

COUNTY OF INYO PLANNING COMMISSION

MINUTES OF OCTOBER 25, 2006

WILLIAM STOLL
ROSEMARY CLELAND
SAM WASSON
RICHARD WHITE
PAUL PAYNE

FIRST DISTRICT
SECOND DISTRICT
THIRD DISTRICT (CHAIR)
FOURTH DISTRICT
FIFTH DISTRICT (VICE-CHAIR)

Inyo County Planning Commission
Post Office Drawer L
Independence, CA 93526
(760) 878-0263 / (760) 872-2706
(760) 872-0382 FAX

The Inyo County Planning Commission met in regular session on Wednesday, October 25, 2006, in the Board of Supervisors Room, Administrative Center, 224 N. Edwards Street, Independence, California. Chair Wasson opened the meeting at 10:05 a.m.

These minutes are to be considered for approval by the Planning Commission at their next regularly scheduled meeting.

ITEM 1: ROLL CALL - Commissioners: William Stoll, Sam Wasson, Rich White, and Paul Payne.

Also present were: Interim Planning Director, Ron Juliff; Assistant County Counsel, Randy Keller; Senior Planner, Jan Larsen; Senior Planner, Tanda Gretz; and Secretary, Sharon Birmingham.

ABSENT: Commissioner Rosemary Cleland.

ITEM 2: APPROVAL OF MINUTES (Action Item) – Approval of Minutes for September 27, 2006.

MOTION: Moved by Commissioner White and seconded by Commissioner Payne to approve the Minutes for September 27, 2006 and that they be entered into the Administrative Record.

The Motion carried (4-0-1). Commissioner Cleland Absent.

ITEM 3: ADDITIONS/DELETIONS TO THE AGENDA – Opportunity to add or delete any item to the agenda with the approval of the Commission.

Item 7: Zone Reclassification #2006-02/Inyo County (Central Business Zone) was deleted from the Agenda due to the lack of a Quorum, as Commissioners White and Wasson were to be recused.

ITEM 4: PUBLIC COMMENT PERIOD - Opportunity for anyone in the audience to address the Planning Commission on any subject pertaining to planning that is not scheduled on the Agenda.

There were none.

ITEM 5: . TENTATIVE PARCEL MAP #380/DELANEY (Public Hearing and Action Item) – A request to subdivide a 3.0-acre property into parcels of 1.73-acre and 1.27-acres (a total of 0.41 acres will be offered for dedication to the County for roadways). Parcel 1 will have direct access off of Panorama Drive, a County maintained road. Parcel 2 will have direct access off of Collins Road, also a County maintained road. Individual wells and septic systems will be used for development. The property has a General Plan designation of Residential Rural High, 1 dwelling unit per acre (RRH), and zoned Single Residence or Mobilehome Combined, 1.0-acre minimum (RMH-1.0).

Senior Planner Larsen presented the Staff Report to the Commission. Addendum to the Staff Report was given to the Commissioners for review and marked as Exhibit A for the record. Ms. Larsen read the additional Conditions of Approval into the record.

Chair Wasson opened the public hearing at 10:15 a.m.

Nancy Cloud, property owner, informed the Commission of the inconsistencies of communication over the years with various County Departments regarding this property.

Matthew Delaney, applicant, spoke to the Commission in support of the proposed project. Mr. Delaney requested that the Commission extend the time limit for filing of the maps.

Assistant Counsel Keller informed the Commission that the time limits are set statutorily and that the Commission does not have the authority to extend the timelines.

Chair Wasson closed the public hearing at 10:27 a.m.

MOTION: Moved by Commissioner White to make and adopt the Findings set forth in the Staff Report; adopt the Negative Declaration of Environmental Impact prepared for the project and certify that the requirements of CEQA has been met; waive the requirements for payment, sidewalks, curbs and gutters as recommended; and approve Tentative Parcel Map No. 380/Delaney, subject to the conditions of approval set forth in the Staff Report, to include Conditions 6 and 7.

Commissioner Payne questioned the standards for Panorama Drive.

Chair Wasson recessed the meeting at 10:30 a.m. to allow for clarification regarding the road.

Chair Wasson reconvened the meeting at 10:43 a.m.

MOTION: (As stated above) And to include the amended Condition of Approval No. 3, paragraph 2 as follows: “Any portion of this 30-foot section of roadway that is not paved shall be surfaced with an all-weather surfacing material in accordance with Inyo County Roads Department specifications.”

Seconded by Commissioner Payne.

Motion carried (4-0-1). Commissioner Cleland absent.

