal. Paul Hellman asked Rob Stahl to describe the Shasta County Air Quality Management District permitting process for the proposal. Mr. Stahl described the permitting and inspection processes that would be applicable to the proposal and answered questions from the Commission. Gary Cadd questioned the timing of the air quality impact analysis for the proposal. There being no additional speakers, the public hearing was closed. Staff addressed questions from the commissioners.

By motion made and seconded (Walgamuth/Chapin), and carried unanimously, the Planning Commission adopted a resolution to: a) adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; b) adopt the recommended findings listed in Resolution 2022-013; and c) approve Amendment 21-0003, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2022-013.

A recess was called at 3:24 and the meeting reconvened at 3:35.

- R5 Zone Amendment 22-0001 Regulation of Wind Energy Systems County-Wide Text Amendment (Shasta County) – Continued from April 14, 2022:** The Planning Commission will hold a public hearing to consider recommending that the Board of Supervisors adopt an ordinance amending Title 17, Zoning Plan, of the Shasta County Code (SCC) by adding SCC Section 17.88.335 to define and prohibit large wind energy systems within the unincorporated area of Shasta County, amending SCC Section 17.88.035 to modify the definition of, and development regulations for, small wind energy systems, and amending SCC Section 17.88.100 to exclude large wind energy systems from being a permissible public utility with the approval of a use permit. Staff Planner: Paul Hellman.

Paul Hellman presented the staff report. The public hearing was opened and the following persons spoke in favor and in opposition to the proposal: Cedric Twight, Steve Johnson, Radley Davis, Steve Fitch, Joseph Osa,

Maggie Osa, John Vona, Bill Walker, Kelly Tanner, Jessie Rouse, Brandy McDaniels, Tony Yiampkis, and Gary Cadd. There being no additional speakers, the public hearing was closed. Each of the commissioners provided their thoughts regarding the proposal.

By motion made and seconded (Kerns/Chapin), and carried by a 4-1 vote with Commissioner MacLean voting against the motion, the Planning Commission adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 22-0001 is not subject to the California Environmental Quality Act (CEQA) for the reasons stated in Resolution 2022-014; b) adopt the recommended findings listed in Resolution 2022-014; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 22-0001.

Commissioner Walgamuth left the meeting.

A recess was called at 4:55 p.m. and the meeting reconvened at 5:02 p.m.

R6 Appeal of Administrative Permit 21-0055 (Kelley): William Kelley has requested approval of Administrative Permit 21-0055 to exceed the total combined residential accessory structure floor area limit of 2,500 square feet and the 20-foot height limit for accessory buildings within 50 feet of a property line for a proposed 2,080-square-foot, 25-foot-7-inch-tall RV garage located 31 feet from the north property line. The Director of Resource Management, after considering public comments and finding that the proposal meets all applicable criteria, approved Administrative Permit 21-0055 on April 19, 2022. Timely appeals of the Director's decision were filed by Mario Callegari and Jonathan Mulieri. The 2-acre project site is located at 20570 Chipeta Way, Redding, CA 96003 (Assessor's Parcel Number 306-640-001), on the east side of Bear Mountain Road, approximately 0.13 miles east of the intersection of Chipeta Way and Bear Mountain Road. Staff Planner: Jonathan Muller.

Lio Salazar presented the staff report.

A recess was called at 5:24 p.m. and the meeting reconvened at 5:40 p.m.

Mr. Salazar responded to a question from Commissioner Kerns regarding the requirement for the applicant to prepare a landscape plan.

The public hearing was opened. The appellants, Mario Callegari and Jonathan Mulieri, the applicant, William Kelley, and Kenny Nachman addressed the Commission. There being no additional speakers, the public hearing was closed. Commissioner Chapin asked why the proposal does not require a variance. Paul Hellman explained that the Zoning Plan allows for certain deviations with the approval of an administrative permit, such as those proposed by the applicant, and that other types of deviations require either a use permit or a variance. Mr. Hellman explained that administrative permits allowing for deviations from the standards of the Zoning Plan are very common and that appeals are very rare. Commissioner Wallner inquired about the code violation complaint form provided to the commissioners. Assistant Planner Jonathan Muller addressed the complaint regarding work commencing prior to issuance of a building permit. The commissioners discussed the item further and agreed that they did not have a sufficient amount of time to review the materials presented by the applicant and the appellants during the meeting. Commissioners Kerns and Chapin encouraged the parties to work together and attempt to reach a compromise.

By motion made and seconded (Wallner/Chapin), and carried by a 4-0 vote, the Planning Commission continued this item to the June 9, 2022 Planning Commission meeting.

PLANNING COMMISSION MEETING MINUTES

May 12, 2022

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ADJOURNMENT: The Planning Commission adjourned at 7:10 p.m.

Submitted by:



Paul Hellman, Director of Resource Management
Secretary to the Planning Commission

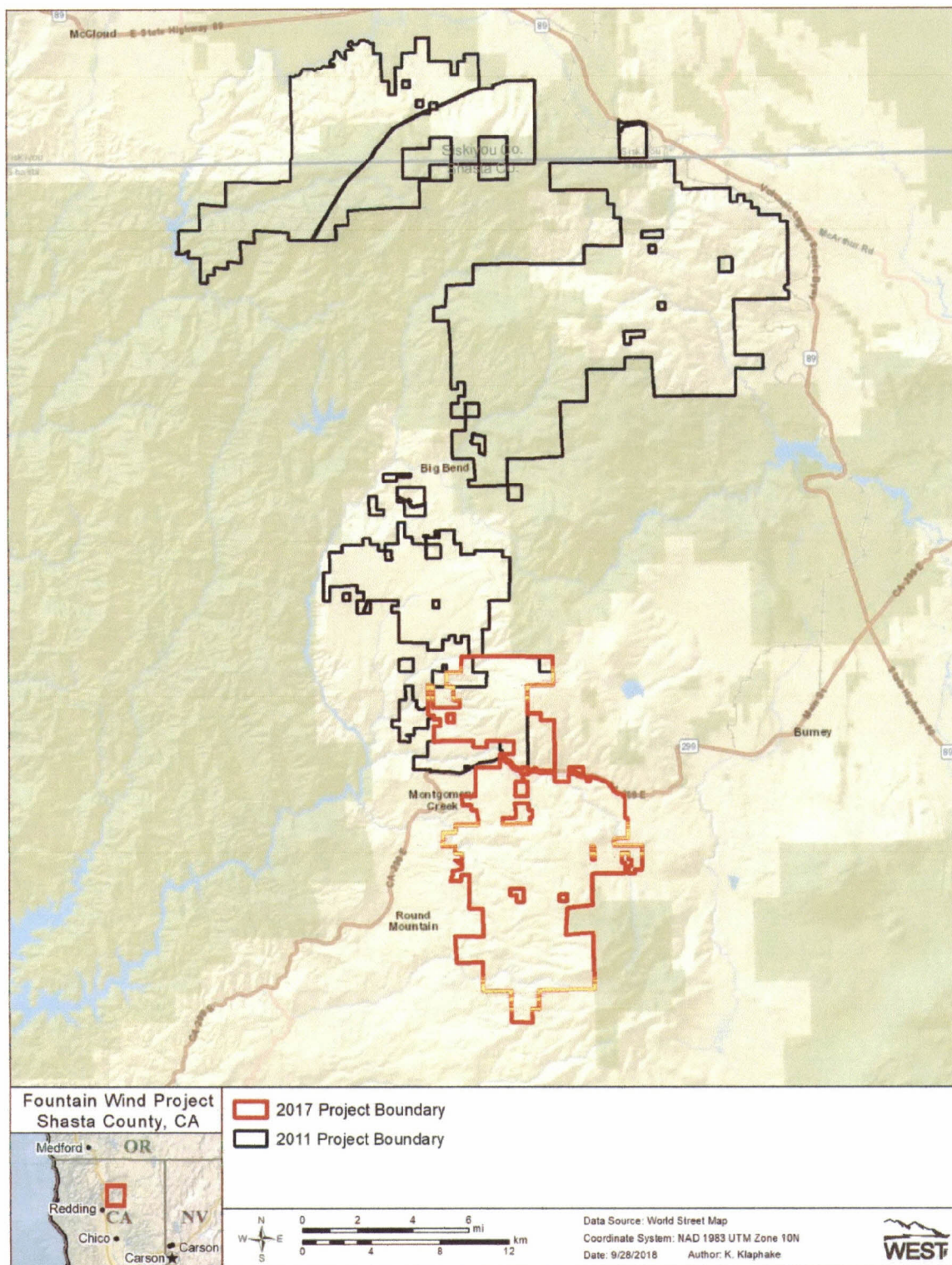


Figure 1. Location of the Fountain Wind Project in relation to the original 2011 project boundary (previously referred to as the McCloud Wind Resource Area).

MAY 9 2022

ADMINISTRATION

To: Shasta County Planning Commissioners
Mr. Paul Hellman, Director of Resource Management

From: Citizens in Opposition to the Fountain Wind Project (CIO FWP)

Subj: Zone Amendment 22-0001, Regulation of Wind Energy Systems County-Wide (Zoning Text Amendment) - Agenda Item R5, on Planning Commission Agenda for May 12th, 2022

We fully support Resolution No. 2022-014, a resolution of the Shasta County Planning Commission recommending that the Shasta County Board of Supervisors approve Zone Amendment 22-0001, regulating small and large wind energy systems. We fully support the prohibition of large wind energy systems within the unincorporated areas of Shasta County for the purpose of protecting and promoting the public health, safety, and general welfare of the residents of Shasta County.

This Commission discussed the need for zoning changes in January of 2022 and then directed Mr. Hellman's staff to put together the Resolution to present to the Supervisors for consideration. Resolution No. 2022-014 captures the items discussed and requested by the Commission. Mr. Hellman, provided all the necessary background, including CEQA law review, which supports the decision to implement the zoning changes listed within the proposed Zone Amendment 22-0001, enabling the protection of the communities across Shasta County most affected by these types of industrial developments. In addition to Mr. Hellman's Resolution 2022-014, Commissioner Kerns provided overwhelming support, via his Shasta County wildfire map, where wildfires have engulfed large areas across Shasta County. Commissioner Chapin, with decades of forestry expertise, also stated he does not believe that these types of industrial developments should be built within the forested areas. He stated these are the highest wildfire prone areas which could destroy trees and take decades or a hundred years or more to fully recover. Various experts provided overwhelming testimony, during the recent public hearings, that industrial wind turbine developments in forested areas only introduce unnecessary wildfire risk where wildfires could not be fought effectively within/surrounding the turbine fields. These expert testimonies were provided by at least 6 wildfire pilots whose careers have thousands of hours of wildfire fighting experience. One of those experts attended the Supervisor's public hearing for the Fountain Wind Appeal, while on a break from fighting the Dixie Fire, where he had also dropped retardant on the Fawn Fire.

The CIO FWP submitted 2,386 signatures to reject the Fountain Wind Industrial Development. As a point of reference the 2,386 signatures include some of the Shasta County residents from 22 unincorporated communities and three incorporated communities. We also continue to stand with over 4,000 Pit River Tribe members who presented their Resolution opposing such industrial developments. You witnessed numerous members who testified at both public hearings, stating how offensive these developments were. The spiritual native cultural impacts can only be understood by the tribal members and never captured through the CEQA or political process. The approval of Resolution No. 2022-014 support Zone Amendment 22-0001 will remove the fear and threats of future destruction, desecration, and erasing of native cultural ceremonies and scared sites for the Pit River Tribe and other surrounding Tribes.

This Commission denied the Fountain Wind Project in order to protect and promote the public health, safety, and general welfare of the community members. It has already been proven, even stated by the Fire Safety Representative from Shasta County, and addressed to Supervisor Moty, that the

preparation work and clearing for these industrial projects bring their own risk so it is as not as “clear cut” for fire safety through the environmental review process. As stated on numerous occasions, by various experts, these types of industrial developments, within the highest wildfire rated and forested areas are not acceptable.

We truly appreciate and commend your proactive efforts with these zoning amendments, just as has been done in other counties, which provide protections to the native cultural resources, environment, safety, protection, and general welfare of the community members. We believe time is of the essence since community members within the Big Bend area have stated developers continue to test the wind resources. We believe it will only be a matter of time before the County receives the next special use permit for an industrial wind development in our forested areas.

We humbly request you approve Resolution No. 2022-014, which supports the zone changes for Zone Amendment 22-001, prohibiting additional large scale industrial wind developments within Shasta County. The approval of Resolution No. 2022-014 will support the communities targeted, even for their marginal wind resources, and stop the emotional and financial trauma brought to the community members who are threatened by these industrial developments. As Commission Kerns correctly stated we were under threat for our communities, religious and cultural freedoms, livelihood, and way of life for over 2 ½ years by the Fountain Wind Project please don’t allow that to happen to again other community members within Shasta County.

Sincerely,

Beth Messick-Lattin
Chair, Citizens in Opposition
to the Fountain Wind Project

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SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 12, 2022

REGULAR MEETING

9:00 a.m.: Chair Baugh called the Regular Session of the Board of Supervisors to order on the above date with the following present:

District No. 1 - Supervisor Chimenti
District No. 2 - Supervisor Garman
District No. 3 - Supervisor Rickert
District No. 4 - Supervisor Jones
District No. 5 - Supervisor Baugh

Acting County Executive Officer/Clerk of the Board - Patrick J. Minturn
County Counsel - Rubin E. Cruse, Jr.
Chief Deputy Clerk of the Board - Stefany Blankenship

INVOCATION

Invocation was given by Pastor Jeremy Twombly, Cow Creek Community Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by River's Edge Academy Youth.

REGULAR CALENDAR**BOARD MATTERS**

JULY 2022 EMPLOYEE OF THE MONTH
ERIN PILLSBURY, STAFF SERVICES ANALYST II
HEALTH AND HUMAN SERVICES AGENCY
RESOLUTION NO. 2022-076

Supervisor Jones recognized Erin Pillsbury, Health and Human Service Agency Staff Services Analyst II, for her loyalty and service to the County.

At the recommendation of Megan Dorney, Health and Human Services Branch Director, and by motion made, seconded (Rickert/Garman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2022-076 which recognizes Shasta County Health and Human Services Agency Staff Services Analyst II Erin Pillsbury as Shasta County's Employee of the Month for July 2022.

(See Resolution Book No. 68)

PROCLAMATION: PROBATION SUPERVISION WEEK
JULY 17-23, 2022

Supervisor Garman read the proclamation declaring July 17-23, 2022, as "Probation Supervision Week" in Shasta County.

At the recommendation of Supervisor Garman, and by motion made, seconded (Garman/Rickert), and unanimously carried, the Board of Supervisors adopted a proclamation which designates July 17-23, 2022, as "Probation Supervision Week" in Shasta County. Tracie Neal, Chief Probation Officer, was present to accept the proclamation.

PUBLIC COMMENT PERIOD - OPEN TIME

Joe Dokes, Cathy Grindstaff, Eleanor Townsend, Alex Bielecki, Edmond Baier, Margaret Cantrell, John Oakes, David Munro, John Knight, Robert Grosch, Christian Gardinier, Susanne Baremore, Debbie Fuhrer, Shannon Eckelbarger, Elizabeth Walker, Jason Luther, Dolores Lucero, Benjamin Nowain, Jenny, Carolyn Gomes, Freedom, Bev Gray, Casandra Rasmussen, Monique Welin, Regina Sharrett, Lisa Michaud, Kathy Stainbrook, Sally, Cheryl Taylor, Jeff Lowe, Steve Amaral, Deni Pollock, Dick Wilkinson, Jim Burnett, Patty Plumb, Lori, an unnamed man, Kevin Crye, Richard Gallardo, an unnamed woman, Terry Rapoza, and an unnamed woman spoke during public comment open time.

CONSENT CALENDAR

Public comment was opened.

No one spoke during public comment.

Public comment was closed.

By motion made, seconded (Chimenti/Rickert), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar:

Approved the minutes of the meetings held on June 21 and June 28, 2022, as submitted. (Clerk of the Board)

Appointed Paul Dhanuka as the District 2 representative to the Public Health Advisory Board to serve the remainder of a three-year term to March 31, 2025. (Clerk of the Board)

Approved a retroactive renewal agreement with Liebert Cassidy Whitmore the amount of \$4,393 (advanced payment) to provide training and consulting services for the period July 1, 2022, through June 30, 2023. (County Counsel)

Took the following actions: Approved a retroactive amendment, effective January 1, 2022, to the agreement with Partnership HealthPlan of California to remove the Personal Care and Homemaker Services reimbursement from the agreement while retaining the term of January 1, 2022, through December 31, 2024; and approved and authorize the Health and Human Services Agency Director or any designated Branch Director or Deputy Branch Director, to sign amendments and other documents related to the agreement, including retroactive and adding services for reimbursement, that do not otherwise result in a substantial or functional change to the original intent of the agreement, as long as they otherwise comply with Shasta County Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency-Economic Mobility)

Approved an amendment, effective date of signing, to the agreement with California Forensic Medical Group, Inc., for health care services at the Jail which changes delegated authority to alter contractors staffing schedules, retaining the term July 1, 2021, through June 30, 2024, with two automatic one-year renewals and no maximum compensation. (Sheriff)

Took the following actions regarding Request for Quote (RFQ) 22-23 for installation and repair of doors and windows: Approved and authorized the Support Services Department-Purchasing Unit to award RFQ 22-23 to Nicolet Glass, Inc.; and approved a contract in an amount not to exceed \$200,000, with no single project to exceed \$60,000, for a one-year term effective date of signing, with two automatic one-year renewals. (Public Works)

On behalf of County Service Area (CSA) No. 6-Jones Valley Water, adopted Resolution No. 2022-077 which recognizes that the circumstances and factors that led to the April 19, 2022, proclamation of an emergency in the area of CSA No. 6-Jones Valley Water due to necessity of an intermediate water pump station modification have not been resolved and that there is a need for continuation of the emergency proclamation. (Public Works, County Service Area No. 6-Jones Valley)

(See Resolution Book No. 68)

On behalf of County Service Area (CSA) No. 6-Jones Valley Water, took the following actions regarding the “CSA No. 6 Jones Valley Water Meter Replacement, Backwash Pump Installation, and SCADA Improvement Project,” Contract No. 610858: Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA) Section 15301, Class 1-Existing Facilities; Section 15302, Class 2-Replacement or Reconstruction; Section 15303, Class 3-New Construction or Conversion of Small Structures; and Section 15304, Class 4-Minor Alterations to Land; approved project plans and specifications and directed the Acting Public Works Director to advertise for bids; and authorized opening of bids on or after August 18, 2022, at 11:00 a.m. (Public Works, County Service Area No. 6-Jones Valley)

Adopted Resolution No. 2022-078 which: Ratifies the signature of the Director of Resource Management (Director) on the California Department of Resources Recycling and Recovery for Used Oil Payment Program (Program) funds on behalf of the County of Shasta and the cities of Anderson and Shasta Lake; authorizes the Director, or their designee, to apply for additional Program grants during the five-year effective period of the resolution on behalf of the County of Shasta and the cities of Anderson and Shasta Lake; and appoints the Director, or their designee, as Signature Authority to execute all Program documents necessary to secure, accept and expend Program funds and to implement the Program. (Resource Management, Environmental Health Division)

(See Resolution Book No. 68)

Approved and authorized the purchase of a Type I Fire Engine from Fire Apparatus Solutions through Sourcewell Contract #113021-RVG-4 in the amount of \$756,482.51. (County Service Area No. 1-County Fire)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE

Acting County Executive Officer (CEO) Patrick J. Minturn had no update on legislative or County issues.

In response to questions by Supervisor Baugh, Mr. Minturn detailed the process for finding a new Public Works Director.

Supervisor Baugh commented on the hiring process to replace some of the open County management positions.

SUPERVISORS' REPORTS

Supervisor Chimenti recently attended Local Agency Formation Commission and Shasta Regional Transportation Agency (SRTA) meetings and reported on issues of countywide interest.

Supervisor Garman recently attended the Sierra-Sacramento Valley Emergency Medical System Board meeting and reported on issues of countywide interest.

