

# ***MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION***

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## **Meeting of November 5, 2015**

The regular meeting of the Solano County Planning Commission was called to order at 7:00 p.m. in the Board of Supervisors' Chambers, Fairfield, California.

**PRESENT:** Commissioners Cayler, Walker and Chairperson Rhoads-Poston

**EXCUSED:** Commissioners Hollingsworth and Castellblanch

**STAFF PRESENT:** Mike Yankovich, Planning Program Manager; Eric Wilberg, Associate Planner; Jim Laughlin, Deputy County Counsel; and Kristine Letterman, Planning Commission Clerk

### Approval of the Agenda

The Agenda was approved with no additions or deletions.

**The Minutes** of the regular meeting of September 17, 2015 were carried over to the next regular meeting to allow for a majority of those in attendance at that meeting to vote on their approval. The minutes of October 1, 2015 were approved as prepared.

### Items from the Public:

There was no one from the public wishing to speak.

1. **PUBLIC HEARING** to consider Lot Line Adjustment Application No. LLA-15-06 and Certificate of Compliance No. CC-15-09 of **Eric Ian Anderson** for an adjustment of property located at 5966 Birds Landing Road, Birds Landing, in an "A-160" Exclusive Agricultural Zoning District, APN's: 0090-070-310; 0090-090-350. Lot line adjustments are ministerial projects, and therefore are not held to the provisions and requirements of CEQA per CEQA Section 21080 (b)(1). (Project Planner: Eric Wilberg)

Eric Wilberg provided a brief presentation of staff's written report. The applicant proposes to reconfigure interior property lines between two adjacent parcels under common ownership. The purpose of the adjustment is to facilitate the transfer of proposed parcel A. The two parcels are zoned Exclusive Agriculture 'A-160'. In addition, the parcels are entered into an active Williamson Act Contract, therefore requiring action to be taken by the Planning Commission. The report indicated that the project is consistent with the General Plan and Zoning, Subdivision Ordinance, and the Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts. Staff recommended approval of the project.

Commissioner Walker commented that in his time on the commission in hearing these

ministerial type applications the commission has never received public opposition to, or had reason to recommend denial of these projects. He said that he understands they come before the commission due to their Williamson Act status and he inquired if there is a possibility at some point in the future the Board of Supervisors could consider making these a Zoning Administrator level approval to save the applicant's time.

Mike Yankovich stated that it is a good possibility and is something the commission could direct staff to pursue. He said that periodically staff will recommend to the Board of Supervisors a number of changes with regard to zoning code amendments and could suggest an amendment to the procedures for Williamson Act contracts.

Charles Capp, engineer for the project, spoke on behalf of the applicant. He stated that he prepared the application for the property owner and has worked with county staff in developing the project information. Mr. Capp stated that the applicant is in agreement with the conditions of approval as listed in the report.

Chairperson Rhoads-Poston opened the public hearing. Since there were no speakers either for or against this matter, the public hearing was closed.

A motion was made by Commissioner Walker and seconded by Commissioner Cayler to approve Lot Line Adjustment Application No. LLA-15-06 subject to the recommended conditions of approval. The motion passed unanimously. (Resolution No. 4630)

2. Use Permit Application No. U-14-01 of **Venoco, Inc. (Hunters Point)** to drill three exploratory natural gas wells over a three year period and, if successful, install the required production equipment including a 5.8 mile natural gas pipeline. The property is located approximately 5.0 miles northwest of the proposed well site at the southeast corner of the intersection of Chadbourne Road and Cordelia Road, Fairfield, APN's: 0046-080-030; 0046-060-140, 030, 060; 0046-010-110, 120, 160. The Planning Commission will also be considering adoption of a Mitigated Negative Declaration of Environmental Impact as recommended by the Solano County Department of Resource Management. (Project Planner: Eric Wilberg)

Eric Wilberg reviewed staff's written report. The applicant proposes to construct the Hunter's Point well site and drill three exploratory natural gas wells from the site over a three year period. If economical quantities of natural gas are discovered production facilities would be installed. A new natural gas pipeline would then be constructed to connect the Hunter's Point site to an existing gas pipeline located at the southeast corner of the intersection of Chadbourne Road and Cordelia Road in the City of Fairfield. The pipeline alignment generally runs in a south-north direction travelling from the well site to the tie in location near the Fairfield Wastewater Treatment Facility. An initial study was completed which resulted in the preparation of a mitigated negative declaration that was circulated for a thirty day public review period ending June 9, 2015. The report indicates that the project is consistent with zoning, the policies and regulations contained in the Suisun Marsh Local Protection Program and Williamson Act policies. Staff recommended approval of the project.

Commissioner Walker referred to the missive from the California State Lands Commission (CSLC) and their input with regard to a mitigation monitoring program and reference to a final mitigated negative declaration. Mr. Wilberg explained that there is no preparation of a final

mitigated negative declaration, if the commission adopts the negative declaration tonight that would become the final document. Mr. Wilberg noted that the majority of the CSLC's comments were administrative. He said that at the request of the CSLC the county has incorporated language into the conditions of approval that a qualified biologist per the California State Department of Fish and Wildlife shall be utilized.

In response to Commissioner Walker's inquiry about the issue of bats, the applicant, Tom Clark, stated that CSLC withdrew their recommendations under the fact that the jurisdictional issues they had brought up in the past are no longer pertinent. He said that CSLC declined any further comment on their recommendations. Mr. Clark stated that this project was previously approved in 2012 and no comments with regard to this issue were received from the CSLC. Venoco believes that this project is a duplicate of what was previously proposed. The time period expired because they were pursuing other environmental obligations and diligently pursuing the purchase of the Lang Tule Ranch for the development of salt marsh harvest mouse restoration. He said that they are finalizing that project with the Army Corps of Engineers. Mr. Clark stated that they believe their obligations on the environmental issues have been met.

Commissioner Walker stated that he appreciated the efforts that Venoco has made to reduce the impacts by combining the project activities onto one central parcel. Mr. Walker presented several questions that the applicant proceeded to answer with regard to where the water for the production phase will come from and its means of disposal, possible emittance of pollutants into the area, and the decommissioning of an abandoned well site.

Since there was no one from the public wishing to speak, Chairperson Rhoads-Poston closed the public hearing.

A motion was made by Commissioner Cayler and seconded by Commissioner Walker to adopt the mitigated negative declaration and approve Use Permit Application No. U-14-01. The motion passed unanimously. (Resolution No. 4631)

### 3. **ANNOUNCEMENTS and REPORTS**

There were no announcements and reports.

4. Since there was no further business, the meeting was **adjourned**.