

COUNTY OF LAKE
ONE YEAR EXTENSION OF MAJOR USE PERMIT, UP 21-18

BRELJE & RACE CONSULTING ENGINEERS, ON BEHALF OF
SUNRISE SHORE MUTUAL WATER COMPANY
UPGRADES AND ENHANCEMENTS

CONDITIONS OF APPROVAL
Expires if not used by: JANUARY 25, 2025

Pursuant to the approval of the Planning Commission on January 25, 2024, there is hereby granted to Sunrise Shore Mutual Water Co, 6030 Sunrise Circle and 6200 Sunrise Drive, Lower Lake, CA 95457, a one-year extension to Major Use Permit, UP 21-18. The original conditions of this use permit remain in full force and effect and are listed below with the only change being in the date of expiration.

The following conditions of approval were established by UP 21-18 in 2021 to allow installment of a new treatment facility, replacement of two (2) 15,000 gallon redwood cisterns with two (2) 45,000 gallon bolted-steel tanks, improvements to the access driveway, access gate, propane backup system, on-site well and monitoring system, and abandonment of two (2) existing and non-producing wells, on properties located at 6200 Sunrise Drive and 6030 Sunrise Court, Lower Lake, CA (APNs 043-302-04 & 043-310-05):

A. GENERAL CONDITIONS:

1. The use hereby permitted shall substantially conform to the project as described in the Community Development Department Major Use Permit Application, UP 21-18 and accompanying Site Plan, prepared by *Breje & Race, Consulting Engineers on May 5, 2021*. Minor alterations which do not result in increased environmental impacts may be approved in writing by the Community Development Director.
2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as may be required from each agency.
3. The permit holder is responsible for insuring that all project workers are informed of, understand, and agree to abide by the approved plans and project conditions.
4. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.
5. All construction shall be reviewed and approved by a *California-Licensed Professional Civil Engineer or Architect*, and be constructed to those specifications, subject to review and approval of the Community Development Department.
6. The permittee(s) shall adhere to all the regulations and/or requirements of the Lake County Fire Protection District and/or the California Department of Forestry and Fire Protection (Cal Fire), including meeting and maintaining all the requirements and/or regulations as define in 14 California Code of Regulations (CCCR), Division 1.5, Chapter 7, Subchapter 2, Article 2, §1273.00 through §1276 of the California Department of Forestry and Fire Protection (Cal Fire) for Emergency Access and Egress Requirements. The applicant shall contact the Community Development Department for specifics.
7. Prior to building permit final, all structure(s) shall meet accessibility standards. Applicant may contact the Community Development Department – Building Division for more information.
8. Prior to building permit final, all Accessible Compliant Parking Area(s), routes of travel and building access shall meet all California Building Code requirements.

B. AESTHETICS

1. If the applicant wishes to install lighting at a future date, the applicant shall submit a Lighting Plan the Community Development Department for review and approval prior to issuance of any building permits.

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2. Any exterior lighting, except as required for FAA regulations for airport safety, shall be manually operated and used only during night maintenance checks or in emergencies. The lighting shall be constructed or located so that only the intended area is illuminated and off-site glare is fully controlled.
3. All lighting shall be directed downwards onto the project site and not onto adjacent roads or properties. Lighting equipment shall be consistent with that which is recommended on the website: www.darksky.org and provisions of section 21.41.8 of the Zoning Ordinance.
4. If the applicant decides to install signage, the applicant shall submit a *Signage Plan* to the Community Development Department for review and approval prior to the issuance of any building permits.
5. Supporting facilities (i.e. vaults, equipment rooms, utilities and equipment enclosures) shall be constructed of non-flammable, no-reflective materials and shall not exceed a height of twenty feet (20'). The new finished water tanks shall not have a sidewall/shell height that exceeds twenty and one half feet (20.5') Tank appurtenances (e.g. safety railing, vent, etc.) may extend above the sidewall/shell as required by applicable design and safety codes.

C. AIR QUALITY

1. All Mobile diesel equipment used for construction and/or maintenance must be compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air toxic Control Measures for CI engines.
2. Construction and/or work practices that involve masonry, gravel, grading activities, vehicular and fugitive dust shall be managed by use of water or other acceptable dust palliatives to maintain two inches of visibly-moist soil in the project area and to ensure that dust does not leave the property.
3. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
4. Project development and vegetation disposal shall not create nuisance odors and/or dust. No burning is allowed as part of the operation and development, including the burning of construction and/or demolition debris.
5. Prior to the issuance of any building permits, a complete list of all equipment utilized at the site with the potential to emit air containments shall be submitted to the Lake County Air Quality Management District (LCAQMD), including diesel powered generators, pumps, off-road equipment, etc. All diesel powered equipment shall meet the requirements of the state ATCM's for CI engines (stationary & portable). *An Authority to Construct Permit* may be required for any diesel powered equipment or other equipment with the potential for air emissions. The permit holder shall contact the LCAQMD at 707-263-7000 for details, and submit a copy of all necessary permits to the Community Development Department.

D. BIOLOGICAL RESOURCES

1. A pre-construction survey for yellow-billed cuckoo shall be performed prior to activities if occurring between mid-May through September, when this species is potentially present. If observed, well construction shall be performed outside the nesting season for this species between September 1 and May 1 to avoid any effects to the birds. No work restrictions are necessary at the tank site or road improvements area due to distance from suitable habitat for this species. *Mitigation measure BIO-1*
2. If construction-related activities are initiated during the nesting bird season for all other migratory nesting birds (between March 1 and September 1), the following shall occur to ensure potentially significant impacts to nesting birds are avoided: *Mitigation measure BIO-2*
 - Pre-construction nesting bird surveys should be performed within the study area and up to 200 feet of proposed activities.
 - If nests are found, a no-disturbance buffer should be placed around the nest until young have fledged or the nest is determined to be no longer active by the biologist.