Supervisor Jones recently attended the SRTA meeting and reported on issues of countywide interest.

Supervisor Rickert recently attended the SRTA and Northern California Water Association Governing Board meetings and reported on issues of countywide interest.

By motion made, seconded (Rickert/Chimenti), and unanimously carried, the Board of Supervisors directed staff to bring back an item for discussion and action regarding campaign finance reform and setting limits to campaign funds and Political Action Committees (PACs).

Supervisor Baugh reported on issues of countywide interest.

COUNTY CLERK/ELECTIONS

DECLARATION OF ELECTION FOR JUNE 2022 STATEWIDE DIRECT PRIMARY ELECTION

Cathy Darling Allen, County Clerk/Registrar of Voters, presented the staff report and recommended approval.

Public comment was opened.

Erik Jensen, Mark Kent, Gary Cadd, Freedom, Dolores Lucero, John Knight, Thomas P. Toller, Katie Gorman, Steven, Lisa Michaud, Carolyn Gomes, an unnamed woman, Lori, Richard Gallardo, Patty Plumb, Terry Rapoza, an unnamed woman, Corky Harman, and an unnamed woman spoke in opposition of the item.

12:29 p.m.: The Board of Supervisors recessed.

1:08 p.m.: The Board of Supervisors reconvened.

Susanne Baremore, Judy Salter, Andrea Wemette, Curtis Chipley, an unnamed woman, and Brandy McDaniels spoke in favor of the item.

Public comment was closed.

In response to questions by Supervisor Baugh, County Counsel Rubin E. Cruse, Jr., stated that the Board acts in a ministerial capacity for the proposed item and added that the law does not permit the Board to audit results from an election. He added that the law requires certification be done within a reasonable timeframe but does not establish a specific timeframe. Mr. Cruse noted that delay in certification of an election is not permitted to impact future elections and any delay may open the County up to litigation from those that were elected.

Supervisor Jones spoke on issues of trust in the Elections department and motioned to reject the certification of the election and for an item to be brought back on a future agenda considering conducting a full review of the elections process in Shasta County to be funded by a private party.

In response to questions by Supervisor Baugh, Mr. Cruse reiterated that the Board has no legal authority or basis to audit the results of the election and noted that only in certain instances does the law permit the ballots be reopened.

Supervisor Chimenti noted that there is a clear distrust of the voting system with some of the members of the community, but he does not believe that it is the majority of the voters in Shasta County. He added that the responsibility of the Board is to the voters of Shasta County and that they made their will known on election day by voting for Cathy Darling Allen.

Supervisor Rickert questioned how a private entity that had a vested interest in the candidates in the election could be unbiased.

Supervisor Garman spoke on the integrity of the Elections office and the need to remove the divide in the County.

In response to questions by Supervisor Baugh, Mr. Cruse noted that although Ms. Darling Allen was on the ballot, she was not legally obligated to recuse herself. Ms. Darling Allen stated she was unsure who would perform the audit, if there was one, and detailed how she steps back from some of her election day duties when she is on the ballot. She added that she was not willing to violate the terms of the agreement with Dominion and that she believes her department has done their duty and due diligence. Ms. Darling Allen spoke on the history of the Dominion agreement and detailed that the machines are necessary to comply with the Help America Vote Act of 2002. She added that the machines help solve hardships brought on by language and literacy barriers. Ms. Darling Allen noted that a mass recount cannot be requested and that the email sent in by Mr. Kent constituted as six separate recounts. She added that the proposed item under R5 on the agenda, to appoint an officer other than the County Clerk to oversee a recount for the Office of County Clerk, was necessary because the law prohibits someone from overseeing the recount for a race in which they were a candidate. Ms. Darling Allen then commented that precinct segregation has occurred in every race because the Elections Code mandates that results are able to be reported by precinct and noted that in larger counties it is more difficult to accomplish.

Supervisor Jones noted that in the 2006 election in which he ran he believed that mistakes were made and questioned that why observers were not allowed into the Elections office on the morning of June 8 at approximately 7:15 a.m., while an IT person was allowed to enter. Ms. Darling Allen responded noting that at the time in question, ballots were not being counted yet and that a schedule for the observers had already been posted. Ms. Darling Allen commented that it was curious that there was no contention over the recall election results in February.

Supervisor Rickert commented on mail-in ballots.

In response to questions by Supervisor Baugh, Mr. Cruse stated that the Board has the authority to agendize an item on a future agenda to consider an audit of the election.

Supervisor Garman spoke in favor of the motion.

Supervisor Chimenti spoke in opposition of the motion and on the safety of the Board meetings. He added that there are improvements that can be made to the processes but there is no reasonable cause for the audit or interrupting an entire office's work.

Supervisor Rickert spoke on other court cases that have failed and in spoke in support of the proposed item.

In response to questions by Supervisor Garman, Acting CEO Minturn stated that the soonest the item could be brought back for consideration was at the next regularly scheduled Board meeting on July 26, 2022.

In response to questions by Supervisor Baugh, Mr. Cruse cited previous court cases and Elections Code 15370 which prevent the Board from conducting an audit of the election or interfering in the duties of an elected official.

Supervisor Chimenti made a substitute motion to declare the results of persons elected and nominated based on the certified results of the June 7, 2022, Statewide Direct Primary Election. Supervisor Rickert seconded the motion. The motion passed by the following vote:

AYES: Supervisors Chimenti, Baugh, and Rickert

NOES: Supervisors Garman and Jones

SPECIAL APPOINTMENT OF OFFICER
FOR RECOUNT OF COUNTY CLERK ELECTION

Cathy Darling Allen, County Clerk/Registrar of Voters, presented the staff report and recommended approval.

Public comment was opened.

Mark Kent spoke on the need for free and fair elections and withdrew his request for a recount.

Steven spoke on perceived issues with interfering with elected officials and on perceived issues with elections processes.

Susanne Baremore spoke on the perceived need for education on the elections process.

Freedom spoke on the withdrawal of the recount and perceived issue with the elections process.

Gary Cadd spoke on perceived issues with the Country and the need for education.

Richard Gallardo spoke on perceived issues with the elections code.

Public comment was closed.

In response to questions by Supervisor Chimenti, County Counsel Rubin E. Cruse, Jr., clarified the motion and the procedures for proceeding with the recount.

Supervisor Chimenti spoke on 2000 Mules and the need for a court to adjudicate the claims made in the documentary.

SUPPORT SERVICES

PERSONNEL

SUCCESSOR MEMORANDUM OF UNDERSTANDING WITH UNITED PUBLIC EMPLOYEES OF CALIFORNIA - PROFESSIONAL UNIT RESOLUTION NO. 2022-079 SALARY RESOLUTION NO. 1630

Monica Fugitt, Assistant Director of Support Services, presented the staff report and recommended approval.

There was no public comment.

By motion made, seconded (Garman/Chimenti), and unanimously carried, the Board of Supervisors took the following actions: Adopted Resolution No. 2022-079 approving a successor Memorandum of Understanding (MOU) with the United Public Employees of California (UPEC) – Professional Unit covering the period of May 1, 2022, through April 30, 2023; and adopted Salary Resolution No. 1630, effective July 17, 2022, which amends the Salary Schedule for positions in County Service pursuant to the UPEC – Professional Unit MOU.

(See Resolution Book No. 68)

(See Salary Resolution Book)

SALARY INCREASES FOR CLASSIFICATIONS WITHIN ATTORNEY CAREER SERIES SALARY RESOLUTION NO. 1631

Monica Fugitt, Assistant Director of Support Services, presented the staff report and recommended approval.

There was no public comment.

By motion made, seconded (Chimenti/Rickert), and unanimously carried, the Board of Supervisors adopted Salary Resolution No. 1631, effective July 17, 2022, which approves salary increases for the Assistant District Attorney, Chief Child Support Attorney, Chief Deputy District Attorney, Deputy County Counsel I/II/III, Senior Deputy County Counsel, Senior Deputy District Attorney, and Senior Deputy Public Defender classifications.

(See Salary Resolution Book)

RESOURCE MANAGEMENT**BUILDING DIVISION****ORDINANCE AMENDING SECTION 16.04.160 OF SHASTA COUNTY CODE**

Adam Fieseler, Assistant Director of Public Works, presented the staff report and recommended approval.

Public comment was opened.

Steven issued questions regarding health and safety inspections.

An unnamed woman spoke in favor of the item and on the timeline for the permitting process.

Public comment was closed.

Supervisor Baugh noted that this ordinance came at direction of the Board.

In response to questions by Supervisor Chimenti, Mr. Fieseler stated that the department consulted with Jeremy Pagan, City of Redding Director of Development Services/Building Official, to amend the Shasta County Code to establish minimum requirements for issuing permits as outlined in Building Code Sections 103.1 and 104.3. Mr. Fieseler commented that the department is required to look into all complaints that are made to the department, but the intent of the ordinance is to not allow unrelated complaints to stand in the way of permits.

In response to questions by Supervisor Jones, Mr. Fieseler noted that when permitting for solar projects, other structures or other code violations will not be considered or allowed to stand in the way of issuing permits. He added that the department takes a minimal approach when looking at older structures.

In response to questions by Supervisor Garman, Mr. Fieseler stated that the structures involved in solar projects will be the only ones inspected and noted the details of life and safety inspections.

Supervisor Baugh commented that the proposed changes will eliminate delays and make the permitting process more efficient.

Paul Hellman, Director of Resource Management, commented that the proposed changes will require less staff resources.

Supervisors Baugh and Rickert spoke in appreciation of staff working diligently to make these changes.

By motion made, seconded (Garman/Rickert), and unanimously carried, the Board of Supervisors took the following actions: Found that the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) for the reasons stated in the ordinance; and introduced and waived the reading of “An Ordinance of the Board of Supervisors of the County of Shasta Amending Section 16.04.160 of Article II of Chapter 16.04 of the Shasta County Code” to eliminate the prohibition against the issuance of onsite wastewater treatment system permits and building permits due to ongoing violations of Chapter 12.12 or of Titles 15, 16, or 17 of the Shasta County Code.

OTHER DEPARTMENTS**COUNTY SERVICE AREA NO. 1-COUNTY FIRE****AGREEMENT WITH CALIFORNIA DEPARTMENT OF FORESTRY & FIRE PROTECTION
FOR ADMINISTRATION OF SHASTA COUNTY FIRE DEPARTMENT**

Sean O'Hara, Fire Chief, presented the staff report and recommended approval.

There was no public comment.

In response to questions by Supervisor Jones, Mr. O'Hara commented on the allocation for funds for staff and volunteers and the plans for recruiting and retaining volunteer firefighters. Mr. O'Hara detailed the severity of the current fire season and his expectations going forward. He added that the staffing and equipment levels are at an all-time high.

Supervisor Rickert commented on the receding numbers of volunteers in the community and commended staff on their completion of prescription burns.

By motion made, seconded (Chimenti/Rickert), and unanimously carried, the Board of Supervisors approved a retroactive renewal Cooperative Fire Programs, Fire Protection Reimbursement Agreement with the California Department of Forestry and Fire Protection (CAL FIRE) in an amount not to exceed \$7,858,481 to provide administration of the Shasta County Fire Department for the period July 1, 2022, through June 30, 2023.

SCHEDULED HEARINGS**PUBLIC WORKS****COUNTY SERVICE AREAS****REPORTS OF DELINQUENT FEES & UNCOLLECTIBLE DEBTS
RESOLUTION NO. 2022-080**

This was the time set to conduct a public hearing to consider a resolution confirming the Reports of Delinquent Fees and Uncollectible Debts for County Service Areas. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Chair Baugh advised that correspondence related to hearings had been received and entered into the record.

Ken Cristobal, Deputy Director of Public Works, presented the staff report and recommended approval.

The public hearing was opened; no one spoke for or against the matter, and the public hearing was closed.

By motion made, seconded (Chimenti/Rickert), and unanimously carried, the Board of Supervisors took the following actions on behalf of County Service Areas (CSAs): Opened a public hearing; closed the public hearing; and adopted Resolution No. 2022-080 which: confirms the Reports of Delinquent Fees and Uncollectible Debts for County Service Areas; directs that the annual liens be placed on the tax bills for Fiscal Year 2022-23; and approves a discharge of accountability for collection of unpaid water and sewer service accounts that have been deemed uncollectible.

(See Resolution Book No. 69)

ANNUAL PARCEL CHARGE REPORTS FOR COUNTY SERVICE AREAS
RESOLUTION NO. 2022-081

This was the time set to conduct a public hearing to consider a resolution confirming the Annual Parcel Charge Reports for County Service Areas. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Chair Baugh advised that correspondence related to hearings had been received and entered into the record.

Ken Cristobal, Deputy Director of Public Works, presented the staff report and recommended approval.

In response to questions by Supervisor Jones, Mr. Cristobal detailed the funds were to be spent on projects including road maintenance and street lighting.

The public hearing was opened; no one spoke for or against the matter, and the public hearing was closed.

By motion made, seconded (Rickert/Garman), and unanimously carried, the Board of Supervisors took the following actions on behalf of County Service Areas (CSAs): Opened a public hearing; closed the public hearing; and adopted Resolution No. 2022-081 which: confirms the Annual Parcel Charge Reports for the various County Service Areas in the same amount as currently charged; and directs that the parcel charges be placed on the property tax bills for Fiscal Year 2022-23.

(See Resolution Book No. 69)

PUBLIC WORKS

ANNUAL PARCEL CHARGE REPORTS FOR PERMANENT ROAD DIVISIONS
RESOLUTION NO. 2022-082

This was the time set to conduct a public hearing to consider a resolution confirming the Reports of Delinquent Fees and Uncollectible Debts for Permanent Road Divisions. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Chair Baugh advised that correspondence related to hearings had been received and entered into the record.

Ken Cristobal, Deputy Director of Public Works, presented the staff report and recommended approval.

The public hearing was opened; no one spoke for or against the matter, and the public hearing was closed.

By motion made, seconded (Jones/Garman), and unanimously carried, the Board of Supervisors took the following actions on behalf of Permanent Road Divisions (PRDs): Opened a public hearing; closed the public hearing; and adopted Resolution No. 2022-082 which: confirms the Annual Parcel Charge Reports for the various PRDs in the same amount as currently charged, except where downward adjustments are noted in the Parcel Charges Summary; and directs that the parcel charges be placed on the property tax bills for Fiscal Year 2022-23.

(See Resolution Book No. 69)

RESOURCE MANAGEMENT
PLANNING DIVISION

ZONE AMENDMENT 22-001 AMENDING SHASTA COUNTY ZONING PLAN, TITLE 17
ORDINANCE NO. SCC 2022-04

This was the time set to conduct a public hearing to consider a proposed ordinance amending the Shasta County Zoning Plan, Title 17 of the Shasta County Code, identified as Zone Amendment 22-0001, to regulate small and large wind energy systems within the unincorporated area of Shasta County. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Chair Baugh advised that correspondence related to hearings had been received and entered into the record.

Paul Hellman, Director of Resource Management, presented the staff report and recommended approval.

Pat Minturn, Acting County Executive Officer, commented on Assembly Bill 205 (AB 205) and its effect on the proposed ordinance.

In response to questions by Supervisor Baugh, Mr. Hellman noted that, after the passing of AB 205, the department only retains ministerial rights over wind energy systems, but staff would still review any applicable building permits.

The public hearing was opened.

Steve Johnson, Gary Cadd, Brandy McDaniels, Steve Kerns, Radley Davis, John Gable, Jim Chapin, and Tony Yiamkis spoke in favor of the proposed ordinance.

No one else spoke for or against the matter, and the public hearing was closed.

Supervisors Rickert and Garman spoke in support of the item.

By motion made, seconded (Rickert/Garman), and unanimously carried, the Board of Supervisors took the following actions: Conducted a public hearing; closed the public hearing; found that the ordinance is not subject to the California Environmental Quality Act (CEQA); introduced, waived the reading of, and enacted Ordinance No. SCC 2020-04 which adds Shasta County Code (SCC) Section 17.88.335 to define and prohibit large wind energy systems within the unincorporated area of Shasta County, amends SCC Section 17.88.035 to modify the definition of, and development regulations for, small wind energy systems, and amends SCC Section 17.88.100 to exclude large wind energy systems from being a permissible public utility with the approval of a use permit; and directed staff to place a resolution of intention to consider additional amendments to the Zoning Plan on a future agenda for the Board of Supervisors in light of AB 205.

(County Code Ordinance Book)

5:15 p.m.: The Board of Supervisors adjourned.

Chair

ATTEST:

PATRICK J. MINTURN
Acting Clerk of the Board of Supervisors

By _____
Deputy

Produced in Native Format

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SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 16, 2022

REGULAR MEETING

9:00 a.m.: Chair Baugh called the Regular Session of the Board of Supervisors to order on the above date with the following present:

District No. 1 - Supervisor Chimenti
District No. 2 - Supervisor Garman
District No. 3 - Supervisor Rickert
District No. 4 - Supervisor Jones
District No. 5 - Supervisor Baugh

Acting County Executive Officer - Patrick J. Minturn
County Counsel - Rubin E. Cruse, Jr.
Chief Deputy Clerk of the Board - Stefany Blankenship

INVOCATION

Invocation was given by Pastor Robert Montoya, The Potter's House Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Supervisor Jones.

REGULAR CALENDAR**PRESENTATIONS****PRESENTATION: 2021 SHASTA COUNTY CROP AND LIVESTOCK REPORT
AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS & MEASURES**

Rick Gurrola, Shasta County Agricultural Commissioner/Sealer of Weights and Measures, presented the 2021 Shasta County Crop and Livestock Report. Mr. Gurrola also discussed the commercial cultivation of cannabis within the Cities of Redding and Shasta Lake.

PUBLIC COMMENT PERIOD - OPEN TIME

Joe Dokes, Cathy Grindstaff, Brenda Woods, Monique Welin, Robert, Steve Mayberry, and Dolores Lucero spoke during public comment - open time.

In response to a request by Supervisor Baugh, Ms. Grindstaff stated that she would submit information to the Board concerning a potential emergency proclamation regarding illegal marijuana cultivation within the County.

Christy Coleman, Acting Director of the Department of Child Support Services, and Holly Zander, Housing Authority/Community Action Agency Program Manager, recognized and thanked all individual and business contributors who assisted with the recent annual backpack and school supply giveaway for children.

In response to questions by Supervisor Baugh following public comment, County Counsel Rubin E. Cruse, Jr., stated that the County Clerk verifies information as provided by candidates for electoral office. In order to contest an individual's qualification to be on a ballot, a challenge must be taken to the courts. Mr. Cruse stated that the Board of Supervisors has no part in the process.

Supervisor Baugh recognized Senator Maurice Johannessen for his years of service to veterans and the local community.

ITEMS PULLED FROM CONSENT CALENDAR

Chair Baugh noted that the item regarding an Emergency Solutions Grant application to the State Department of Housing and Community Development had been pulled for discussion.

CONSENT CALENDAR

There was no public comment.