ITEM 6: CONDITIONAL USE PERMIT NO. 2005-03/COSO OPERATING COMPANY, LLC (Public Hearing and Action Item) – Coso Operating Company, LLC is proposing a water

extraction and delivery system via two storage tanks, an electric substation, and a 9 mile long pipeline which will carry well water from the Coso Hay Ranch in Rose Valley to the Coso Geothermal Field located in the northwest area of the China Lake Naval Air Weapons Station. The water will supply supplemental injection waters from the two Hay Ranch water wells to the Coso geothermal reservoir to help minimize annual reservoir decline due to evaporation through the plant's cooling towers. The properties involved have General Plan designations of Rural Protection (RP), and State and Federal Lands (SFL), and all properties are zoned Open Space, 40-acre minimum.

Senior Planner Larsen presented the Staff Report to the Commission.

Chair Wasson opened the public hearing at 10:50 a.m.

Dick Arruda, representative from Coso Geothermal, spoke to the Commission in support of the proposed project, as it would result in long-term and short-term benefits for the County of Inyo.

Commissioner Payne inquired as to the ratio of employees that resided within Inyo County.

Wilfred Nabahe, District 5, [Lone Pine Paiute Shoshone Tribe], spoke to the Commission in opposition of the proposed project. Mr. Nabahe addressed inconsistencies with the law and corrections on false statements. Mr. Nabahe spoke of Title 19 [Inyo County Code] and the value of water.

Dr. Melvin Brewster, representative of Owens Valley Tribal Historic Preservation, spoke in opposition of the proposed project. Dr. Brewster requested an extension of the review period in order to analyze materials, and have the materials reviewed by their scientists. Dr. Brewster commented on possibility of having more water in the springs which could allow the springs to come back and be utilized.

Dorothy Buff, Fort Independence, addressed the Commission on the notification process.

Senior Planner Larsen informed the Commission of the notification process for the proposed project.

Chair Wasson closed the public hearing at 11:11 a.m.

Assistant County Counsel Keller explained Title 19 to the Commission, stating that this section of Inyo County Code did not apply because the Coso Geothermal operation is pre-existing.

Chair Wasson re-opened the public hearing at 11:17 a.m.

Dick Arruda explained that the springs are on the surface and the injections are 4,000-10,000 feet deep.

Mr. Nabahe spoke again on Title 19 and the "later" production use.

Dr. Brewster again spoke to encourage the Commission to allow their scientists time to review the materials, as he commented that the proposed project could be in non-compliance with federal law.

Bob Harrington, Senior Hydrologist with Inyo County Water Department, addressed the Commission on the monitoring and evaluation of the water. Mr. Harrington stated that the geothermal field was in-between the injection and the hot springs and that it was not possible to effect the hot springs. Mr. Harrington also informed the Commission that the Naval Weapons Station was the keepers of the data for the hot springs, and that the County's concerns focused on impacts to Little Lake.

Mr. Nabahe spoke of the re-charge testing.

Mr. Arruda, advised that the Navy is the caretaker of the hot springs, as he had no access or control regarding monitoring of the hot springs.

Chair Wasson closed the public hearing at 11:30 a.m.

Commissioner Payne had concerns with the recharge and commented on his limited time for review of all documents. Commissioner Payne still had many questions, so he would like more time to conduct some research of his own.

MOTION: Moved by Commissioner Payne and seconded by Commissioner White to continue the public hearing for this project to December 6, 2006 to allow time for further research.

The Motion carried (4-0-1). Commissioner Cleland absent.

Senior Planner Larsen requested that the Commissioners retain their packets for this proposed project until December 6, 2006.

COMMISSIONER'S REPORTS –Commissioner White inquired as to the mandated ethics training.

PLANNING DIRECTOR'S REPORT – Interim Planning Director, Ron Juliff, directed Senior Planner, Jan Larsen to present the report to the Commission. Ms. Larsen updated the Commission on current and upcoming projects.

Interim Planning Director Juliff updated the Commission on Yucca Mountain issues. Mr. Juliff informed the Commission of receipt of more funds to allow more water work to be completed.

CORRESPONDENCE - INFORMATIONAL – There were none.

ADJOURNMENT - There being no further business, Chair Wasson adjourned the meeting at 11:43 a.m. to reconvene in special session on Wednesday, December 6, 2006 at 10:00 a.m. in the Board of Supervisors Room, Administrative Center, Independence, California.

MINUTES APPROVED DECEMBER 14, 2006-3-0-1(Commissioner Cleland abstained).

Prepared & Recorded by:

Sharon M. Birmingham,
Secretary To
Inyo County Planning Commission