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The size of the buffer may be determined by the biologist based on species, ambient conditions, and proximity to project-related activities.

3. All trees/tree limbs should be removed in pieces, rather than felling the entire tree. Felled tree pieces should be shaken gently to rouse any bats and then left overnight prior to removal from the site or on-site chipping to allow any bats to exit the roost. This measure will ensure no significant impacts to pallid bat or other common bats occur. *Mitigation measure BIO-3*
- E. CULTURAL AND TRIBAL RESOURCES
1. Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the culturally affiliated Tribe(s), and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, the applicant shall notify the Sheriff's Department, the local overseeing Tribe(s), and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5. *Mitigation measure CUL-1*
 2. All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the culturally affiliated Tribe(s) shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds. *Mitigation measure CUL-2*
- F. GEOLOGY & SOILS
1. All construction shall be reviewed and approved by a California-licensed professional civil engineer or architect and be constructed to those specifications and recommendations in the geotechnical investigation report, subject to review and approval of the Community Development Department.
 2. Prior to the issuance of any building permits, at the discretion of the Lake County Resource Planner, the applicant shall apply for, and be issued, a grading permit for the anticipated ground disturbance. The applicant shall submit an Erosion and Control Plan to the Community Development Department for review and approval. Said Plans shall implement Best Management Practices (BMPs) in accordance with the Grading Ordinance to prevent and/or reduce discharge of all project development and/or post-development pollutants and hazardous materials offsite. Typical BMPs can be found in the California Storm water Quality Association Storm water Best Management Practices Handbooks, including the Construction Handbook and the New Development and Redevelopment Handbooks. Handbooks are available for purchase or download at <http://www.cabmphandbooks.com>.
- G. HAZARDS & HAZARDOUS MATERIALS
1. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state and federal regulations.
 2. Storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, the applicant shall submit a Hazardous Material Business Plan to the Department of Environmental Health via the California Electronic Reporting System (CERS) and it shall be renewed and/or update annually or if quantities increase. If the amount of hazardous materials is less than the above quantities, the applicant must complete and submit a Hazardous Materials and Waste Registration Form with the Department of Environmental Health. The applicant shall submit a copy of all necessary documents to the Community Development Department prior to issuance of any permits.
 - If the applicant increases the storage of hazardous materials, the applicant shall contact the Department of Environmental Health and update their Hazardous Material Business Plan within thirty (30) days of change and submit an approved Environmental Health copy to the Community Development Department.
 3. The storage of potentially hazardous materials shall be located at least 100 feet from any existing water well. These materials shall not be allowed to leak onto the ground or contaminate surface waters. Collected hazardous or toxic materials shall be recycled or

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disposed of through a registered waste hauler to an approved site authorized to accept such materials.

4. Hazardous waste (including industrial waste) must be handled according to all Hazardous Waste Control and Generator regulations. Waste shall not be disposed of on-site without review or permits from Environmental Health Division, the California Regional Water Control Board, and/or the Lake County Air Quality Management District. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.
5. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.

H. HYDROLOGY & WATER QUALITY

1. In order to reduce impacts to water quality the permit holder shall protect all disturbed areas by applying BMPs, which may include the placement of straw, mulch, seeding, straw wattles, and silt fencing and planting of native vegetation on all disturbed areas to prevent erosion.
2. All slopes shall be monitored and maintained by the permit holder to assure the success of the erosion control measures and revegetation. All disturbed areas shall be revegetated with native species consistent with fire safe practices and protected from erosion and storm-water runoff utilizing BMPs appropriate to the site conditions. Vegetation shall be maintained until permanent establishment is achieved.
3. The permit holder shall use BMPs to prevent erosion and ensure that sediment and silt exceeding the natural back ground level does not enter any nearby streams and water courses. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. BMPs may include the placement of straw, mulch, seeding, straw wattles, silt fencing and planting of native vegetation on all disturbed areas.
4. Prior to building permit final, permit holder shall have the fire hydrant system tested and serviced to ensure it is in good working order. Certification of this system maintenance shall be furnished to the Community Development Department.

I. NOISE

1. The maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. within residential areas at the property lines. *Mitigation measure NOI-1*
2. All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m. to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. *Mitigation measure NOI-2*
3. The maximum one-hour equivalent sound pressure received by a receiving property or receptor (dwelling, hospital, school, library, or nursing home) shall not exceed levels of 57 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 50 dBA from 10:00 p.m. to 7:00 a.m. within residential areas measured at the property lines. *Mitigation measure NOI-3*

J. MITIGATION MONITORING AND EXPIRATION:

1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
2. Prior to building permit final, the applicant shall submit a summary response in writing establishing compliance with the approved conditions of approval, including dates of compliance and referencing documents and/or other evidence of compliance to the Community Development Department for review and approval, including scheduling an inspection with the Community Development Department to ensure all conditions of approval have been met.

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3. This permit shall be valid for an indefinite period of time unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.
4. This permit shall be null and void if not used by January 25, 2025, or if the use is abandoned for a period of two (2) years.

Mireya G. Turner
Community Development Director

Prepared by: EJP

By: Ruby E Mitta
Ruby Mitta, Office Assistant III

Acceptance

I have read and understand the foregoing Conditionals of Approval and agree to each and every term and condition thereof.

Date: 2/28/24

[Signature]
Signature of applicant or authorized agent

ROBERT E. BISSON
Printed name of applicant or authorized agent