By motion made, seconded (Rickert/Chimenti), and unanimously carried (except for the item concerning Shasta Women's Refuge dba One SAFE Place, noted below where Supervisor Chimenti abstained), the Board of Supervisors took the following actions, which were listed on the Consent Calendar:

Adopted Resolution No. 2022-089 which authorizes expenditures for food items during Auditor-Controller hosted trainings and meetings, not to exceed \$500 per fiscal year. (Auditor-Controller)

(See Resolution Book No. 69)

Received the annual report of shortages relieved in the amount totaling \$3,514.15 for Fiscal Year 2021-22 prepared by the Auditor-Controller in accordance with Resolution No. 2004-56. (Auditor-Controller)

Approved the minutes of the meeting held on July 26, 2022, as submitted. (Clerk of the Board)

Appointed Rick Phay to the Pine Grove Cemetery District Board of Trustees for a four-year term to January 5, 2026. (Clerk of the Board)

Took the following actions: Approved an agreement with Rock Solid Technology, Inc., in an amount not to exceed \$116,792.12 to provide a legislative management solution for the period July 1, 2022, through June 30, 2025, with two additional optional one-year terms; and approved and authorized the County Executive Officer or designee to sign amendments, modifications, budget line item shifts, and purchase orders, including retroactive, during the term of this agreement as long as the maximum compensation does not exceed \$166,792.12 and otherwise complies with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Clerk of the Board)

Adopted Resolution No. 2022-090 which repeals Resolution No. 2010-017 and approves the Conflict of Interest Code for the Redding School of the Arts. (Clerk of the Board)

(See Resolution Book No. 69)

Took the following actions: Approved an agreement with Silver & Wright, LLP, with no maximum compensation to provide legal services related to code enforcement effective date of signing for the period of five years or until the completion of the matter(s) and case(s) assigned to the firm; and approved and authorized County Counsel to authorize hourly rate increases in an amount not to exceed 20% over the initial rates during the life of the agreement. (County Counsel)

Approved an agreement with BMI Imaging Systems, Inc., to provide media conversion systems in an amount not to exceed \$75,000 for the period September 1, 2022, through August 31, 2023, with two automatic one-year renewals. (Support Services-Purchasing)

Approved an agreement with Chris Cable dba Caliber Office Furniture, LLC, to provide moving services, and to assemble and disassemble office systems and furniture for various County Departments in an amount not to exceed \$200,000 over the entire term of the agreement, for the period August 22, 2022, through August 21, 2023, with two automatic one-year renewals. (Support Services-Purchasing)

Approved the Fiscal Year 2022-23 California Department of Veterans Affairs renewal Certificate of Compliance to allow the Veterans Services Officer to participate in the: County Subvention Program; and Medi-Cal Cost Avoidance Program. (Veterans Services Office)

Approved a retroactive amendment, effective May 1, 2022, to the agreement with Crestwood Behavioral Health, Inc., to provide residential mental health treatment services which increases rates and modifies the rate structure from a flat rate to a tiered system based on levels of care provided, retaining maximum compensation of \$4,800,000 and the term July 1, 2020, through June 30, 2023. (Health and Human Services Agency-Adult Services)

Adopted Resolution No. 2022-091 which: Approves and authorizes the Director of Housing and Community Action Agency, or designee, to sign: The Community Action Agency Community Services Block Grant (CSBG) revenue agreement amendment with the California Department of Community Services and Development (CSD) to increase maximum compensation by \$35,074, for a new maximum compensation of \$342,808, and update Articles 6 and 7; and agreement amendments, subcontracts, and all CSBG-required documents, including retroactive, as long as they do not result in a substantial or functional change to the original intent of the agreement, do not increase maximum compensation more than 10%, and otherwise complies with Administrative Policy 6-101, *Shasta County Contracts Manual*; and accepts the terms and conditions of the agreement and confirms the County's intent to use CSBG funds in compliance with all CSBG rules. (Housing and Community Action Agency)

(See Resolution Book No. 69)

Approved a retroactive renewal agreement with Shasta Women's Refuge dba One SAFE Place in an amount not to exceed \$150,000 to provide a domestic violence program to residents of Shasta County for the period July 1, 2022, through June 30, 2025. Supervisor Chimenti abstained from the vote due to being on the board of directors for One SAFE Place. (Housing and Community Action Agency)

Received and accepted the Fiscal Year 2021-22 Real Estate Fraud Investigations Unit and confirm the effectiveness of the Unit. (District Attorney)

Approved and authorized Support Services-Purchasing Division to: Purchase a Sheriff's Office special response vehicle (Vehicle) under an appropriate cooperative purchasing contract in an amount not to exceed \$375,000; sign the initial Purchase Order (includes terms and conditions) for the Vehicle in an estimated amount not to exceed \$350,000; and approve a Purchase Order overage not to exceed \$25,000, including retroactive, and any new terms and conditions which are approved as to form by County Counsel and approved by Risk Management. (Sheriff)

Approved a revenue agreement with Inmate Calling Solutions, LLC dba ICSolutions (ICS) in the estimated amount of \$215,000 annually to provide inmate telephone services for the period of three years effective date of signing with two automatic one-year renewals. (Sheriff-Jail)

Approved an agreement with Area West Environmental, Inc., in an amount not to exceed \$426,643.87 to provide environmental services for the "Cottonwood Active Transportation Trunk Line Express Network Project," Contract No. 704047, effective date of signing through the filing of a Notice of Completion or December 31, 2027, whichever occurs first. (Public Works)

Took the following actions regarding the "Sacramento & Court Street Parking Lot Project," Contract No. 610521 (Contract): Awarded to the lowest responsive and responsible bidder, Co-T Construction, on a lump basis, the Contract in the amount of \$319,961.21; approved a budget amendment in the Adopted Fiscal Year (FY) 2022-23 Land Buildings & Improvements (LB&I)

budget which increases appropriations by \$100,000, offset by transfers from Roads and Resource Management; approved a budget amendment in the Adopted FY 2022-23 Roads budget increasing appropriations by \$50,000, offset by available Roads fund balance; approved a budget amendment in the Adopted FY 2022-23 Resource Management, Environmental Health budget increasing appropriations by \$25,000, offset by general fund balance; and approved a budget amendment in the Adopted FY 2022-23 Resource Management Building budget increasing appropriations by \$25,000, offset by general fund balance. (Public Works, Resource Management)

Adopted Resolution No. 2022-092 which recognizes that the circumstances and factors that led to the May 31, 2022, proclamation establishing the Shasta County Grant-Funded Emergency Drought Relief Program for the purpose of implementing grant funded work on private water supply systems that supports immediate drought response and mitigates drought impacts have not been resolved and that there is a need for continuation of the emergency proclamation. (Public Works, Resource Management)

(See Resolution Book No. 69)

Took the following actions regarding the “2022 West Central Landfill Site Improvements Project,” Contract No. 207544 (Contract): Approved a budget amendment in the Adopted Fiscal Year 2022-23 Solid Waste Disposal Administration budget; and awarded to the lowest responsive and responsible bidder, SnL Group, Inc., on a unit cost basis, the Contract in the amount of \$1,478,637. (Public Works)

Approved and authorized the Acting Public Works Director to sign a Notice of Completion for the “Zogg Fire Road Resurfacing Project,” Contract No. 706831, and record it within 15 days of actual completion. (Public Works)

On behalf of County Service Area (CSA) No. 6-Jones Valley Water, adopted Resolution No. 2022-093 which recognizes that the circumstances and factors that led to the April 19, 2022, and subsequent proclamations of an emergency in the area of CSA No. 6-Jones Valley Water due to necessity of an intermediate water pump station modification have not been resolved and that there is a need for continuation of the emergency proclamation. (Public Works, County Service Area No. 6-Jones Valley)

(See Resolution Book No. 69)

Took the following actions regarding the “CSA 17-Cottonwood Collection System Improvement Project,” Contract No. 610533: Approved public utility easement contracts with: Carlos Jose Furtado, Jr. for a public utility easement (10,965 sq. ft. at \$25,000), a temporary construction easement (28,235 sq. ft. at \$13,200); and J. F. Shea Construction, Inc. for a public utility easement (2,443 sq. ft. at \$900) plus a signing incentive of \$1,500; approved a temporary construction easement contract with Lions Club of Cottonwood, A Corporation for a temporary construction easement (800 sq. ft. at \$500) plus a signing incentive of \$1,500; accepted two Easement Deeds conveying the public utility easement parcels; and approved and authorized the Acting Public Works Director to sign a Pipeline Crossing Agreement with Union Pacific Railroad Company and a one-time License Fee of \$5,000. (Public Works, County Service Area No. 17-Cottonwood)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT EMERGENCY SOLUTIONS GRANT APPLICATION FOR HOMELESS PREVENTION AND RAPID REHOUSING FUNDING RESOLUTION NO. 2022-094

Roxanne Burke, Health and Human Services Agency (HHS) Economic Mobility Branch Director, presented the staff report and recommended approval. Ms. Burke explained that County services were offered to individuals in the Nur Pon Open Space and discussed the various funding sources. She added that the State redistributes funding if local agencies choose not to apply for funding.

In response to questions by Supervisor Jones, Ms. Burke explained actions taken by County staff to address homelessness, including the individuals in the Nur Pon Open Space. She stated that veterans and seniors made up a large part of that community and described ongoing and future efforts to assist them. Ms. Burke added that she would follow up with the City of Redding to ensure that County staff and services are available at any future situations like the City's recent cleanup at the Nur Pon Open Space.

In response to questions by Supervisor Rickert, Ms. Burke discussed the available services for unhoused individuals and the need for more affordable housing in the county.

Supervisor Baugh stated that he had received a report from an unknown staff member who stated that County staff members were at the Nur Pon Open Space a few days prior to the City locking it and that staff had relocated 18 willing individuals. Acting County Executive Officer Patrick J. Minturn stated he would reach out to Laura Burch, Acting Director of HHSA, for more information regarding the report.

By motion made, seconded (Jones/Garman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2022-094 which: Approves and authorizes the: Health and Human Services Agency Director or any HHSA Branch Director to submit the Emergency Solutions Grant (ESG) application to the State Department of Housing and Community Development (HCD) to receive funding in an amount not to exceed \$400,000, to receive funding to provide Homeless Prevention and Rapid Rehousing assistance to homeless individuals and families in Shasta County, and sign related award agreements and amendments through December 31, 2023; HHSA Director, or his designated Branch Director, to sign the grant agreement and any subsequent amendments, including retroactive, as long as they otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*; and HHSA - Economic Mobility Branch Director to sign any other documents required by HCD, including retroactive, as long as they otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*; and certifies HHSA will expend funds in a manner consistent and in compliance with all applicable, state, federal, and other statutes, rules, regulations, guidelines, and laws, including without limitation, all rules and laws regarding the ESG program.

(See Resolution Book No. 69)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE

Public comment was opened.

Robert spoke in favor of the letter and resolution supporting an amendment to Assembly Bill (AB) 2633 to include Shasta County and the Sacramento River within Shasta County.

Public comment was closed.

Acting CEO Minturn reported on behalf of Ms. Burch that Housing Authority/Community Action Agency staff were present at the recent Nur Pon Open Space cleanup and that HHSA staff had been in the area several days prior to encourage individuals to move into available housing.

Acting CEO Minturn presented an update on County issues and specific legislation of importance to Shasta County, including AB 443, which failed; and AB 1717, which was previously opposed by the Board and the Rural County Representatives of California, and AB 1608, which both progressed. Acting CEO Minturn stated that Senate Bill 1338, CARE Court, was approved, but because Shasta County is in Tier 2 for the bill, the earliest that it would affect the County was the end of 2024. He also stated that AB 2201, concerning permits for commercial/agricultural wells, had progressed.

In response to questions by Supervisor Rickert, Mr. Minturn confirmed that the Fall River Valley area would be exempt from the requirements of AB 2201.

LETTER OF SUPPORT: ASSEMBLY BILL 2633
RESOLUTION NO. 2022-095

Supervisor Jones expressed some concern with the proposed amendment to AB 2633 because it would not solve the problem but simply relocate it. The Board discussed the issue of unhoused individuals and the need for housing and services for them.

By motion made, seconded (Rickert/Chimenti), and unanimously carried, the Board of Supervisors approved a letter and Resolution No. 2022-095 supporting an amendment to Assembly Bill 2633 to include the County of Shasta and the Sacramento River within the County of Shasta.
(See Resolution Book No. 69)

SUPERVISORS' REPORTS

Supervisor Rickert reported on issues of countywide interest.

Supervisor Jones recently attended meetings of the Local Area Formation Commission (LAFCO), the Sacramento Valley Basinwide Air Pollution Control Board, and the Planning and Service Area 2 Area Agency on Aging Executive Board, and reported on issues of countywide interest.

By motion made, seconded (Jones/Garman), and unanimously carried, the Board of Supervisors directed staff to place on a future agenda a presentation regarding personal property taxes assessed by the County and the possible loss of sales taxes due to people buying large items out of County.

Supervisor Garman reported on issues of countywide interest.

Supervisor Chimenti recently attended a LAFCO meeting and reported on issues of countywide interest.

Supervisor Baugh asked the Acting CEO to bring to a future meeting information regarding County ordinances, permitting, and zoning for 3D-printed housing.

By motion made, seconded (Baugh/Rickert), and unanimously carried, the Board of Supervisors directed staff to place on a future agenda a discussion and possible action regarding an emergency proclamation concerning illegal marijuana grows.

Supervisor Baugh reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

SHERIFF'S OFFICE

PUBLIC WORKS

PRESENTATION: NEW JAIL FACILITY

Acting CEO Minturn introduced Les Melberg, principal of Nichols, Melberg & Rossetto, as being in attendance, and emphasized that the presentation on a new jail facility would include conceptual information, not definitive plans.

Eric Magrini, Assistant County Executive Officer (Assistant CEO), discussed the need for a new jail and to reduce operating costs while also addressing the growing needs of inmates and staff. Mr. Magrini explained how recidivism could be addressed through rehabilitative services and evidence-based programming. He discussed the potential for expanding the jail by redeveloping the County property next to the current jail and detailed possible options for doing

so: Option A would retain the current jail and build a new addition with modern design, while Options B and C would both involve a completely new jail campus. Options B and C could either be built on the property currently owned by the County at the site of the current jail or could be constructed at a remote site.

In response to questions by Supervisor Jones, Assistant CEO Magrini explained that all options would increase operating costs due to the need for additional deputies and other staff. He further explained that the Sheriff would need to address specific staffing plans, but they would have increased efficiency from the current jail operations. Mr. Magrini and Acting CEO Minturn discussed the approximate costs and potential changes to other County locations for each option, and stated that the estimated construction cost per bed was \$500,000.

Assistant CEO Magrini discussed the various difficulties with the current jail layout and how those would be addressed by the use of modern pods in the new jail.

In response to questions by Supervisor Chimenti, Mr. Magrini explained that the jail pod model shown in the presentation was based on the Santa Barbara County jail toured in December 2021, and discussed various other jail locations staff had toured.

Mr. Magrini explained the positive and negative aspects of each proposed design that would keep the development of a new jail within the current County block. He discussed potential environmental impacts and costs, including the need for additional staff. Mr. Magrini also discussed the possibility of using the same design options on a remote site on County-owned land and the potential positives and negatives of doing so.

In response to questions by Supervisor Chimenti, Mr. Magrini explained that the example site shown was a 40-acre site off Airport Road and that the proposed design would use possibly 25 acres, allowing potential future expansion.

In response to questions by Supervisor Baugh, Mr. Magrini stated that the example site was selected because it was a County-owned property 40 acres or larger in size. He clarified that the site shown was the old transfer station off Highway 44. Supervisor Baugh observed that Acting CEO Minturn had already asked for an analysis of parcels adjacent to that property.

In response to questions by Supervisor Jones, Assistant CEO Magrini discussed the cost of each option shown, as well as different aspects the design in Option A. He stated that the cost would vary from approximately \$125 million to approximately \$500 million, depending on the options chosen.

In response to questions by Supervisor Rickert, Mr. Magrini stated that staffing levels were a valid concern due to the recent closure of one floor of the current jail. He explained that building a modern, more inviting facility would increase the desirability of the job for staff, as well as providing better supervision and rehabilitation for inmates. Mr. Magrini emphasized the goal of operating with better efficiency, more services, and overall lowered costs.

In response to questions by Supervisor Garman, Acting CEO Minturn stated that the time to completion would be a minimum of 48 months for Option A, while Option C would take at least a few years longer due to the increased complexity of the design. Assistant CEO Magrini discussed the issue of inmate transportation and the difficulties the current jail presents in keeping staff due to its design. Mr. Magrini stated that Option A would be the quickest choice for speed, while the other options would involve phased moving of inmates and increased number of beds.

In response to questions by Supervisor Rickert, Mr. Magrini stated that the new design would be safer than the current jail, and that both inmate-on-inmate and inmate-on-staff violence had decreased in other, more modern facilities around the state. County Counsel Rubin E. Cruse, Jr., stated that, from a liability standpoint, most of the lawsuits regarding the current jail had involved Americans with Disabilities Act (ADA) violations, so a new ADA-compliant facility would mitigate those, and to the extent that a new facility could create new protections for inmates, would also lower that liability.

In response to questions by Supervisor Baugh, Acting CEO Minturn explained that construction of a new jail on a remote site would probably take closer to eight years due to the

requirements of the California Environmental Quality Act (CEQA), including environmental review, zoning, and the potential for public controversy or the need to annex land to the City of Redding. He stated that the minimum timeline for basic construction is four years. Assistant CEO Magrini explained that part of the delay with the jail in Santa Barbara was due to the need to move through eminent domain and related legal battles.

In response to questions by Supervisor Rickert, Mr. Magrini stated that staff planned to work with local partners and the community in finding a suitable location. He also stated that in other counties, jail locations were a mix of urban and rural settings.

Sheriff Michael L. Johnson stated that he had not been involved with the proposals presented by the Assistant CEO and so was not familiar enough with them to answer any questions about staffing, etc. He stated that he still planned on an off-site campus with wraparound services every inmate, and believed in accountability being embedded in whatever facility was decided on.

Regarding the options presented by the Assistant CEO, Sheriff Johnson expressed his support for both temporary and permanent solutions to the need for jail beds. He also stated his belief in the need for rehabilitative programs and services, including plans for work release, alternative custody, educational programs, and job skill training. The Sheriff opposed building a new jail on the County-owned property in downtown Redding and stated that the options shown would be in opposition to the City of Redding's downtown revitalization plans. Sheriff Johnson expressed support for a modification of Option A, noting that it would allow a rapid addition of jail beds to the current jail on a temporary basis without displacing County or City staff. He discussed the courtrooms currently contained in the jail and plans to turn one of them into a location for video arraignments while adapting the other to allow for prisoner transport. Sheriff Johnson discussed the need to address current staffing issues and explained that he would be bringing a staff retention proposal before the Board at an upcoming meeting.

Sheriff Johnson presented a proposal for a 40+ acre permanent remote detention and rehabilitation campus and discussed details of the plan, including various programs, an on-site inmate-worked farm to help produce food for the jail and teach agricultural skills, and the removal of the current jail in downtown Redding. He supported locating it at the County-owned property off Airport Road and highlighted the potential to acquire neighboring properties which are adjacent to Highway 44 and/or Airport Road. Sheriff Johnson spoke about the issues with locating the campus at the County's Breslauer campus and the need to connect with other local stakeholders to examine options. The Sheriff expressed his desire to host public engagement workshops and requested approval from the Board for up to \$25,000 in discretionary spending to do so.

In response to questions by Supervisor Chimenti, Sheriff Johnson stated that the Airport Road site has utility connections. Supervisor Chimenti discussed the expense of a new jail due to it being a specialized government project, the need to move forward with building one, and expressed his support for the Sheriff's proposal.

Supervisor Rickert discussed the current costs to the community due to lack of jail space, supported holding a public engagement workshop, and supported the Sheriff's proposal.

Supervisor Jones expressed a desire to make a decision and begin moving forward.

In response to questions by Supervisor Chimenti, Sheriff Johnson clarified that he wanted to hold a one-time public workshop to have public input on the project, not an open comment session, and that he did not see a need to form a committee.

Supervisor Garman also expressed a need to get the process started and supported the Sheriff's proposals.

In response to questions by Supervisor Rickert, Sheriff Johnson stated that the workshop could be held in the near future and could be done concurrently with beginning the work on the new jail project.

Supervisor Baugh supported moving forward with a modified Option A to gain jail beds in a shorter time while a new jail was designed and built at a remote site.

Acting CEO Minturn explained that the first step in the new jail project would be the CEQA process for any proposed site, after which the Board would make a final determination on the location.

Public comment was opened.

Debbie Bazan described her law enforcement experience, her work with putting new detention facilities into operation, and offered suggestions on jail design.

Mike Giacomelli described his experience in law enforcement and inmate custody, offered suggestions regarding potential programs such as inmate wildland firefighters and fuel reduction crews, and discussed the need to have various inmate housing types available.

Dolores Lucero opposed the Assistant CEO being involved in the jail project.

In response to questions by Supervisor Jones, Mr. Cruse explained that there was no conflict of interest in Assistant CEO Magrini's involvement with the jail project, as the law regarding a one-year prohibition on former local officials appearing before local government agencies only applied when an individual left County employment to work in the private sector, not when individuals changed positions within the County.

Steve Kohn, Jim Burnett, and Patty Plumb supported the short-term and long-term proposals.

Public comment was closed.

12:37 p.m.: The Board of Supervisors recessed.

1:14 p.m.: The Board of Supervisors reconvened with Deputy County Executive Officer Mary Williams in place of Chief Deputy Clerk of the Board Stefany Blankenship.

In response to questions by Supervisor Chimenti, Sheriff Johnson clarified that his request for \$25,000 in discretionary spending was in order to hold the public workshop.

In response to questions by Supervisor Baugh, Sheriff Johnson stated that, unless a better site came out of the public workshop, his proposal would designate the Airport Road site as the location of the new jail campus.

The Board of Supervisors received a presentation regarding the planning of a new jail facility, and by motion made, seconded (Jones/Garman), and unanimously carried by roll call vote, (1) provided direction to staff to move forward, in compliance with laws relating to environmental review, with the idea of potentially increasing jail bed space using Option A at the existing jail as explained by staff, with modifications to accommodate a transportation construction project as explained by the Sheriff, (2) directed staff, in compliance with laws relating to environmental review, to allocate up to \$25,000 to the Sheriff to hold a public workshop and receive public feedback concerning a new separate jail campus and its location, and (3) appointed Supervisors Jones and Rickert as Board liaisons to the Sheriff regarding the new separate jail campus.

COUNTY COUNSEL

PRESENTATION: LOCAL CAMPAIGN FINANCE REGULATIONS

Rubin E. Cruse, Jr., County Counsel, presented the staff report and discussed the various laws and regulations regarding campaign finance.

In response to questions by Supervisor Jones, Mr. Cruse discussed labor unions and their ability for unlimited expenditures on communications to their members.

In response to questions by Supervisor Baugh, Mr. Cruse stated that the Board could impose limitations on donations made by labor unions to specific candidates.

Mr. Cruse explained that limitations on campaign donations must follow strict guidelines, per various Supreme Court decisions and other case law. He discussed lawful and unlawful campaign finance limitations, as well as those of questionable legal validity. Mr. Cruse stated that the Board could lower, raise, or eliminate the \$4900 individual contribution limitation imposed by the State, and they could eliminate contributions from non-political agencies.

In response to questions by Supervisor Rickert, Mr. Cruse discussed Political Action Committees (PACs) and their status as independent committees with unlimited contribution acceptance and expenditures, which the Board cannot affect. He also discussed various court rulings regarding PACs.

Public comment was opened.

Susanne Baremore and Joe Dokes spoke about the need for trust and integrity, the influx of outside money during recent local elections, and the need for open and honest debate between candidates.

Lori Heslin supported campaign finance reform.

Public comment was closed.

In response to questions by Supervisor Chimenti, Mr. Cruse explained that a PAC could act independently of candidates without issue, including using quotes made publicly by candidates. If there is evidence of direct coordination or contribution between a PAC and a candidate, it would be considered a controlled committee and would then be subject to strict limits.

Mr. Cruse stated that the Board had control over organizations other than political parties donating to candidates or candidate-controlled committees and could limit individual contributions.

The Board discussed various options and chose to take no action.

PUBLIC WORKS

PRESENTATION: DROUGHT IMPACTS WITHIN SERVICE AREA OF ANDERSON-COTTONWOOD IRRIGATION DISTRICT

Al Cathey, Acting Public Works Director, presented the staff report and discussed the report provided by the Anderson-Cottonwood Irrigation District (ACID) regarding the effects of the drought on their water allotments from the United States Bureau of Reclamation (USBR).

Supervisor Rickert clarified that the public letter mentioned by Mr. Cathey regarding the ACID allotment was written by her son.

In response to questions by Supervisor Jones, Mr. Cathey clarified that ACID was notified they would receive only 18% of their allotted water, which would not have been enough for the water to reach its intended destination. Due to that, ACID chose to sell their allotment.

Mr. Cruse recommended that the Board discuss in Closed Session any possible steps the County could possibly take regarding the low allocation of water by the USBR to ACID and other districts.

The Board discussed various issues with the drought throughout the state, ACID, and the USBR.

There was no public comment.

RESOURCE MANAGEMENT

REVISED LAND DIVISION STANDARDS FOR PARCELS SERVED BY ONSITE WASTEWATER TREATMENT SYSTEMS RESOLUTION NO. 2022-096

Jim Whittle, Director of Environmental Health, and Ken Henderson, Senior Environmental Health Specialist, presented the staff report and recommended approval. Mr. Henderson discussed the process of revising the land standards and the proposed updates, which are more consistent with current standards.

In response to questions by Supervisor Baugh, Mr. Henderson explained the State standards and the positive impacts the proposed changes would have for the community.

There was no public comment.

By motion made, seconded (Jones/Garman), and unanimously carried, the Board of Supervisors took the following actions: Found that the proposed resolution is not subject to the California Environmental Quality Act (CEQA) for the reasons stated in the resolution; and adopted Resolution No. 2022-096 which revises the Land Division Standards for Parcels Served by Onsite Wastewater Treatment Systems of Chapter 5 of the Shasta County Development Standards.

(See Resolution Book No. 69)

INTENTION TO CONSIDER AMENDMENTS TO SHASTA COUNTY ZONING PLAN RELATIVE TO REGULATION OF LARGE WIND ENERGY SYSTEMS RESOLUTION NO. 2022-097

Paul Hellman, Director of Resource Management, presented the staff report and recommended approval. He explained that when the Board recently enacted an ordinance prohibiting large wind energy systems, they had included a directive for staff to take the ordinance back to the Planning Commission to consider amendments due to the recent passage of Assembly Bill 205, which removed local jurisdiction for permitting large wind or solar facilities.

In response to questions by Supervisor Baugh, Mr. Hellman explained that local ordinances could not counteract state law, but could give the County additional tools for opposing proposed projects. Mr. Cruse stated that certain provisions of AB 205 direct the State Energy Commission to consider and follow local ordinances unless a determination is made that public convenience and necessity require that those ordinances not be followed.

In response to questions by Supervisor Rickert, Mr. Hellman stated that high-fire hazard areas were not specifically taken into consideration, but that all proposals had to go through the CEQA process and implement mitigation measures where feasible.

Public comment was opened.

Gary Cadd opposed allowing large wind energy systems in Shasta County.

Public comment was closed.

In response to questions by Supervisor Rickert, Mr. Hellman stated that any companies planning a large wind energy development would now go directly to the State with their proposals rather than to the County.

By motion made, seconded (Chimenti/Rickert), and unanimously carried, the Board of Supervisors adopted Resolution No. 2022-097, a resolution of intention to consider amendments to the Shasta County Zoning Plan in light of Assembly Bill 205 relative to the regulation of large wind energy systems, and to direct the Department of Resource Management to study the matter,

propose amendments to the Zoning Plan, and submit proposed amendments to the Shasta County Planning Commission for their consideration and recommended action.

(See Resolution Book No. 69)

SCHEDULED HEARINGS

SUPPORT SERVICES

PERSONNEL

APPOINTMENT OF PUBLIC WORKS DIRECTOR **RESOLUTION NO. 2022-098**

This was the time set to conduct a public hearing to consider appointing Alfred Cathey to the position of Public Works Director. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Deputy County Executive Officer Mary Williams advised that any correspondence related to the hearing which had been received prior to the public hearing was distributed to the Board of Supervisors to review and entered into the record.

Shelley Forbes, Director of Support Services, presented the staff report and recommended approval. Ms. Forbes explained that, in Shasta County, the position of Public Works Director includes the duties of County Surveyor and Road Commissioner and stated that the position had been advertised nationally. She discussed Mr. Cathey's experience and qualifications for the position.

The public hearing was opened; no one spoke for or against the matter, and the public hearing was closed.

By motion made, seconded (Chimenti/Rickert), and unanimously carried, the Board of Supervisors took the following actions regarding the Public Works Director recruitment: Conducted a public hearing on the qualifications of Alfred Cathey for the position of Public Works Director, which includes the duties of County Surveyor and Road Commissioner, and on the Board's consideration of appointing Alfred Cathey to the position of Public Works Director; and adopted Resolution No. 2022-098 which: appoints Alfred Cathey as Public Works Director, effective August 28, 2022, and establishes Mr. Cathey's initial compensation at the D-step salary range (\$86.178 per hour/\$14,938 per month) for the position of Public Works Director.

(See Resolution Book No. 69)

Acting CEO Minturn and Supervisor Rickert expressed their confidence in Mr. Cathey.

CLOSED SESSION ANNOUNCEMENT

Chair Baugh announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

Confer with legal counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (d), paragraph (4); and

Confer with legal counsel to discuss existing litigation entitled *Randall Scott Johnson, et al. v. City of Redding, et al.*, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and

Consider a public employee appointment (Health Officer), pursuant to Government Code section 54957.

Public comment was opened.

Susanne Baremore expressed disappointment at a perceived lack of transparency in the hiring process for the position of Health Officer and discussed the importance of the position.

Public comment was closed.

Ms. Forbes explained that the Health Officer position was advertised nationally for 60 days and, out of three applicants, only one applicant was qualified for the position. She also stated that Deputy Health Officer Dr. Michael Vovakes had stepped in as Acting Health Officer upon the vacancy of the Health Officer position.

County Counsel Cruse recommended that the Board not disclose the applicants’ identities without first conferring with the individual applicants.

2:50 p.m.: The Board of Supervisors recessed to Closed Session.

3:56 p.m.: The Board of Supervisors returned from Closed Session and reconvened in Open Session with all Supervisors, Acting County Executive Officer/Clerk of the Board Patrick J. Minturn, and County Counsel Rubin E. Cruse, Jr., present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Rubin E. Cruse, Jr., reported that the Board of Supervisors met in Closed Session to discuss anticipated litigation, existing litigation, and a public employee appointment.

In connection with R9, Initiation of Litigation: One potential case, the Board of Supervisors, by a 5-0 vote, authorized the following reportable action:

By a 5-0 vote, the Board of Supervisors directed legal counsel to explore legal options relating to the Bureau of Reclamation’s water allocations.

In connection with R11, Public Employee Appointment – Health Officer, the Board of Supervisors, by a 5-0 vote, authorized the following reportable action:

The Board of Supervisors, by a 5-0 vote, and with the unanimous support of the interview panel for the position (which included three highly qualified local physicians), directed the Acting County Executive Officer to extend a preliminary offer of employment to an applicant, conditioned on the successful completion of a background check in accordance with County Personnel Rules.

There was no other reportable action.

3:57 p.m.: The Board of Supervisors adjourned.

Chair

ATTEST:

PATRICK J. MINTURN
Acting Clerk of the Board of Supervisors

By _____
Deputy

Produced in Native Format

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SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Special Meeting

Date: January 12, 2023
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors Chambers

ROLL CALL

Commissioners

Present: Jim Chapin District 1
Steven Kerns District 3
Tim MacLean District 2
Donn Walgamuth District 4

Commissioners

Absent: Patrick Wallner District 5

Staff Present: Paul Hellman, Director of Resource Management
Lio Salazar, Planning Division Manager
Matt McOmber, Senior Deputy County Counsel
Luis Topete, Senior Planner
Elisabeth Towers, Associate Planner
Venton Trotter, Supervising Engineer
Nate Moore, Environmental Health Specialist
Tracie Huff, Recording Secretary

Note: All unanimous actions reflect a 4-0 vote.

ELECTION OF 2023 CHAIR AND VICE-CHAIR

ACTION: By motion made and seconded (Kerns, Walgamuth), and carried unanimously, the Planning Commission named Commissioner Chapin to serve as Chair for 2023.

ACTION: By motion made and seconded (Chapin/Walgamuth), and carried unanimously, the Planning Commission named Commissioner Kerns to serve as Vice-Chair for 2023.

PUBLIC COMMENT PERIOD - OPEN TIME: Steve Johnson discussed the recent application to the California Energy Commission (CEC) for the Fountain Wind Project under AB 205. Commissioner Kerns read a letter from Joseph and Maggie Osa addressing the Fountain Wind Project that they requested he read on their behalf. Commissioner Kerns inquired about the status of the proposed amendments to the Shasta County Zoning Plan in light of AB 205 directed by the Board of Supervisors in August. Director Paul Hellman stated that he and County Counsel have been working on the proposed amendments but that they're not ready to be presented to the Planning Commission at this time. Commissioner Kerns asked Mr. Hellman if he has had communications with the CEC regarding the Fountain Wind Project. Mr. Hellman stated that the CEC has been in close communication with County

PLANNING COMMISSION MEETING MINUTES

January 12, 2023

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staff, including one virtual meeting, and that the County has provided documents and information requested by the CEC. Mr. Hellman further explained that CEC staff will prepare an environmental impact report in accordance with the requirements of the California Environmental Quality Act (CEQA) and will hold at least one public meeting prior to the CEC's public hearing to consider and take action on the application.

By motion made and seconded (Kerns/MacLean), and carried unanimously, the Planning Commission directed staff to place an item on the February 9, 2023 agenda for a staff presentation regarding the CEC's application process for the Fountain Wind Project and the opportunities for Shasta County and members of the public to participate in the process, to accept public comment, and for the Planning Commission to provide direction, if warranted, to staff.

PLANNING DIRECTOR'S REPORT: Director Paul Hellman informed the Commission that at Tuesday's Board of Supervisors meeting Supervisor Kelstrom nominated Gabe Ross to serve as the District 5 representative on the Commission and that item would be going back to the Board of Supervisors on January 24, 2023 for action. Mr. Hellman explained that Commissioner Wallner no longer resides within District 5 due to redistricting and, therefore, isn't eligible to continue serving as the District 5 representative. Mr. Hellman stated that he invited Commissioner Wallner to attend the next meeting so that he can be recognized for his service. Commissioner Chapin stated that he had a meeting with Supervisor Crye and that a decision on whether or not he will continue to serve as a commissioner has not been decided yet but that he would continue to serve until a decision is made. Mr. Hellman stated that the opinion he received previously from County Counsel was that a commissioner whose term has expired may continue to serve until that commissioner is reappointed or a new appointment is made.

REGULAR CALENDAR:

R1: APPROVAL OF MINUTES:

By motion made and seconded (Maclean/Kerns), and carried unanimously, the Planning Commission approved the minutes of the December 16, 2022 meeting, as submitted.

CONFLICT OF INTEREST DECLARATIONS: None.

R2: Zone Amendment 22-0004 (Lakey Family 2008 Trust and Thompson Family Trust): The Lakey Family 2008 Trust and the Thompson Family Trust et al have requested to change the zoning of a portion of APN 031-580-006 from the Limited Agriculture combined with Building Site 20-Acre Minimum Lot Area (A-1-BA-20) zone district to the Limited Agriculture combined with Building Site 25-Acre Minimum Lot Area (A-1-BA-25) zone district and all of APN 031-580-010 from the Limited Agriculture combined with Building Site 27-Acre Minimum Lot Area (A-1-BA-27) zone district to the Limited Agriculture combined with Building Site 25-Acre Minimum Lot Area (A-1-BA-25) and the Limited Residential combined with Mobile Home (R-L-T) zone districts to be consistent with resultant parcel sizes and property lines proposed under Property Line Adjustment 22-0010. The project is located approximately 0.16 miles east of the intersection of State Highway 89 and Opdyke Road at 41375 and 41397 Opdyke Road, Hat Creek, CA 96040, all being a portion of Sections 15 and 22 of T.34N., R.4E., and further described as a portion Parcel C of Parcel Map 61-86 (26PM96) and all of Parcel A of Property Line Adjustment (PLA) 33-94 (3204 O.R. 446) (a portion of Assessor's Parcel Number (APN) 031-580-006 and all of APN 031-580-010 (2022 Roll)). Staff Planner: Elisabeth Towers.

Ex-parte Communications Disclosures: None.

Planning Division Manager Lio Salazar recommended a continuance of this item to the February 9, 2023 regularly scheduled Planning Commission meeting to correct inaccuracies in the legal notice, staff report,

PLANNING COMMISSION MEETING MINUTES

January 12, 2023

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Ex-parte Communications Disclosures: None.

Planning Division Manager Lio Salazar recommended a continuance of this item to the February 9, 2023 regularly scheduled Planning Commission meeting to correct inaccuracies in the legal notice, staff report, resolution and ordinance. There being no persons present wishing to address the Commission regarding this item, the public hearing was not opened.

By motion made and seconded (Kerns/Walgamuth), and carried unanimously, the Planning Commission continued the item to the February 9, 2023 regularly scheduled Planning Commission meeting.

R3: Zone Amendment 22-0013 (Shasta County): Shasta County proposes to change the Planned Development (PD) zone district to the One-Family Residential (R-1) zone district due to the expiration of Tract Map 1711 on July 11, 1997, upon which the PD zone district was based. The proposed zone amendment would facilitate orderly development consistent with the project site's general plan land use designation without requiring the property owner to apply for and obtain approval of a zone amendment prior to developing the project site. The project site consists of two parcels totaling 3.6 acres located at the western terminus of Serpentine Lane, Burney, CA 96013, all being a portion of SW.1/4 Sec.20, T.35N., R.3E., and further described as parcels 1 and 4 of Parcel Map No. 19-87 (26 PM 4), recorded on January 15, 1987 (Assessor's Parcel Numbers 028-520-018 and 028-520-021 (2022 Roll)). Assessor's Parcel Number 028-520-018 (37114 Sapphire Road) also fronts, and is accessible from, Sapphire Road. Staff Planner: Luis Topete.

Ex-parte Communications Disclosures: None.

Luis Topete presented the staff report and the public hearing was opened. There being no speakers, the public hearing was closed.

By motion made and seconded (MacLean/Walgamuth), and carried unanimously, the Planning Commission adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 22-0013 is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(3); b) adopt the recommended findings listed in Resolution 2023-002; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 22-0013.

ADJOURNMENT: The Planning Commission adjourned at 2:38p.m.

Submitted by:



Paul Hellman, Director of Resource Management
Secretary to the Planning Commission

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SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Regular Meeting

Date: February 9, 2023
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors Chambers

ROLL CALL

Commissioners

Present: Steven Kerns District 3
Tim MacLean District 2
Donn Walgamuth District 4
Gabe Ross District 5

Commissioners

Absent: Jim Chapin District 1

Staff Present:

Paul Hellman, Director of Resource Management
Lio Salazar, Planning Division Manager
Matt McOmber, Senior Deputy County Counsel
Luis Topete, Senior Planner
Elisabeth Towers, Associate Planner
Venton Trotter, Supervising Engineer
Ken Henderson, Senior Environmental Health Specialist
Jeff Powell, Shasta County Fire Marshal
Sean Ewing, Building Division Manager/Building Official
Tracie Huff, Recording Secretary

Note: All unanimous actions reflect a 4-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: Former District 5 Planning Commissioner Patrick Wallner thanked the Commissioners and staff for their support during his time as Commissioner.

PLANNING DIRECTOR'S REPORT: Director Paul Hellman presented former Commissioner Patrick Wallner a plaque in recognition of his more than nine years of service to Shasta County. Commissioners MacLean, Walgamuth and Kerns individually thanked Mr. Wallner for his service.

R1: APPROVAL OF MINUTES:

By motion made and seconded (Walgamuth/MacLean) and carried unanimously, the Planning Commission approved the minutes of the January 12, 2023 meeting, as submitted.

CONFLICT OF INTEREST DECLARATIONS: None.

PLANNING COMMISSION MEETING MINUTES

February 9, 2023

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R2: Use Permit 21-0007 (Parkinson) - Continued from December 16, 2022: Gary and Rocio Parkinson have requested approval of Use Permit 21-0007 to legalize an existing lavender oil distillery with an on-site tasting/sampling room and accessory lavender oil distillery events and annual lavender harvest. An exception from the off-street parking area surfacing and striping requirements of Shasta County Code sections 17.86.100 and 17.86.150 requiring asphalt paving with marked spaces for parking areas containing five or more spaces is proposed. The lavender oil distillery would consist of a 1,360-square-foot multipurpose building for lavender processing, lavender product sampling, lavender oil distillery workshops, retail sale of lavender products and other agricultural products grown on the premises, and storage. The proposal includes up to two accessory events per month with up to ten cars per event, with a maximum of 12 accessory events per year, and an annual lavender harvest event hosting up to 500 visitors over a two-day period. The 7.56-acre project site is located at 15875 Butterfield Road, Anderson, CA 96007 (Assessor's Parcel Number 205-680-013), approximately 0.3-miles southwest of the intersection of Butterfield Road and Whispering Canyon Drive. Staff Planner: Elisabeth Towers.

Ex-parte Communications Disclosures: None.

Elisabeth Towers presented the staff report and the public hearing was opened. Gary Parkinson, applicant, spoke about the project and his family's commitment to the local community and to their neighborhood. Cheryl Clifford, Lorraine Graves, Joseph Cronin, and Kurt Reichel spoke in opposition to the project. As a representative of numerous neighbors, Mr. Reichel was granted up to 14 minutes for his presentation by the Chair prior to the meeting; Mr. Reichel provided copies of documents displayed during his presentation to the Commissioners. Mr. Parkinson spoke in rebuttal to the opponents' comments. Commissioner Kerns asked if persons must make an appointment to visit the property; Mr. Parkinson stated that this is a requirement since he and his wife both work full-time jobs away from the home. Commissioner Walgamuth asked about parking mitigation measures during the annual harvest event; Mr. Parkinson discussed the use of no parking signs and coning off the road to prevent visitors from parking on the street. Mr. Reichel and Ms. Clifford responded to Mr. Parkinson's rebuttal. There being no other speakers the public hearing was closed. Mr. Hellman responded to comments regarding the project's traffic impacts and stated that the CEQA exemptions identified by staff are applicable to the project. Commissioner MacLean requested an explanation of the approvals required for the various aspects of the project and the adequacy of the review and conditioning of the project by County departments. Ms. Towers displayed and discussed an exhibit identifying the various aspects of the project and the approvals required for each in the A-1 and R-R zone districts and explained that the Public Works Department, CAL FIRE, and the Happy Valley Fire District, and the Environmental Health Division reviewed the project and provided appropriate conditions. Ms. Towers further stated that the Public Works Department did not require the applicant to submit a traffic study. Commissioner MacLean asked about the complaint process should the applicant fail to adhere to the conditions of approval. Mr. Hellman stated that if any violations of the conditions of approval are brought to staff's attention, the use permit could be brought back to the Commission for consideration of revocation or the applicant could request an amendment to the use permit if they feel that any of the conditions are no longer feasible for their operation. Commissioners Walgamuth, MacLean, and Kerns made closing comments regarding the project.

By motion made and seconded (MacLean/Walgamuth), and carried by a 3-1 vote with Commissioner Ross voting no, the Planning Commission adopted a resolution to: a) find that Use Permit 21-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15301 and 15303 and there are no unusual circumstances under State CEQA Guidelines section 15300.2(c); b) adopt the recommended findings listed in Resolution 2023-003; and c) approve Use Permit 21-0007, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2023-003.

R3: Zone Amendment 22-0004 (Lakey) - Continued from January 12, 2023: The Lakey Family 2008 Trust and the Thompson Family Trust et al. have requested to change Limited Agriculture combined with Building Site 27-Acre Minimum Lot Area (A-1-BA-27) zone district to the Limited Agriculture combined with Building Site 20-Acre Minimum Lot Area (A-1-BA-20) and the Limited Residential combined with Mobile Home (R-L-T) zone districts for the subject parcel to be consistent with resultant parcel sizes and property lines proposed under Property Line Adjustment 22-0010. The 25.08-acre project site is located at 41397 Opdyke Road, Hat Creek, CA 96040, being a portion of Sections 15 and 22 of T.34N., R.4E., and further described as Parcel A of Property Line Adjustment (PLA) 33-94 (3204 O.R. 446) (Assessor's Parcel Number (APN) 031-580-010 as that APN is assigned for purposes of the 2022 Regular Assessment Roll). Staff Planner: Elisabeth Towers.

Ex-parte Communications Disclosures: None.

Elisabeth Towers presented the staff report and the public hearing was opened. There being no speakers, the public hearing was closed.

By motion made and seconded (Walgamuth/MacLean), and carried unanimously, the Planning Commission adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 22-0004 is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15061(b)(3) and 15301 and there are no unusual circumstances under State CEQA Guidelines section 15300.2(c); b) adopt the recommended findings listed in Resolution 2023-004; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 22-0004.

R4: Use Permit 22-0008 (Halverson): Kelsi Halverson has requested approval of an equestrian facility to provide a maximum of ten one-hour horse riding lessons per week. Non-profit lessons would be offered to first responders, emergency workers, active-duty military, veterans, and their immediate family members and commercial lessons would be offered to the public. The proposal includes a maximum of six assemblages of people (donor days and volunteer training days) per month. The 4.50-acre project site is located at 21308 Faith Avenue, Redding, CA 96003 (Assessor's Parcel Number (APN) 079-130-020 as that APN is assigned for purposes of the 2022 Regular Assessment Roll), approximately 0.1 mile east of the intersection of Intermountain Road and Faith Avenue. Staff Planner: Luis Topete.

Ex-parte Communications Disclosures: None.

Luis Topete presented the staff report, including proposed amendments to the recommended conditions of approval regarding manure management. Staff proposed revisions to Condition 41 to be consistent with the California Code of Regulations, Title 14, Section 17855, and the deletion of Condition 20 since it is redundant with Condition 41. Commissioner Kerns asked why a permit is required in order for the applicant to provide riding lessons. Mr. Topete explained that since non-profit and commercial lessons would be offered to members of the public rather than to family and friends only, a use permit is required. Commissioner Kerns asked if the applicant is aware of the costs of providing a public restroom and bringing the buildings into compliance. Mr. Topete stated that the applicant is aware of the requirements and is in agreement with the recommended conditions of approval. The public hearing was opened. Kelsi Halverson, applicant, spoke about the project and stated that she agreed with the conditions of approval. There being no other speakers, the public hearing was closed.

By motion made and seconded (MacLean/Walgamuth), and carried unanimously, the Planning Commission adopted a resolution to: a) find that Use Permit 22-0008 is not subject to the California Environmental Quality

Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(3) and is exempt from CEQA pursuant to State CEQA Guidelines section 15303; b) adopt the recommended findings listed in Resolution 2023-005; and c) approve Use Permit 22-0008 based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2023-005 as amended.

- R5: Extension of Time 22-0004 (Crookham):** Mindy L. Crookham has requested to extend the expiration date for Parcel Map 07-027 by two years to December 12, 2024. The Planning Commission approved Parcel Map 07-027 on June 12, 2008, for the subdivision of the subject parcel into four 5-acre parcels. The project is located in the Shingletown area on a 20-acre property at 8006 Ponderosa Way, approximately one mile north of the intersection of State Highway 44 and Ponderosa Way (Assessor's Parcel Number 093-270-013). Staff Planner: Luis Topete.

Ex-parte Communications Disclosures: None.

Luis Topete presented the staff report and the public hearing was opened. There being no speakers, the public hearing was closed.

By motion made and seconded (Walgamuth/MacLean), and carried unanimously, the Planning Commission adopted a resolution to: a) find that Extension of Time 22-0004 is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(3); b) adopt the recommended findings listed in Resolution 2023-006; and c) approve Extension of Time 22-0004 for Parcel Map 07-027, based on the recommended findings listed in Resolution 2023-006 and the conditions listed in Resolution 2008-063.

A recess was called at 3:48 p.m. and the meeting reconvened 3:54 p.m.

- R6: Zone Amendment 23-0001 (Shasta County):** The Planning Commission will hold a public hearing to consider recommending that the Board of Supervisors adopt an ordinance amending Title 17, Zoning Plan, of the Shasta County Code (SCC) by amending Section 17.88.335 in light of Assembly Bill 205, which authorizes applications for large wind energy systems to be submitted to the California Energy Commission (CEC) for review and approval, pursuant to Chapter 6.2 of Division 15 of the Public Resources Code (Government Code sections 25545 et seq). The proposed amendments consist of findings by the County of Shasta in connection with applications for large wind energy systems submitted to the CEC and duties to be performed by the Director of Resource Management in conjunction with applications for large wind energy systems filed with the CEC. Staff Planner: Paul Hellman.

Ex-parte Communications Disclosures: None.

Paul Hellman presented the staff report and the public hearing was opened. Bill Walker stated that the findings contained in the proposed ordinance are not supported by facts. Commissioner MacLean asked Mr. Walker about his comment about there not being a policy regarding aerial firefighting. Mr. Walker stated that CAL FIRE has looked at the issue of wind farms and aerial firefighting and has not taken a position. Kelly Tanner, Steve Johnson, Beth Messick, Maggie Osa, and Radley Davis spoke in support of the proposed ordinance. In response to a question from Commissioner Kerns, Mr. Davis stated that the Pit River Tribe has been in contact with the CEC and is preparing a response to the CEC. Breyden Coma, district representative for Senator Dahle, stated his office is available to assist the County as needed. Charlie Palotino discussed the negative environmental impacts of wind farms. There being no other speakers, the public hearing was closed. Commissioner MacLean questioned the legal defensibility of the proposed legislative findings in the absence of local measurable standards being in place. Mr. Hellman stated that the proposed ordinance was drafted with the assistance of the County Counsel's Office and that the input the County would be able to provide to the CEC regarding the Fountain Wind Project and any other application they may process in the future would not

PLANNING COMMISSION MEETING MINUTES

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be limited by the findings contained in the ordinance. Senior Deputy County Counsel Matt McOmber stated that legislative findings are not subject to the heightened standard for specific evidence in the record that is required when making other types of findings. Commissioner Kerns stated that the Commission is considering the proposed ordinance per the direction of the Board of Supervisors and that he recommends approval since time is of the essence. Commissioner Walgamuth asked if the Fire Marshal had any input that he would like to provide. Fire Marshal Jeff Powell stated that amendments to the local fire code can be adopted based upon demonstrated geographic or climatic conditions specific to our region provided they are more restrictive than the state minimum regulations. Commissioner MacLean asked if having established local standards regarding wind farms would hold any more weight with the CEC; Mr. Powell stated that he does not know.

By motion made and seconded (Walgamuth/MacLean), and carried unanimously, the Planning Commission adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 23-0001 is not subject to the California Environmental Quality Act (CEQA) for the reasons stated in Resolution 2023-007; b) adopt the recommended findings listed in Resolution 2023-007; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 23-0001.

A recess was called at 4:58 p.m. and the meeting reconvened at 5:18 p.m.

NH-1: Fountain Wind Project Presentation: Proposed Use Permit 16-007 for the Fountain Wind Project, a 216-megawatt wind energy generation system, was denied by the Shasta County Planning Commission on June 22, 2021, and by the Shasta County Board of Supervisors on October 26, 2021. The California State Legislature approved Assembly Bill (AB) 205, which was signed by the Governor on June 30, 2022. Among other provisions, AB 205 allows the developer of a wind and solar photovoltaic facility with a generating capacity of 50 megawatts or more to submit an application to the California Energy Commission (CEC) rather than to the local jurisdiction in which the project is located. Fountain Wind LLC recently submitted an application to the CEC for the Fountain Wind Project with a total generating capacity of 205 megawatts, which is currently under review by the CEC. Staff Planner: Paul Hellman.

Ex-parte Communications Disclosures: None.

Paul Hellman made a presentation regarding the Fountain Wind Project application submitted to the CEC and the application process under AB 205, including the opportunities for members of the public and the County of Shasta to provide input to the CEC during the application process. Commissioner Walgamuth asked if the County's comments are part of the public record on the CEC's website. Mr. Hellman stated that the County has provided information regarding the project to the CEC and participated in a pre-application submittal meeting with the CEC and the applicant but has not yet submitted written comments. Commissioner Kerns asked if obtaining direction from the Board of Supervisors would be the next step with regard to staff providing additional information and input to the CEC. Mr. Hellman stated that staff is in the process of seeking the Board's direction regarding how they would like to submit input to the CEC. Maggie Osa asked who will be responsible for reviewing and commenting on the draft EIR prepared by the CEC. Mr. Hellman stated that the County will review and comment on the Notice of Preparation and draft EIR as directed by the Board of Supervisors and that anyone else who wishes to comment will be able to. Steve Johnson stated that in addition to the requirement for the CEC to prepare an EIR, AB 205 requires that the CEC find that the project would result in a net economic benefit to the County in order to approve the project. Mr. Johnson stated that the impacts of the project to aerial firefighting would result in detrimental economic impacts to the County since wildfires in the vicinity of the project would be larger than they otherwise would be in the absence of the project and that evidence in support of this position needs to be provided to the CEC. Kelly Tanner emphasized the point made by Mr. Johnson about the need to get all of the evidence in the record that will be

needed in the event of a legal challenge to the adequacy of the EIR prior to the CEC's decision on the project and asked about County's timeframe for preparing the EIR for the Fountain Wind Project. Planning Division Manager Lio Salazar stated that he believes it took approximately 18 months for the County to prepare the EIR for the project. Commissioner Ross asked if it would be possible for the EIR prepared by the County for the project could be certified. Mr. Hellman explained that when a project for which an EIR was prepared is denied, certification of the EIR is not required and that he did not know if it would be possible at this point in the process for the EIR to be certified. Mr. Hellman stated that the EIR is a part of the public record for the project, is accessible to the CEC, and has been provided by the applicant to the CEC. Commissioner Kerns stated that one of the reasons why the Commission did not certify the EIR was that they found it to be inadequate.

ADJOURNMENT: The Planning Commission adjourned at 6:11p.m.

Submitted by:

Paul Hellman, Director of Resource Management
Secretary to the Planning Commission

Produced in Native Format

File may be accessed using the following link: <https://www.imanageshare.com/pd/1HVz4xiDXvY>

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SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 14, 2023

REGULAR MEETING

9:01 a.m.: Chair Jones called the Regular Session of the Board of Supervisors to order on the above date with the following present:

- District No. 1 - Supervisor Crye
- District No. 2 - Supervisor Garman
- District No. 3 - Supervisor Rickert
- District No. 4 - Supervisor Jones
- District No. 5 - Supervisor Kelstrom

Acting County Executive Officer/Clerk of the Board - Mary Williams
County Counsel - Rubin E. Cruse, Jr.
Chief Deputy Clerk of the Board - Stefany Blankenship

INVOCATION

Invocation was given by Deacon Ray Hemenway, Our Lady of Mercy Catholic Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Supervisor Kelstrom.

Supervisor Jones noted that the two Closed Session items regarding the position of County Counsel had been removed from the agenda.

REGULAR CALENDAR

BOARD MATTERS

MARCH 2023 EMPLOYEE OF THE MONTH
KRISTIN GULLING-SMITH, AGENCY STAFF SERVICES ANALYST I - CONFIDENTIAL
COUNTY ADMINISTRATIVE OFFICE
RESOLUTION NO. 2023-023

Public comment was opened.

Robert spoke in support of Ms. Gulling-Smith’s recognition.

Public comment was closed.

At the recommendation of Stefany Blankenship, Chief Deputy Clerk of the Board, and by motion made, seconded (Rickert/Garman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2023-023 which recognizes Shasta County Administrative Office Agency Staff Services Analyst I – Confidential Kristin Gulling-Smith as Shasta County’s Employee of the Month for March 2023.

(See Resolution Book No. 70)

PRESENTATION: PALO CEDRO PLANNING EFFORTS
RESOURCE MANAGEMENT

Adam Fieseler, Assistant Director of Resource Management, gave a presentation on the history of planning efforts and the possible development of a Specific Plan for the Palo Cedro area. Mr. Fieseler discussed the recent meeting between staff and community members from groups both in opposition to and in support of developing a specific plan. He stated that the meeting had resulted in the proposals to present a resolution to the Board to rescind Resolution No. 2019-063, which directed staff to prepare a Design Review District for downtown Palo Cedro for the Board's consideration, and requested that the board direct staff to prepare a resolution establishing a steering committee for the purpose of exploring potential planning efforts, if any, to be undertaken for Palo Cedro, for the Board's consideration. He also stated that such a committee would be required to follow the Brown Act.

Public comment was opened.

Lani Bangay supported the rescinding of the earlier resolution and the development of a plan for Palo Cedro.

Margaret Hansen advocated for the need for compromise and of a reset of planning efforts.

Erik Jensen, Hope Bjerke, Andy Main, Liz Machado, Nicholas Reiser, Heather Jensen, and Jason Hall supported developing a plan of some kind for Palo Cedro.

Hunt opposed the development of any plan specifically for Palo Cedro and supported rescinding the prior resolution.

Josh Mack opposed accepting any sort of funding that imposed housing requirements.

Kelly Landry opposed the development of a Specific Plan for Palo Cedro.

Joshua Brown questioned the resistance to low-income housing.

Ron Holmstrom supported rescinding the earlier resolution.

Public comment was closed.

Supervisor Rickert made a motion to form a community panel that did not have to adhere to the Brown Act. County Counsel Rubin E. Cruse, Jr., stated that any committee formed by an action of the Board of Supervisors would be subject to the Brown Act and that staff would have to place on a future agenda a resolution to form the committee. Supervisor Rickert amended her motion to direct staff to place on a future agenda an item to form a steering community of seven members to work with Resource Management to address the planning issues in Palo Cedro. Supervisor Garman seconded.

Supervisor Kelstrom made a substitute motion to rescind Resolution No. 2019-063 and for himself and Supervisor Rickert to work with staff to set the parameters for a steering committee of seven members to work with Resource Management to address planning issues in the Palo Cedro area. Supervisor Rickert seconded the motion.

In response to questions by Supervisor Crye, Mr. Cruse explained that staff could send an informal poll to the registered voters of Palo Cedro or could place a non-binding advisory measure on a ballot for election to elicit feedback, but the ballot option would probably not occur until the March 2024 presidential primary election.

Supervisor Kelstrom stated that an informal poll could be included in a mailing to the Palo Cedro community to elicit applications for the steering committee.

By motion made, seconded (Kelstrom/Rickert), and carried by roll call vote with Supervisors Jones and Crye dissenting, the Board of Supervisors received a presentation regarding planning efforts for Palo Cedro and directed staff to place on a future agenda an item to rescind Resolution No. 2019-063 and to form a seven-member steering committee to work with Resource

Management to address planning issues in the Palo Cedro area, in connection with feedback obtained from the community.

PUBLIC COMMENT PERIOD - OPEN TIME

Pamelyn Morgan, Christian Gardinier, Robert, Susan Weiss, Joshua Brown, Jeff Gorder, Nathan, Steve Kohn, Brenda Woods, Susanne Baremore, Chelly Mack, Monique Welin, Lani Bangay, Jim Roberts, Jane Kays, Laurie, and Bev Gray spoke during public comment - open time.

CONSENT CALENDAR

There was no public comment.

By motion made, seconded (Garman/Kelstrom), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar:

Approved the County claims list in the amount of \$26,352.63, as submitted. (Auditor-Controller)

Reappointed Randy Armstrong and Dale Allen to the South Shasta Cemetery District to serve four-year terms to January 4, 2027. (Clerk of the Board)

Appointed Randall W. Smith in lieu of election to the Shasta Community Services District Board of Directors to serve a four-year term to December 4, 2026. (Clerk of the Board)

Took the following actions regarding the Western Shasta Resource Conservation District Board of Directors: Determined that Kathy Grissom and Matt Plummer have demonstrated interests in soil and water conservation; appointed Kathy Grissom to the remainder of a four-year term to November 29, 2024; and appointed Matt Plummer to the remainder of a four-year term to November 27, 2026. (Clerk of the Board)

Took the following actions: Approved an agreement with Nancy Southworth, with no maximum compensation, to provide legal services related to child dependency cases effective March 20, 2023, for the period of five years or until the completion of the matter(s) and case(s) assigned to the firm; and approved and authorized County Counsel to increase the hourly rate in an amount not to exceed 20% over the initial rates during the term of the agreement. (County Counsel)

Took the following actions: Accepted a donation of \$4,745.76 from the Maurice & Marianne Johannessen Foundation for the purchase of a Concealed Carry Weapon (CCW) permit printer for the purpose of printing CCW permits on Polyvinyl chloride cards; and approved a budget amendment increasing appropriations and revenue in the amount of \$4,746 to record the donation. (Sheriff)

Took the following actions: Approved an agreement with Mead & Hunt, in an amount not to exceed \$300,000 to provide on-call consulting services related to the Fall River Mills Airport effective date of signing through December 31, 2027; and found the agreement to be exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(3) and to not be subject to CEQA pursuant to State CEQA Guidelines section 15060(c)(2) because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment. (Public Works)

Awarded to the lowest responsive and responsible bidder, Highway Specialty Company, Inc., on a lump sum basis, the "Zogg Fire Guardrail Repair Project," Contract No. 706818, in the amount of \$156,799.00. (Public Works)

Adopted Resolution No. 2023-024 which recognizes that the circumstances and factors that led to the May 31, 2022, proclamation establishing the Shasta County Grant-Funded Emergency Drought Relief Program (Program) for the purpose of implementing grant funded work on private water supply systems that supports immediate drought response and mitigates drought impacts have not been resolved and that there is a need for continuation of the emergency proclamation and find the Program categorically exempt in conformance with the California Environmental Quality Act (CEQA) Guidelines 14 CCR Section 15269-Emergency Projects. (Public Works, Resource Management)

(See Resolution Book No. 70)

Adopted Resolution No. 2023-025 approving, in part, Cory Halter's appeal of public facilities impact fees required in conjunction with building permit number BRES20-0050 to legalize an existing unpermitted one-family residence at 30555 Ted Elder Road, Fall River Mills, CA 96028, waiving all required impact fees with the exception of Library impact fees in the amount of \$178.15. (Resource Management)

(See Resolution Book No. 70)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE

Acting County Executive Officer (CEO) Mary Williams presented an update on County issues and specific legislation of importance to Shasta County, including a survey recently launched for staff who were affected by the downtown parking issue to gather feedback on preferred solutions. Ms. Williams recognized the Public Works staff who had been working hard due to the recent bad weather, as well as the staff who handle Workers' Compensation, for recently receiving an "Exceeds Standards" rating. She recognized the new Veterans Services Officer, Wesley Tucker, and stated that the County's legislative advocates were monitoring several pieces of proposed legislation that would come back to the Board as needed.

LETTER OF OPPOSITION: ASSEMBLY BILL 742

Ms. Williams stated that staff had prepared a letter of opposition to Assembly Bill 742, which proposes limiting the use of police canines, and that the letter included data from the Sheriff's Office on the local use of police canines.

Public comment was opened.

Robert spoke in support of the proposed letter of opposition.

Public comment was closed.

By motion made, seconded (Rickert/Garman), and unanimously carried, the Board of Supervisors approved a letter of opposition to Assembly Bill 742 which proposes limiting the use of police canines.

SUPERVISORS' REPORTS

Supervisor Rickert recently attended meetings of the Northern California Water Associating Governing Board (NCWA), Sierra-Sacramento Valley Emergency Medical System Board (SSVEMS), and the Mental Health, Alcohol and Drug Advisory Board, and reported on issues of countywide interest.

Supervisor Garman recently attended meetings of the California State Association of Counties, Rural County Representatives of California, and the SSVEMS, and reported on issues of countywide interest.

Supervisor Kelstrom recently attended a NCWA meeting and reported on issues of countywide interest.

Supervisor Crye reported on issues of countywide interest.

Supervisor Jones reported on issues of countywide interest.

CLOSED SESSION ANNOUNCEMENT

Chair Jones announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

Confer with its Labor Negotiators, Acting County Executive Officer Mary Williams, Personnel Director Shelley Forbes, Assistant Personnel Director Monica Fugitt, and Chief Labor Negotiator Gage Dungy, Boutin Jones Inc., to discuss the following employee organizations: Deputy Sheriffs Association – Correctional Officer-Deputy Sheriffs and General Teamsters #137-Deputy Coroners Investigators Unit, pursuant to Government Code section 54957.6.

12:01 p.m.: The Board of Supervisors recessed to Closed Session.

12:39 p.m.: The Board of Supervisors returned from Closed Session and reconvened in Open Session with all Supervisors, Acting County Executive Officer/Clerk of the Board Mary Williams, and County Counsel Rubin E. Cruse, Jr., present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Rubin E. Cruse, Jr., reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE

BOARD OF SUPERVISORS CODE OF CONDUCT PROPOSED NEW ADMINISTRATIVE POLICY

Supervisor Rickert explained that the Rural County Representatives of California (RCRC) had recently adopted a Code of Conduct for their Board and membership. She felt it provided a good example of expectations for leadership. At the regularly scheduled Board of Supervisors meeting of February 21, 2023, the Board had directed staff to adapt the RCRC code for the County and bring it to the Board for discussion and possible adoption as a Code of Conduct (Code) for the Board of Supervisors.

In response to questions by Supervisor Jones, Mr. Cruse explained that the Code contained items normally found in such codes of conduct and stated that Yolo County had recently adopted a similar policy as their Governance Manual. He stated that the Code contained general principles to guide Board interactions and that it was a lawful policy. Mr. Cruse stated that the Board had not previously adopted a code of conduct.

In response to questions by Supervisor Jones, Mr. Cruse explained that the Code was not a County ordinance or law, so there would be no criminal penalties associated with it if violations of the Code occurred. He stated that the Board could take actions such as censure or other penalties that were within the Board's authority.

Supervisor Garman made a motion to move forward with the process to adopt the Code. Supervisor Rickert seconded.

In response to questions by Supervisor Jones, Mr. Cruse explained that the items in the Code were adapted from the RCRC code of conduct and that, while a few of them generally overlapped with more specific policies already in place, he had not felt comfortable removing them without direction from the Board.

Supervisors Jones, Kelstrom, and Crye expressed their reservations about items in the Code concerning the placement of items on the agenda and interactions with staff. Supervisor Crye stated his concern that additional policies added to government bureaucracy.

In response to questions by Supervisor Rickert, Mr. Cruse stated that the Code would not prohibit the Board from speaking to individual employees, but referred to the Board not directing County employees in how to perform their duties. He explained that such a restriction existed in State law which already prohibited the Board from doing so.

Acting CEO Williams stated that the Code was agendized for discussion rather than adoption because staff anticipated that the Board would want to make changes to the Code before adopting it. If the Board desired to direct staff to make changes to the Code, it would then return to the Board for adoption.

Public comment was opened.

Pamelyn Morgan supported the adoption of the Code.

Public comment was closed.

Supervisor Rickert made a motion to adopt the administrative policy, "Board of Supervisors Code of Conduct," as written. Supervisor Garman seconded. The motion failed by the following vote:

AYES: Supervisors Rickert, Garman

NOES: Supervisors Jones, Kelstrom, and Crye

SUPPORT SERVICES

PERSONNEL

ADMINISTRATIVE POLICY NO. 1-105, BOARD/COUNTY STAFF RELATIONS

Supervisor Crye explained his reasons for bringing Administrative Policy (AP) No. 1-105, *Board/County Staff Relations*, forward for discussion.

The Board discussed their various interactions with County employees through individual interactions, meetings, and other communication.

Mr. Cruse interjected that AP 1-110, *Board of Supervisors Membership on Committees, Agencies, and Associations*, stated that each Board member was an appointed liaison to one or more groups of inter-related County departments. Ms. Williams explained that those assignments were adopted annually through the Chair's Appointments process and reviewed the current liaison assignments.

The Board discussed the ability to have communications with individual employees rather than department heads, as well as the chain of command involved when the Board directed staff to carry out their decisions.

Shelley Forbes, Director of Support Services, stated that one of the concerns raised to her was whether employees had somewhere to turn if they had a complaint or wanted to report something. She explained that employees had several avenues to pursue for those types of reports,

including Personnel, the Auditor's office through the whistleblower's complaint hotline, speaking directly to their unions, and various state and federal agencies. She stated that the AP was designed to help the Board work through utilizing the chain of command and avoid directing staff in the performance of their duties, not to prevent them from speaking with individual employees.

There was no public comment.

After discussion, the Board declined to take action.

HEALTH AND HUMAN SERVICES

HOUSING/COMMUNITY ACTION AGENCY

HEALTH AND HUMAN SERVICES AGENCY

CONSOLIDATION OF HOUSING/COMMUNITY ACTION AGENCY INTO THE HEALTH AND HUMAN SERVICES AGENCY

Mary Williams, Acting County Executive Officer, presented the staff report and recommended approval. Ms. Williams discussed the steps taken at the Board's direction to move forward with consolidating the Housing/Community Action Agency (HCAA) into the Health and Human Services Agency. She explained that an ordinance was necessary because the current structure of the HCAA was outlined in County Code, which needed to be updated to reflect the consolidation, and that the ordinance would be brought back to the Board for adoption at a later meeting.

There was no public comment.

In response to questions by Supervisor Jones, Ms. Williams stated that HCAA received a General Fund contribution and that the consolidation was not expected to change that, as the programs offered by HCAA were changing.

By motion made, seconded (Garman/Rickert), and unanimously carried, the Board of Supervisors introduced and waived the reading of "*An Ordinance of the Board of Supervisors of the County of Shasta Consolidating the Department of Housing and Community Action Programs with the Health and Human Services Agency by Amending Chapter 2.28 of the Shasta County Code and Repealing Chapter 2.68 of the Shasta County Code.*"

In response to questions by Supervisor Crye, Nolda Short, Auditor-Controller, stated that the position of Housing Director received a small portion of funding from the County's General Fund, but the majority of funding came from state and federal funds.

PUBLIC WORKS

SHERIFF - JAIL

JAIL INMATE TRANSPORTATION & COURTROOM REPURPOSING PROJECT AND STRATEGIC FACILITIES PLAN FOR INMATE HOUSING, CONTRACT NO. 610590 AGREEMENT WITH DLR GROUP

Al Cathey, Director of Public Works, presented the staff report and recommended approval. Mr. Cathey described the history of the item, including the Request for Quote process, the prior discussion in front of the Board regarding the award of the contract, and the negotiation with DLR Group (DLR) for a more specific project scope. He stated that the contract had been fully negotiated and needed Board approval in order to move forward with the project.

In response to questions by Supervisor Jones, Mr. Cathey stated that DLR had been very responsive to staff throughout the process of contract negotiation.

Public comment was opened.

Steve Kohn discussed inefficiencies in prisoner transport and the need for more programs such as electronic monitoring, work programs, mental health services, and drug treatment.

Darryl Stelling, Global Justice + Civic Leader and Senior Principal for DLR, discussed the components of the project, upcoming meetings to kick off the project planning, and the formation of a master plan with options to move forward in a phased manner or all at once.

Public comment was closed.

Supervisor Rickert stated that she did not support awarding the contract to DLR and that she felt the County should follow its normal competitive procurement process. She explained that she had done further research following the last discussion of this project by the Board and would have voted no at that time if she had known more about the process.

Mr. Cathey observed that staff make recommendations to the Board but do not make final selections, as the Board does that by deciding whether or not to follow the staff recommendations.

In response to questions by Supervisor Rickert, Mr. Cathey stated the County had not done work with DLR in the past, but DLR had been one of the three companies involved in a project initiated by the former CEO, Matt Pontes, which had never moved forward.

By motion made, seconded (Jones/Kelstrom), and carried with Supervisor Rickert dissenting, the Board of Supervisors took the following actions: Found the agreement with DLR Group (DLR) for the "Jail Inmate Transportation & Courtroom Repurposing Project and Strategic Facilities Plan for Inmate Housing," Contract No. 610590, to be exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15061(b)(3) and 15301; and not subject to CEQA pursuant to CEQA Guidelines section 15060(c)(2); approved the agreement with DLR, for planning, architectural and engineering services, in an amount not to exceed \$1,038,700, for a term from date of signing to the earlier of December 31, 2024, or the 30 days after filing of the Notice of Completion; authorized the Public Works Director to approve extra work or changes in writing to the scope, time of performance, and amount of compensation not to exceed 10%, in the aggregate (\$103,870), provided such approvals are approved as to form by County Counsel and Risk Management in accordance with the *Shasta County Contracts Manual*, Administrative Policy 6-101; approved a budget amendment increasing appropriations and revenue by \$200,000 in the Land Buildings & Improvements budget; and approved a budget amendment increasing appropriations by \$200,000 in the Accumulated Capital Outlay budget offset by use of Committed – Public Safety Infrastructure Detention fund balance.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

Chief Deputy Clerk of the Board Stefany Blankenship confirmed that correspondence related to hearings had been received and entered into the record.

ZONE AMENDMENT 23-0001

REGARDING SHASTA COUNTY CODE 17.88.335, *LARGE WIND ENERGY SYSTEMS*

ORDINANCE NO. SCC 2023-01

This was the time set to conduct a public hearing to consider an ordinance amending Shasta County Code 17.88.355, *Large Wind Energy Systems*. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Paul Hellman, Director of Resource Management, presented the staff report and recommended approval. Mr. Hellman discussed the history of the proposed ordinance and explained that the ordinance would amend County Code to fall into line with State law while continuing to prohibit large wind systems in the county and suggest other alternate energy generation systems. He stated that the Fountain Wind Project, proposed by ConnectGen, was the

first project to be submitted to the California Energy Commission for approval under the new State law that moved authority for such approval away from local jurisdictions.

The public hearing was opened.

Pamelyn Morgan and Steve Kern spoke in favor of the proposed ordinance.

No one else spoke for or against the matter, and the public hearing was closed.

Supervisor Rickert recognized the Resource Management staff, Planning Commission, and others involved with the issue for their work on the proposed ordinance.

By motion made, seconded (Rickert/Garman), and unanimously carried, the Board of Supervisors took the following actions: Conducted a public hearing; found that the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) for the reasons stated in the ordinance; and introduced, waived the reading of, and enacted Ordinance No. SCC 2023-01, "*An Ordinance of the Board of Supervisors of the County of Shasta Amending Section 17.88.335, Large Wind Energy Systems, of the Shasta County Code in Light of Assembly Bill 205,*" identified as Zone Amendment 23-0001.

(See County Code Ordinance Book)

ZONE AMENDMENT 22-0013
APNs 028-520-018 & 028-50-021
ORDINANCE NO. 378-2070

This was the time set to conduct a public hearing to consider amending the zoning of two parcels totaling 3.6 acres located at the western terminus of Serpentine Lane, Burney, CA. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Lio Salazar, Planning Division Manager, presented the staff report, described the proposed rezone and the affected area, and recommended approval.

The public hearing was opened; no one spoke for or against the matter, and the public hearing was closed.

By motion made, seconded (Rickert/Kelstrom), and unanimously carried, the Board of Supervisors took the following actions: Conducted a public hearing; found that Zone Amendment 22-0013 is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(3); adopted the recommended findings listed in Planning Commission Resolution 2023-002; and introduced, waived the reading of, and enacted Ordinance No. 378-2070 amending the Zoning Plan of the County of Shasta to amend the zoning of two parcels totaling 3.6 acres located at the western terminus of Serpentine Lane, Burney, CA 96013 (Assessor's Parcel Numbers (APNs) 028-520-018 and 028-520-021 as those APNs are assigned for purposes of the 2022 Regular Assessment Roll) from the Planned Development zone district to the One-Family Residential zone district.

(See Zoning Ordinance Book)

1:57 p.m.: The Shasta County Board of Supervisors recessed and reconvened as the Shasta County Water Agency.

2:23 p.m.: The Shasta County Water Agency adjourned and reconvened as the Shasta County Board of Supervisors.

CLOSED SESSION ANNOUNCEMENT

Chair Jones announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

Confer with legal counsel to discuss existing litigation entitled *Michael Peery v. County of Shasta*, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and

Confer with legal counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (d), paragraph (4); and

Consider public employee appointment (County Executive Officer), pursuant to Government Code section 54957; and

Confer with its Real Property Negotiators, Assistant County Executive Officer Eric Magrini, Principal Engineer Shawn Ankeny, and Public Works Director Al Cathey, and the Negotiating Party, City of Redding, regarding real property located at 6550 Lockheed Drive, Redding, CA (APN 054-280-008), pursuant to Government Code section 54964.8.

2:24 p.m.: The Board of Supervisors recessed to Closed Session.

3:08 p.m.: The Board of Supervisors returned from Closed Session and reconvened in Open Session with all Supervisors, Acting County Executive Officer/Clerk of the Board Mary Williams, and County Counsel Rubin E. Cruse, Jr., present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Rubin E. Cruse, Jr., reported that the Board of Supervisors met in Closed Session to discuss labor negotiations, existing litigation, anticipated litigation, a public employee appointment, and real property negotiations; however, no reportable action was taken.

In connection with Item R13, Public Employee Appointment – County Executive Officer, the Board of Supervisors, by a 5-0 vote, authorized the following report from closed session:

The Board supports the provisions of the Brown Act, at Government Code section 54963, which prohibit any person from disclosing confidential information acquired by being present in a closed session to a person not entitled to receive it, unless the Board authorizes the disclosure.

There are disclosures in several news publications that appear to reflect unauthorized disclosures of confidential information from closed session. Some of these disclosures reflect inaccurate information.

In order to correct the record, and ensure accurate information is made available to the public, the Board has unanimously authorized the following to be made public from closed session:

1. Chriss Street is one of seven candidates interviewed by the Board of Supervisors and the Temporary Advisory Committee for the position of County Executive Officer.
2. Mr. Street was not “soundly rejected” by nine of the ten members of the Temporary Advisory Committee. He was ranked number one by three members of the Temporary Advisory Committee and number two by a fourth member of the Temporary Advisory Committee.
3. There was no information presented in closed session claiming that Mr. Street had been divorced. Regardless, any such information about Mr. Street’s marital status is irrelevant to the Board’s decision and any decision based on an applicant’s marital status is prohibited by state law.
4. A majority of the Board of Supervisors extended a preliminary offer of employment to Mr. Street, contingent on the completion of a background investigation in accordance with legal requirements. That background investigation is in progress. A final appointment is yet to be made.
5. The Board of Supervisors, by a 5-0 vote, has authorized an investigation of potential unauthorized disclosures from closed session to be conducted through the County Counsel’s Office.

3:10 p.m.: The Board of Supervisors adjourned.

Chair

ATTEST:

MARY WILLIAMS
Acting Clerk of the Board of Supervisors

By _____
Deputy

Produced in Native Format

File may be accessed using the following link: <https://www.imanageshare.com/pd/2R9eoEz6WaU>

**NOTICE OF PUBLIC HEARING BY THE SHASTA COUNTY PLANNING COMMISSION
TO CONSIDER ADOPTING A RESOLUTION RECOMMENDING THE BOARD OF SUPERVISORS ADOPT
AN ORDINANCE REGULATING SMALL AND LARGE WIND ENERGY SYSTEMS**

NOTICE IS HEREBY GIVEN that the Shasta County Planning Commission will hold a public hearing in the Board of Supervisors Chambers at 1450 Court Street, Room 263, Redding, California, on April 14, 2022 at 2:00 p.m. or as soon thereafter as may be heard, at which time and place all interested persons may be heard on the following matter:

The Shasta County Planning Commission will consider the following: (1) finding the project is not subject to the California Environmental Quality Act; (2) finding the project is consistent with the Shasta County General Plan; and (3) recommending that the Shasta County Board of Supervisors enact an ordinance amending the Shasta County Zoning Plan, Title 17 of the Shasta County Code, to regulate small and large wind energy systems (Zone Amendment 22-0001).

SUMMARY OF THE PROPOSED ORDINANCE: The proposed ordinance would add Shasta County Code (SCC) Section 17.88.335 to define and prohibit large wind energy systems within the unincorporated area of Shasta County, amend SCC Section 17.88.035 to modify the definition of, and development regulations for, small wind energy systems, and amend SCC Section 17.88.100 to exclude large wind energy systems from being a permissible public utility with the approval of a use permit.

CEQA DETERMINATION: The Planning Commission will consider finding that the ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15060(c)(2).

GENERAL PLAN CONSISTENCY: The Planning Commission will consider finding that the ordinance is consistent with the Shasta County General Plan on the basis that the ordinance prohibits a type of development that is incompatible in high risk fire hazard areas from locating in such areas (Objective FS-1), protects the natural scenery along scenic highways from new development which would diminish the aesthetic value of the scenic corridor (Objective SH-1), and guides development in a pattern that will respect the natural resource values of County lands and their contributions to the County's economic base and that will minimize land use conflicts between adjacent land uses (Objectives CO-3 & CO-4).

ALL INTERESTED PARTIES are encouraged and invited to submit written comments regarding the proposed actions or participate in the public hearing to be heard regarding the actions to be considered including, but not limited to, the proposed project, and the finding that the project is not subject to CEQA. To ensure consideration by the Commission, all written material concerning the proposed project should be submitted to the Department of Resource Management, Planning Division, 1855 Placer Street, Suite 103, Redding, California 96001 as soon as possible and no later than three days prior to the hearing. All items presented to the Planning Commission before or during a public hearing, including but not limited to, letters, e-mails, petitions, photos, or maps, become a permanent part of the record and must be submitted to the Secretary of the Planning Commission. It is advised that the presenter bring eight copies of anything presented to the Commission and that the presenter create copies in advance for their own records. Persons wishing to submit comments or appear before the Planning Commission are encouraged to first contact Paul Hellman, Director of Resource Management.


Please note that any challenge of the proposed action in court may be limited to addressing only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

A copy of the staff report and all attachments will be posted on the Shasta County Planning Division website and will be available for review at the Department of Resource Management, Planning Division, 1855 Placer Street, Suite 103, Redding, California 96001 at least 72 hours prior to the hearing; Telephone (530) 225-5532. Please bring this notice to the attention of anyone who may be interested in this information.

PAUL A. HELLMAN
SECRETARY TO THE PLANNING COMMISSION

(Publication Date: 04/01/22)

From: Ron Dykstra <dbdykstra@sbcglobal.net>
To: Lio Salazar
CC: Paul Hellman; Adam Fieseler
Sent: 4/5/2022 2:51:08 PM
Subject: Re: Fire Hazard Zones in Shasta County

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

Thank you very much Lio for the detailed response. You may note that I have sent another question your way. That question should involve very little of your time. So I look forward to your response. Thanks again.

Ron

On Tuesday, April 5, 2022, 12:55:17 PM PDT, Lio Salazar <lsalazar@co.shasta.ca.us> wrote:

Good Afternoon Ron,

Paul Hellman asked me to respond to your e-mail as he has his plate full preparing for the Tierra Robles EIR public hearing before the Shasta County Planning Commission tomorrow afternoon.

I hope this message helps in your effort to rapidly get educated on fire zones. First, Figure FS-1 in the General Plan map is outdated and predates legislation that directed the creation of the two CAL FIRE produced maps referenced in your email. I do not have reference information for Figure FS-1 handy, but you should know that it will be updated with the latest readily available data on wildfire risk, including fire hazard severity zone(s) (FHSZ) mapping created by CAL FIRE, as part of the General Plan Safety Element update that is currently in process. The two CAL FIRE maps you referenced are essentially subsets of the same FHSZ data.

The first CAL FIRE map was created and adopted in response to legislation directing CAL FIRE to map fire hazard within the State Responsibility Area (SRA) where state agencies (CAL FIRE, State Parks, etc.) have the financial responsibility for wildland fire protection and prevention. Apart from identifying Moderate, High, Very High FHSZ within the SRA, this map also identifies the Federal Responsibility Area (FRA) where federal agencies (USFS, BLM, BIA, NPS, etc.) are responsible for wildfire protection and the Local Responsibility Area (LRA), both unincorporated and incorporated, where local agencies (Cities of Redding, Anderson, Shasta Lake and communities of Cottonwood, Mountain Gate, Burney, etc.) are responsible for wildfire protection. However, this map does not provide the FHSZ for the FRA and LRA because it was not prepared for the purpose of adopting FHSZ for these areas.

The second map was created in response to a separate piece of legislation that directed CAL FIRE to identify and recommend Very High FHSZ within the LRA (in red). I am not sure why CAL FIRE chose to show Very High FHSZ for the SRA and FRA on this map, perhaps for context, but they did. And, rather than showing on this map the Moderate and High FHSZ that were directed to be shown on the first map, CAL FIRE shows Moderate and High FHSZ information as Non-Very High FHSZ. If one took the first map and it were underlain with this map, the gray area within the SRA portion of this map would show as Moderate or High FHSZ.

Nonetheless, the development of the three classes of Moderate, High, and Very High FHSZ depicted on either map was developed with the same methodology using data and models describing development patterns, estimated fire behavior characteristics based on potential fuels over a 30-50 year time horizon, and expected burn probabilities to quantify the likelihood and nature of vegetation fire exposure to new construction and/or buildings.

The 2007 SRA map (first map) is the latest adopted FHSZ map for the SRA and is definitive within the areas of unincorporated Shasta County that are outside of the FRA and LRA. The 2008 LRA (second map) is the latest recommended Very High FHSZ map for the LRA. At this point in time the 2007 SRA FHSZ map is the best available information regarding fire hazard in most areas of the County and is currently used to apply the requirements of the California building code, analyzing land use proposals, and developing land use policy in Shasta County.

A wealth of information regarding FHSZ, including frequently asked questions, is available at the CAL FIRE website. A link is provided for you convenience. If you have any additional questions or would like to discuss this info, please feel free to call me at my desk (530) 225-5533 or reply to this message.

Regards,

Lio

<https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/#:~:text=What%20is%20%E2%80%9CState%20Responsibility%20Area,for%20fire%20prevention%20and%20suppression>

Lio Salazar, AICP

Senior Planner

Shasta County

Department of Resource Management

Planning Division

1855 Placer Street Suite 103

Redding, CA 96001

Ph: 530.225.5532

Fax: 530.245.6468

E-mail: lsalazar@co.shasta.ca.us


Web: http://www.co.shasta.ca.us/index/drm_index/planning_index.aspx

From: Ron Dykstra <dbdykstra@sbcglobal.net>

Sent: Friday, April 1, 2022 2:53 PM

To: Paul Hellman <phellman@co.shasta.ca.us>

Subject: Fire Hazard Zones in Shasta County

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

Hello Paul. Thank you very much for calling me back today.


COS0001141

So I'm trying to rapidly get educated on fire hazard zones. I started with figure FS1 in the general plan. This looks like it is dated 2004 and I assume it has not been updated. This map has moderate, high, and very high fire zone classifications. I also looked at some CalFire maps, which as far as I can tell were put together in 2008, but are the ones given at the CalFire site, so I assume they are up to date. One CalFire map is delineated as State Responsibility Area and has moderate, high, very high, and Federal areas delineated. The other map is designated as the Local Responsibility Area map, and has only very high and non-very high designations. There doesn't appear to be a lot of agreement between these different sources. So my question is whether figure FS-1 is considered up to date and what were the sources used to come up with it, and could the figure be due for an update? Please respond to my email, or have one of your staff do so.

Thanks

Ron

From: skerns7118@aol.com
To: Paul Hellman
Sent: 4/13/2022 8:57:37 AM
Subject: Re: Wind farms

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

Hey Paul,

Thanks for sending up the emails concerning the wind farm issue. For tomorrow's discussion could you have the Cal Fire server fire zone map as well as the historic Shasta County fire map our firm put together and the image below as slides? I would like to use them during our discussion.

Thank you for the consideration. See you tomorrow.

Steve K.



-----Original Message-----

From: Paul Hellman <phellman@co.shasta.ca.us>
To: Paul Hellman <phellman@co.shasta.ca.us>
Cc: James Ross <jross@co.shasta.ca.us>; Adam Pressman <apressman@co.shasta.ca.us>; Adam Fieseler <afieseler@co.shasta.ca.us>
Sent: Tue, Apr 12, 2022 3:14 pm
Subject: FW: Wind farms

Commissioners,


The following e-mail regarding the proposed wind energy systems ordinance (Zone Amendment 22-0001) was received this morning.

Thanks,

Paul Hellman, Director
Shasta County Department of Resource Management
(530) 225-5114
<https://www.co.shasta.ca.us/index/drm>

-----Original Message-----

From: Jeen Wopat <lwopat@hotmail.com>
Sent: April 12, 2022 9:36 AM
To: SCPlanning <scplanning@co.shasta.ca.us>
Subject: Wind farms

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

April 12, 2022

Greetings Shasta County Planning Commissioners,

We request that you NOT support a blanket wind farm prohibition! We prefer that you evaluate each wind farm proposal based on its individual merits.

We appreciate that a blanket prohibition would be perhaps handy from a legislative perspective and administratively save some public dollars, but it would in no way serve our greater need of addressing clean energy challenges as we continue to find our way in an ever-changing climate threat.

Sincerely,
Michael and Linda Wopat
Shasta County residents, homeowners,
and voters

Sent from my iPhone






From: Paul Hellman </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS /CN=6BBE491255E64F6BB3EEDE982B69B773-PAUL HELLMA>
To: Sean Ohara
Sent: 4/14/2022 3:57:08 PM
Subject: RE: Prohibition of Large Wind Energy Systems

Sean,

The Planning Commission continued this item to their next meeting on May 12th to allow staff to address a comment letter received this morning from an environmental attorney representing ConnectGen, the applicant for the Fountain Wind Project that was denied by the Planning Commission and the Board of Supervisors last year. Since the issues that will be discussed on May 12th will focus on the environmental review of the proposed ordinance rather than on the proposed ordinance itself, it won't be necessary for you or Dan to attend that meeting. However, when the proposed ordinance is considered by the Board of Supervisors (most likely in June or July) I would appreciate if either you or Dan could attend that meeting in case the Board has questions about wildfire risk countywide versus the high and very high fire hazard severity zones and regarding how wind farms affect aerial firefighting capabilities.

Thanks,
Paul

From: Ohara, Sean@CALFIRE <Sean.Ohara@fire.ca.gov>
Sent: Monday, April 11, 2022 7:28 PM
To: Paul Hellman <phellman@co.shasta.ca.us>; Dennett, Dan@CALFIRE <Dan.Dennett@fire.ca.gov>
Subject: Fwd: Prohibition of Large Wind Energy Systems

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

Good evening Paul,
Chief Dennett will be attending the meeting in my place as I was already scheduled to do a presentation for that time frame. Chief Dennett is attached on this message he has been with the department for 30+years and will be able to answer any question that come up.. If you have questions please give me a call.
Sean O'Hara

From: Paul Hellman <phellman@co.shasta.ca.us>
Sent: Monday, April 11, 2022 5:34:31 PM
To: Ohara, Sean@CALFIRE <Sean.Ohara@fire.ca.gov>
Cc: Zanolelli, Jimmy@CALFIRE <Jimmy.Zanolelli@fire.ca.gov>
Subject: Prohibition of Large Wind Energy Systems

Warning: this message is from an external user and should be treated with caution.

Chief O'Hara,

This Thursday at 2:00 in the Board Chambers the Planning Commission will consider a draft ordinance prohibiting the development of large wind energy systems (those which generate electricity above and beyond the needs of the development on the property where the facility would be located) within the unincorporated area of Shasta County. The primary reason why the Commission directed staff to prepare this ordinance is wildfire hazards based upon the majority of the County being within the High and Very High fire hazard severity zones. This was one of the main reasons for the proposed Fountain Wind Project being denied by both the Planning Commission and Board of Supervisors. Jimmy attended the previous Planning Commission meeting when this issue was discussed and helped to answer questions about the fire hazard severity zones but will not be able to attend this week's meeting; Fire Inspector Scott Ross will be attending the meeting as Jimmy's

back-up. Would it be possible for you or another member of your staff to attend the meeting to help address questions from the Commission?

FYI, Attached is a comment letter in opposition to the draft ordinance, which includes a discussion of wildfire on pages 1 through 3. I anticipate that there will be others in attendance who oppose and support the draft ordinance, including some of the most ardent opponents of the Fountain Wind Project.

Thanks,

Paul Hellman, Director

Shasta County Department of Resource Management

(530) 225-5114

<https://www.co.shasta.ca.us/index/drm>


From: Paul Hellman </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS /CN=6BBE491255E64F6BB3EEDE982B69B773-PAUL HELLMA>
To: Maggie Osa
Sent: 5/16/2022 6:58:18 PM
Subject: RE: Resolution No 2022-014 for the Supervisors

Maggie,

I greatly appreciate your thanks! I will certainly inform you when a date is set for the Board's consideration of this ordinance.

Thanks,
Paul Hellman, Director
Shasta County Department of Resource Management
(530) 225-5789
<https://www.co.shasta.ca.us/index/drm>

From: Maggie Osa <mosabear1@gmail.com>
Sent: Monday, May 16, 2022 4:55 PM
To: Paul Hellman <phellman@co.shasta.ca.us>
Cc: mosabear1@gmail.com
Subject: Resolution No 2022-014 for the Supervisors

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

Hi Paul,

We wanted to thank you again for all of your efforts regarding the Zone Amendments.

I know you will be working with Matt and Les regarding when this will be on the agenda for the Supervisors. Can you please let me know when you have the date proposed for this item on the agenda?

Best Regards,
Maggie

From: Jennifer Levens <theatermaven2@gmail.com>
To: Clerk of the Board Mailbox
Sent: 6/1/2022 8:04:02 AM
Subject: Wind Turbines

⚠ EXTERNAL SENDER: Do not follow links or open attachments unless you recognize the sender and know the content is safe.

To the Board of Supervisors of Shasta County,

We have one earth, one planet. There is no Planet B. Wind turbines like solar collectors and wave turbines generate clean power.

I am truly sorry if people on the city counsel have investments in petroleum. They could be responsible and switch investments.

If bird deaths are their main concern, the birds dying off species wise at an alarming rate due to human population incursion.


The turbines on the ridge are a sign of hope that we can live in cleaner air and healthier ground water.

If you want to do something positive, ask that the so-called protective chemicals spewed by the military planes to close the hole in the ozone layer be stopped, at least over Shasta County.

Thank you for your consideration

Jennifer Legend
2685 Belladonna Street
Redding, CA 96002

From: Jim Fawcett <jcf9393@yahoo.com>
To: Clerk of the Board Mailbox
Sent: 6/1/2022 11:19:45 AM
Subject: Wind farms

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.


Please reconsider the recent motion to prohibit wind farms in Shasta county! We must employ any and all alternatives to fossil fuels. We KNOW that continuing on the present path will lead to the destruction of our planet.

JCFAWCETT

Resident, district 3.

Sent from Yahoo Mail for iPhone

From: Ron Dykstra <dbdykstra@sbcglobal.net>
To: Paul Hellman
Sent: 6/7/2022 11:41:27 AM
Subject: Re: Wind Energy Systems Ordinance

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

Thanks Paul. Just trying to keep my fingers on the pulse of the item. Appreciate you getting back to me promptly.

Ron

On Tuesday, June 7, 2022, 11:34:04 AM PDT, Paul Hellman <phellman@co.shasta.ca.us> wrote:

Ron,

I'm sorry I missed your call this morning. A date hasn't been set yet for the Board's consideration of the wind energy systems ordinance recommended by the Planning Commission. The July 21st Board meeting that Tracie mentioned to you is a special meeting for the consideration of the Tierra Robles Planned Development Project; perhaps she thought you were inquiring about that project. I will notify you via e-mail as soon as the wind energy systems ordinance is scheduled for consideration by the Board.

Thanks,

Paul Hellman, Director

Shasta County Department of Resource Management

(530) 225-5789

<https://www.co.shasta.ca.us/index/drm>

From: Bryce Ritchie </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e6b60498d9134865b4aefaf71efb6a0f-Bryce Ritch>
To: 'rslegals@redding.com'
CC: Paul Hellman; Stefany Blankenship
Sent: 6/27/2022 8:30:55 AM
Subject: Shasta County Legal Notice - Zone Amendment 22-0001
Attachments: Intro Summary Zone Amendment 22-0001.docx

Good Morning,

Please publish this notice on or before July 2, 2022, and bill to account number 550142.

Thank you,

Bryce Ritchie

Agency Staff Services Analyst
Shasta County - Clerk of the Board
1450 Court Street Suite 308
Phone: 530.229.8850

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NOTICE OF PUBLIC HEARING AND SUMMARY OF ORDINANCE
AMENDING THE SHASTA COUNTY ZONING PLAN (ZONE AMENDMENT 22-0001)

SHASTA COUNTY BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that a public hearing will be held in the Board of Supervisors Chambers, County Administration Center, 1450 Court Street, Room 263, Redding, California, on Tuesday, July 12, 2022, at 9:00 a.m. or as soon thereafter as may be heard, for the Board of Supervisors of the County of Shasta, State of California, to consider introducing, waiving the reading of, and enacting the following:

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA REGULATING
SMALL AND LARGE WIND ENERGY SYSTEMS (ZONE AMENDMENT 22-0001)

NOTICE IS FURTHER GIVEN that, at this public hearing, all interested persons may appear and be heard thereon.

SUMMARY OF THE PROPOSED ORDINANCE: The proposed ordinance would add Shasta County Code (SCC) Section 17.88.335 to define and prohibit large wind energy systems within the unincorporated area of Shasta County, amend SCC Section 17.88.035 to modify the definition of, and development regulations for, small wind energy systems, and amend SCC Section 17.88.100 to exclude large wind energy systems from being a permissible public utility with the approval of a use permit.

CEQA DETERMINATION: The Board of Supervisors will also consider the finding that the ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15060(c)(2) for the reasons stated in the ordinance.

All proposed actions are subject to amendment or modification by the Board of Supervisors.

All interested parties are encouraged and invited to submit written comments regarding the proposed environmental finding and/or the merits of the proposed ordinance prior to the hearing or participate in the public hearing. Reasonable accommodations will be made to individuals with disabilities. To submit comments electronically, please send them to clerkoftheboard@co.shasta.ca.us. To submit comments via U.S. Mail, please send them to the Clerk of the Board to arrive no later than 5:00 p.m. one day prior to the meeting at the following address: Shasta County Clerk of the Board, 1450 Court Street, Suite 308B, Redding, CA 96001.

PLEASE NOTE that any challenge of the proposed action in court may be limited to addressing only those issues raised at the public hearing described in this notice, or in written correspondence submitted to the Clerk of the Board at, or prior to, the public hearing.

AT LEAST FIVE CALENDAR DAYS PRIOR TO THE SCHEDULED PUBLIC HEARING, A CERTIFIED COPY OF THE PROPOSED ORDINANCE WILL BE AVAILABLE FOR REVIEW ONLINE AT WWW.CO.SHASTA.CA.US/INDEX/COB/PUBLIC-NOTICES AND A CERTIFIED COPY OF THE PROPOSED ORDINANCE WILL BE AVAILABLE AT THE OFFICE OF THE SHASTA COUNTY CLERK OF THE BOARD, 1450 COURT STREET, REDDING, CALIFORNIA 96001.

STEFANY BLANKENSHIP
CHIEF DEPUTY CLERK OF THE BOARD

From: Paul Hellman </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS /CN=6BBE491255E64F6BB3EEDE982B69B773-PAUL HELLMA>
To: Paul Hellman
BCC: skerns7118@aol.com; Jim Chapin; Donn Walgamuth; patrick@wallnerplumbing.com; Tim MacLean; Tim MacLean
Sent: 6/27/2022 5:58:33 PM
Subject: Zone Amendment 22-0001 (Wind Energy Systems Ordinance)

Commissioners,

Zone Amendment 22-0001 (Wind Energy Systems Ordinance) is scheduled to be considered by the Board of Supervisors on Tuesday, July 12th. The staff report will be available for review on the County's website by Friday, July 8th, at <https://www.co.shasta.ca.us/index/bos/meeting-agendas>.

Thanks,

Paul Hellman, Director
Shasta County Department of Resource Management
(530) 225-5114
<https://www.co.shasta.ca.us/index/drm>

From: Paul Hellman </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS /CN=6BBE491255E64F6BB3EEDE982B69B773-PAUL HELLMA>
To: Maggie Osa
Sent: 6/27/2022 6:03:36 PM
Subject: RE: Resolution No 2022-014 for the Supervisors

Maggie,

The Board of Supervisors is scheduled to consider this ordinance on July 12th. The staff report will be available for review on the County's website by Friday, July 8th, at the latest at <https://www.co.shasta.ca.us/index/bos/meeting-agendas>.

Thanks,
Paul Hellman, Director
Shasta County Department of Resource Management
(530) 225-5789
<https://www.co.shasta.ca.us/index/drm>


From: Paul Hellman
Sent: Monday, May 16, 2022 6:58 PM
To: Maggie Osa <mosabear1@gmail.com>
Subject: RE: Resolution No 2022-014 for the Supervisors

Maggie,

I greatly appreciate your thanks! I will certainly inform you when a date is set for the Board's consideration of this ordinance.

Thanks,
Paul Hellman, Director
Shasta County Department of Resource Management
(530) 225-5789
<https://www.co.shasta.ca.us/index/drm>

From: Maggie Osa <mosabear1@gmail.com>
Sent: Monday, May 16, 2022 4:55 PM
To: Paul Hellman <phellman@co.shasta.ca.us>
Cc: mosabear1@gmail.com
Subject: Resolution No 2022-014 for the Supervisors

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

Hi Paul,

We wanted to thank you again for all of your efforts regarding the Zone Amendments.

I know you will be working with Matt and Les regarding when this will be on the agenda for the Supervisors. Can you please let me know when you have the date proposed for this item on the agenda?

Best Regards,
Maggie

From: Paul Hellman </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS /CN=6BBE491255E64F6BB3EEDE982B69B773-PAUL HELLMA>
To: Ron Dykstra
Sent: 6/27/2022 6:06:48 PM
Subject: RE: Wind Energy Systems Ordinance


Ron,

The Board of Supervisors is scheduled to consider this ordinance on July 12th. The staff report will be available for review on the County's website by Friday, July 8th, at the latest at <https://www.co.shasta.ca.us/index/bos/meeting-agendas>.

Thanks,

Paul Hellman, Director
Shasta County Department of Resource Management
(530) 225-5789
<https://www.co.shasta.ca.us/index/drm>

From: Ron Dykstra <dbdykstra@sbcglobal.net>
Sent: Tuesday, June 7, 2022 11:41 AM
To: Paul Hellman <phellman@co.shasta.ca.us>
Subject: Re: Wind Energy Systems Ordinance

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

Thanks Paul. Just trying to keep my fingers on the pulse of the item. Appreciate you getting back to me promptly.

Ron

On Tuesday, June 7, 2022, 11:34:04 AM PDT, Paul Hellman <phellman@co.shasta.ca.us> wrote:

Ron,

I'm sorry I missed your call this morning. A date hasn't been set yet for the Board's consideration of the wind energy systems ordinance recommended by the Planning Commission. The July 21st Board meeting that Tracie mentioned to you is a special meeting for the consideration of the Tierra Robles Planned Development Project; perhaps she thought you were inquiring about that project. I will notify you via e-mail as soon as the wind energy systems ordinance is scheduled for consideration by the Board.

Thanks,

Paul Hellman, Director
Shasta County Department of Resource Management
(530) 225-5789
<https://www.co.shasta.ca.us/index/drm>

From: Paul Hellman </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS /CN=6BBE491255E64F6BB3EEDE982B69B773-PAUL HELLMA>
To: Paul Hellman
BCC: Kelly Tanner; danielle.mills@patternenergy.com; warrenswanson@gmail.com; nrader@calwea.org; mamcfree@gmail.com; Henry Woltag; amudge@coxcastle.com; Shasta Environmental Alliance; DAVID LEDGER; Jim@JimWiegand.com; skagit3@gmail.com; carole.crowe@sbcglobal.net; lwopat@hotmail.com; lon@uslendingcompany.com; Anita Brady; cdjmd7160@frontier.com; diane.dobbins@gmail.com; ginnylea35@charter.net; drfehr1@att.net; jeferg67@gmail.com; John Gable; Betty Harner; fresnancy1@gmail.com; knighttoday@gmail.com; mikeloterba@gmail.com; vanishingpines@gmail.com; theatermaven2@gmail.com; Livingstonjohn@att.net; mseio@sbcglobal.net; beth.messick@gmail.com; danakennedysilberstein@msn.com; asollid555@gmail.com
Sent: 6/28/2022 9:38:50 AM
Subject: Zone Amendment 22-0001 (Wind Energy Systems Ordinance)

As an individual or representative of an organization who submitted written comments to the Planning Commission regarding Zone Amendment 22-0001 (Wind Energy Systems Ordinance), you are being provided notification that this item is scheduled to be considered by the Board of Supervisors on Tuesday, July 12th. This meeting will begin at 9:00 a.m.; however, since this item will be near the end of the agenda it will not be discussed until sometime later than 9:00 a.m. If you plan to attend the meeting, you may watch the livestream of the meeting via the County's website in order to monitor the progress of the meeting at <https://www.co.shasta.ca.us/index/cob/meeting-videos>. The staff report will be available for review on the County's website by Friday, July 8th, at <https://www.co.shasta.ca.us/index/bos/meeting-agendas>.

Sincerely,


Paul Hellman, Director

Shasta County Department of Resource Management

(530) 225-5789

<https://www.co.shasta.ca.us/index/drm>

From: Maggie Osa <mosabear1@gmail.com>
To: Paul Hellman; Lio Salazar
Sent: 6/29/2022 10:15:57 AM
Subject: FW: Wind Watch Article

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

Hi Paul and Lio,

I wanted to give you a heads-up and provide you with an article in Wind Watch. Shasta County is mentioned regarding the potential zone amendments and rejection of Fountain Wind. It alludes to potential changes to the CEQA process changes. Supervisor Baugh and Rickert may have already provided input as the Rural Community Reps for Shasta County stating the overreach from the State.

Thanks
Maggie


<https://www.wind-watch.org/news/2022/06/29/newsom-has-a-plan-to-keep-the-lights-on-in-california-using-fossil-fuels/>

From: Stewart Buettell </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2806b53f0dad400d9b31214c5cf17504-Stewart Bue>
To: Paul Hellman
Sent: 7/1/2022 9:54:17 AM
Subject: FW: Floor Notes on Budget and trailer bills debate
Attachments: Senate Floor Notes 6.29.2022.docx; Asm Floor Notes 6.29.2022.docx

FYI – Notes and vote counts provided in the attached summaries.

Stewart Buettell
(530) 782-3518

From: SYASL County Info <SYASLCountyInfo@SYASLpartners.com>
Sent: Thursday, June 30, 2022 10:01
To: SYASL County Info <SYASLCountyInfo@SYASLpartners.com>
Subject: Floor Notes on Budget and trailer bills debate

 **EXTERNAL SENDER:** Do not follow links or open attachments unless you recognize the sender and know the content is safe.

To: County Administrative Officers and Interested Parties
From: Paul J. Yoder and Karen Lange
Date: June 30, 2022
RE: Floor notes from Assembly and Senate Budget Bill(s) Debate

Please find attached our notes on the Budget and budget trailer bill debate from last night. Of note, despite enormous opposition from local agencies and environmental interests, the utility-scale renewable energy legislation was approved, but barely.

Below are links to the summaries prepared by each house:

<https://abgt.assembly.ca.gov/sites/abgt.assembly.ca.gov/files/Floor%20Report%20of%20the%202022-23%20Budget%20%28Updated%20June%2029%2C%202022%29.pdf>
https://sbud.senate.ca.gov/sites/sbud.senate.ca.gov/files/Final%20Version%20Preliminary%20Summary4.YS_.pdf

The new fiscal year starts tomorrow, so it would be expected that the Governor is going to sign these as quickly as possible.

Please note, all of the direct allocations to local agencies and communities organizations that are contained in AB 178 have control language at the top, similar to last year, which reads as follows:

SEC. 233.

Section 19.56 is added to the Budget Act of 2022, to read:

SEC. 19.56.

*The amounts appropriated pursuant to this section **reflect legislative priorities. Contingent upon future legislation, including amendments to this section to specify further details regarding the administration of the amounts specified in this section, the following amounts are hereby appropriated from the General Fund:***

This means that those direct allocations will not be available to draw down until sometime in August or later. We will keep you apprised as we learn more.

-Paul and Karen



1415 L Street
Suite 1000
Sacramento
CA, 95814
916-446-4656

Assembly Floor Notes

June 29th, 2022

Adjourned until June 30 @9:00

Committee Announcements:

Reading of the Previous Day's Journal Dispensed
Presentations and Petitions – there are none
Introductions in reference to bills will be deferred
Committee reports will deemed read and amendments deemed adopted
No messages from the Governor or the Senate

Motions & Resolutions:

2nd Reading File – Assembly Bills:

- File items 2 and 3 pass and retain

3rd Reading File – Senate Bills:

- **SB 130 (Ting) State Employment**
 1. Public Safety Recognition Payment. This bill ratifies MOU side letter agreements entered into between the state and BU 5 (CAHP) on June 9, 2022, BU 7 (CSLEA) on June 15, 2022, and BU 8 (CalFIRE Local 2881) on June 23, 2022, as follows:
 2. A one-time payment of \$1,500 to employees who have served in-person supporting the delivery of public safety during the COVID-19 pandemic.
 3. Eligible employees include seasonal firefighters employed by CalFIRE at any point between January 1, 2022 through July 1, 2022.
Appropriates \$36,955,000 one-time (\$9,779,000 General Fund) for expenditure in the 2022-23 fiscal year for the cost of the bonuses. Health Care Facility Retention Payment. This bill ratifies an MOU side letter entered into between the state and BU 6 (CCPOA) on June 15, 2022, as follows:
 4. A one-time payment of \$1,500 to employees “who have been in-person supporting the delivery of care and safety to the most acute patients during the COVID-19 pandemic.”
 5. Eligible employees must have been employed by the state on January 1, 2022 and must have remained employed by the state through July 1, 2022.
 6. Eligible employees must be employed in a correctional facility, correctional health facility or in Statewide Transportation and were redirected to a correctional facility or a medical guarding unit.
 7. Appropriates \$42,448,000 one-time General Fund for expenditure in the 2022- 23 fiscal year for the cost of the bonuses.
- **Fong**
 - Cannot support this budget
 - Inflation is a tax on every Californian
 - “Still no water storage”

- Encourages Aye vote
- Quirk
 - Responds to Fong: Lowering gas tax wont lower gas costs, cites the cost of refining/drilling hasn't gone up but
- VOTE: [71 – 0]
- **SB 132: State Employment**
 - 1) Establishes the Ralph C. Dills Act, which requires the state to collectively bargain with the exclusive representatives of employee groups (i.e., bargaining units) - regarding wages and working conditions, and to define negotiated agreements in MOUs. SB 132
 - 2) Establishes the California Department of Human Resources (CalHR) as the official representative of the Governor in all matters related to collective bargaining with state employees.
 - 3) Requires that any MOU between the state and an exclusive representative be ratified by the Legislature.
 - 4) Establishes the California Public Employees' Retirement System (CalPERS), which administers health and retirement benefits for state employees.
 - 5) Requires the Legislative Analyst's Office (LAO) to analyze all state MOUs and to provide analysis of an MOU and its fiscal impact to the Legislature within 10 days of receipt of an MOU from CalHR.
 - 6) Provides that fully vested state retirees (e.g., with 20 or more years of state employment or with 25 years or more, depending on the bargaining unit) are entitled to an employer contribution for retiree health care equal to 80 or 100 percent of the weighted average premium of the four health plans most highly utilized by all members. Depending on the bargaining unit, dependents are eligible for a contribution based on 80 or 90 percent of the average additional premiums paid for dependents during the benefit year in which the formula is applied. These are referred to as the 80/80 and 100/90 formulas.
 - 7) Requires that Medicare-eligible retirees enroll in Medicare and choose a Medicare-coordinated health plan.
 - 8) Provides that the employer contribution for active state employee health care shall be determined through collective bargaining.
 - Fong: Rises in Support, Urges Aye vote
- VOTE: [72-0]
- **SB 187: Human Services**
 - Public social services
 - CalWorks grant increase
 - back up provider system for in home services
 - 55 years or older eligible for food program
- Fong
 - Urges an Aye Vote
- Dr. Arambula
 - Rises in support
 - Provisions to expanded CalWORKs to parents

- Transitional support for foster youth during placement
 - Full of necessary and impactful improvements
 - Asks for Aye vote
- **VOTE: [66-0]**
- **SB 188: Development Services**
 - Ting
 - We are finally recovering from cuts made 10 years ago during recession
 - Mathis
 - Encourages all to support
 - Lackey
 - Rises in support
 - Asks to support
- **VOTE: [70-0]**
- **SB 191: Labor & Employment**
 - Women in construction shortage addresses
 - Youth apprenticeship program (\$2.9b one time funding)
- Fong
 - Cutting off oil work force will drive up cost of oil
 - Urges no vote
- **VOTE: [54-14]**
- **SB 193: Economic Development**
 - Social enterprises for economic mobility
 - Accelerate California for innovative businesses
 - CA Investment Program
 - Supports small business with economic relief
- Fong
 - Rises in support
 - Urges Aye vote
- **VOTE: [68-0]**
- **SB 196: State Employment**
 - MOU agreements between state and 13 units
 - \$59m to implement provisions
- Fong
 - Rises in support
 - Urges Aye vote
- **VOTE [69-0]**
- **SB 197: Housing**
 - Groundbreaking homeownership down payment program
 - Farm worker housing
 - Encampment grants
 - Affordable home grants
- Fong
 - Rises in support
 - Blames red tape on building more housing on those in the current legislative body
 - Urges Aye vote
- Carrillo
 - Its been an honor to chair sub 4

- Unprecedented budget to fund our biggest concern
 - Bipartisan
 - Urges an aye vote
- Quirk-Silva
 - Support 197
 - Support for 1st time homeowners
- Mathis
 - We need to make sure we add more water to the housing projects
- VOTE: [70-0]
- **SB 198: Transportation**
 - 4.5B for HSR, make sure that there is proper oversight
 -
- Fong
 - Rises in opposition
 - Drivers are annoyed they don't see gas tax dollars going to better roads
- Friedman
 - Gas tax will continue to flow to help make roads more safe
 - Urges an aye vote
- Vote: [54-19]
- **SB 201: Tax Credit**
 - Foster youth credit 1,000
- Fong
 - Rises in Support, supports tax credit for foster families
- VOTE: [65-0]
- **SB 131: Elections**
 - Prop 1
 - Additional funding for SOS, for voter information guides etc.
- Fong
 - Rises in opposition
- VOTE: [56-17]
- SB 125: Geothermal Resources: Lithium
 - Creates a tax on lithium extraction based on volume, directs 80% revenue to local counties
 - 20% to Salton Sea restoration
- Fong
 - Rises in opposition
 - Disagrees with lithium tax, should not be based on gross receipts
- Garcia
 - Flat gross receipts = audit certainty
 - Asks for aye vote
- Cooley
 - Rises in support
- VOTE: [55-17]
- **AB 180: Budget bill Jr. 2021**
- Fong
 - Rises in opposition
 - Urges no vote
- VOTE: [56-14]

- **AB 181: TK-12 Omnibus**
 - Concurrence and Senate Amendment
 - Ting
 - Takes from bottom of Education spending, now to top quartile
 - Increase in home to school program spending
 - Ongoing prop 98 for special education funding
 - Asks for aye vote
 - Fong
 - Rises in support
 - +13% to home to school transportation
 - Urges aye vote
 - McCarty
 - Early education TK for all 4 yo free for all
 - Expanded Pre-school for middle class
 - K-12; going from bottom to top 15 in per-pupil funding
 - Higher education: 10k more slots for UC program
 - 300k more students have access to Cal Grant program
 - Urges aye vote
 - Muratsuchi
 - Rises in support
 - Asks for aye vote
- **VOTE: [72-0]**
- **AB 182: COVID-19 emergency Response: Learning recovery**
 - \$8.55b one time Prop 98 of which \$7.98b is for local ed agencies – \$650m to CA community colleges for basic needs for COVID support
 - \$615M block grant for student services
 - Fong
 - Rises in support
- **VOTE: [74-0]**
- **AB 210: Early Childhood: Childcare and Education**
 - Early ed tax bill extends 21-22 actions, childcare – stabilized preschool program
 - \$250m one time for early education expansion program
- **VOTE: [75-0]**
- **SB 189: General Government**
 - Middle mile
 - Capitol annex \$\$
 - Fong: Rises in opposition
 - Need to look at what is hidden
 - We need more transparency not less
- **VOTE: [57-17]**
- **SB 183: Higher education**
 - Provides CAL Grants to 150k more students
 - 25 university housing grants
 - Lots of homeless college students
 - Fong: rises in support
- **VOTE: [75-0]**
- **AB 186: Public Health, skilled nursing facilities**

- Ting: it's a good start, most of these people make minimum wage
 - Fong: rises in opposition
- **VOTE: [57-14]**
- **AB 194: Taxation**
 - Pauses diesel tax
 - Rewards taxes to those that move from companies that move from states taking away LGBT people
 - Fong: Rises in support
 - Asks about the Diesel but not Gasoline tax cuts
 - Valladares
 - Rises in opposition
- **VOTE: [73-0]**
- **AB 195: Cannabis Tax Reform**
 - Suspends state cultivation tax
- Fong
 - Rises in support
 - Happy that we have a bill that is cutting taxes
- Lackey
 - Rises in support
- **VOTE [65-0]**
- **SB 184: Health**
- Closes final gap in health care from 26-49 regardless of immigration
- Fong: Rises in opposition
 - Opposes tax money to go towards abortions
 - Urges no vote
- Arambula
 - Rises in support
 - Asks for aye vote
- Carrillo
 - Rises in strong support
- Cooley
 - Pleased to rise in support
- **VOTE: [54-18]**
- **AB 199: Courts**
 - Fong: Decreasing civil penalties is not a good idea, will not support
 - **VOTE: [55 – 13]**
- **AB 200: Public Safety**
 - Fong: rises in opposition
 - Eliminating judicial discretion puts communities at risk
 - Urges no vote
 - **VOTE: [54-17]**
- **AB 202: County Jail Financing**
- **VOTE: 74-0**
- **AB 203: Public Resources**
 - Fong: Rises in support, will increase transparency
- **VOTE: [69-0]**
- **AB 205: Energy**

- Ting: makes sure we have strategic reserve of energy
- Fong: rises in opposition
- Muratsuchi: this bill was dumped on us Sunday night
 - This is a fossil fuel heavy response
 - Air pollution from
 - Urges the governor to make sure we keep our promises to communities that we address the environmental concerns
- Quirk: disagrees with some of colleges statement
- Bauer-Kahan: Agrees with the disagreement on the bill
- **VOTE: [57-13]**
- **AB 192: Better for Families Tax Refund**
 - Tax rebate to CA. Dollars in the bank vs pennies at the pump
 - Fong: rises in support
 - Kiley: laments on gas tax
- **VOTE: [72-0]**
- **AB 178: Amendment to Budget Act of 2022**
 - Fong: Rises in opposition
 - Rushed and unvetted
- **VOTE: [59-7]**
- Concurrence
- **AB 1621 (Gipson)**
 - Voepel – doesn't believe bill will do anything
- **VOTE: [60-14]**
- **SB 1355 (Portantino)**
- **Vote: [77-0]**
- **SB 731 (Durazo)**
- **Vote: [45-22]**
- **SB 54 (Allen)**
 - Plastics reduction
 - L. Rivas asks for Aye vote
 - Asm. Rubio: rises in support
 - Asm. Garcia: we should honor the hyperbole
 - Mathis: this bill is something we should be proud of
 - Patterson: this is a big achievement
 - Happy to vote for it
 - Friedman: rise as a principal co-author
 - Speaker Rendon: rises in support, asks for aye vote
 - L. Rivas: thanks all for their support
- **VOTE: [63-1]**
- **AB 311: Ward**
- **VOTE: [54-15]**
- **Ab 1394**
- **VOTE: [72-0]**
- **AB 1641 (Maienschein)**
- **VOTE: [74-0]**
- **AB 2239 (Maienschein)**
- **VOTE: [76-0]**