

**Siskiyou County Planning Commission
Regular Meeting
August 21, 2024**

The Siskiyou County Planning Commission meeting of August 21, 2024, was called to order by Chair Fowle at approximately 9:00 a.m. in the Board of Supervisors Chambers, 311 Fourth Street, 2nd Floor, Yreka, California.

Present: Commissioners Melo, Veale, and Fowle

Absent: Commissioner Hart and Lindler

Also Present: Rick Dean, Community Development Department Director; Hailey Lang, Deputy Director of Planning; Rachel Jereb, Senior Planner; Bernadette Cizin, Associate Planner; William Carroll, Assistant County Counsel; Janine Rowe, Commission Clerk

Minutes: It was moved by Commissioner Melo, seconded by Commissioner Veale, to approve the Minutes from the July 17, 2024, Planning Commission meeting.

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

Unscheduled Appearances: None

Conflict of Interest Declaration: None

Presentation of Documents, Availability of Public Records, and Public Hearing

Protocol, and Right of Appeal Statement: No members of the public were present at the time the meeting was called to order, and the Chair noted that the Public Hearing Protocol and the Right of Appeal statement were outlined in the Agenda.

Changes to the Agenda:

A. Monte Shasta Mutual Water Company / Siskiyou County Road Department Road Abandonment (UP-RA-01)

Staff requested that this project be continued to the September 18, 2024, Planning Commission meeting.

It was moved by Commissioner Veale, seconded by Commissioner Melo, to continue the project to the September 18, 2024, Planning Commission meeting.

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

B. Use Permit Revocation (SP-24-02)

Staff requested that the following use permit revocations be continued to a future Planning Commission meeting, date uncertain:

Ager Gravel Pit is located at the southeast corner of Ager Road and Ager-Beswick Road on APNs 041-131-190 and 041-380-080; Township 46N, Range 5W, Section 6, MDB&M (Latitude 41°51'57" N, Longitude 122°27'42" W).

Sis Q Select Mine is located on Eddys Gulch Road, 1.5 miles south of the community of Sawyer's Bar, on APNs 032-400-010 & 032-410-010; Township 39N, Range 11W, Section 4, MDB&M (Latitude 41°16'27" N, Longitude 123°07'07" W).

Wolford Pit is located north of the community of Callahan, west of Highway 3, on APNs 023-171-440 and 023-171-420; Township 41N, Range 9W, Section 24, MDB&M (Latitude 41°23'06" N, Longitude 122°50'12" W).

Hopkins Pit is located south of the city of Montague, east of Montague Grenada Road, consisting of two (2) mine sites, totaling 7.9 acres. The East Pit Site lies within APN 038-010-090; in the Southeast 1/4 of the southeast 1/4 of Section 2, T44N, R6W, MDB&M (Latitude 41°41'6" N, Longitude 122°29'51" W). The West Pit Site lies within APN 038-040-460, in the northeast 1/4 of the southeast 1/4 of Section 3, T44N, R6W, MDB&M; (Latitude 41°41'24" N, Longitude 122°31'4" W).

It was moved by Commissioner Melo, seconded by Commissioner Veale, to continue these projects to a date uncertain.

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

New Business:

Agenda Item 1: Mora Use Permit (UP-24-05) / Categorically Exempt

The project is a proposed conditional use permit to allow a short-term vacation rental use within an existing single-family dwelling. The project is located at 1433 Old McCloud Road, east of the city of Mount Shasta; APN: 037-390-110; Township 40N, Range 4W, Section 22; Latitude 41.2987°, Longitude - 122.2917°.

Categorically Exempt Use Permit

**Adopted
Approved**

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Jereb.

Ms. Jereb told the Commission that this permit application was one of the last ones using the old application for vacation rental use permits. The project proponents are seeking approval of a conditional use permit to allow them to use their 1,212 square foot single family dwelling as a vacation rental. The 2.58 acre parcel located east of the city of Mount Shasta is within its sphere of influence and is zoned for Rural Residential uses. There is adequate space on the driveway for the three required parking spaces. Two bedrooms are proposed as sleeping quarters, and the current septic capacity limits the number of guests to four, unless upgraded, which would then allow for up to six guests.

Ms. Jereb said the project is exempt from CEQA pursuant to Section 15301 because it is an existing facility, and there are no unusual circumstances or future activities which might reasonably result in this project having a significant effect on the environment.

Ms. Jereb told the Commission that a neighbor who received the public hearing notice contacted staff with questions about the project and how to submit public comment, but no written comments were received.

Ms. Jereb said the project is consistent with the general plan and zoning for its area, and the dwelling was inspected by the Building and Environmental Health Divisions on July 8, 2024, and March 26, 2024, respectively. The Environmental Health inspection passed, but the Building inspection noted some minor electrical work needed to be done and a hot tub needed to be removed.

Ms. Jereb told the Commission that over the past several years, staff has made it a practice not to bring vacation rental projects to the Planning Commission that have not yet passed their Building inspection. However, the public hearing for this project was noticed prior to staff realizing that it hadn't passed.

Therefore, a condition of approval is included that should the Commission approve this project, the project must pass the Building inspection prior to issuance of the use permit. Ms. Jereb told the Commission that staff recommended adopting the CEQA exemption and approving the use permit for this project.

Agency Input: None

Commission Questions: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing.

Commission Questions/Discussion:

Commissioner Veale asked why the parking spaces needed to be delineated if the parcel is located on acreage that can sufficiently accommodate more than the minimum number of required parking spaces. Ms. Jereb responded that one of the requirements in permitting a vacation rental is that the project proponents have to include parking on their map so staff can verify they have the required number of parking spaces.

Chair Fowle asked why there was no comment from CAL FIRE regarding adherence to 4290 and 4291 requirements, and Ms. Jereb said they did not submit a comment on this project. Commissioner Melo suggested that the property might be in the jurisdiction of the Mount Shasta Fire Protection District since it's within the sphere of influence of the city of Mount Shasta, although he did not know for sure. Chair Fowle said he was familiar with the location and that there is fuel load surrounding the area.

Discussion was held that Condition of Approval 17 requires that CAL FIRE inspect and pass the property as it pertains to 4290 and 4291 requirements.

Motion: Following discussion, it was moved by Commissioner Veale, seconded by Commissioner Melo, to Adopt Resolution PC 2024-024, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from CEQA and Approving the Mora Use Permit (UP-24-05).

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

Agenda Item 2: Use Permit Revocation (SP-24-02) / Categorically Exempt

This public hearing is intended to carry out the requirements identified in Article 14 - Expiration, Revocation, and Appeals of Permits and Variances within the Siskiyou County Municipal Code, in order to revoke the Use Permit associated with closed and inactive Surface Mines throughout the county. The activity allowed under these Use Permits includes the operation of surface mines to extract aggregate. The surface mine sites are located in the unincorporated area of Siskiyou County.

Ms. Cizin told the Commission that the recommendations for revoking these use permits is because the mines are closed. The State Department of Mine Reclamation (DMR) informed staff that in order to officially close the files for the mines, the land use permits need to be revoked/closed. County Code requires that they be officially revoked because conditional land use permits run with the land, and County Code requires the Planning Commission to provide recommendation of revocation to the Board of Supervisors who will then consider and potentially adopt a resolution to officially revoke the land use permits.

- 2.1. **Big Springs Quarry** is located west of Big Springs Road, approximately 1.5 miles northeasterly from the intersection with Hart Road, on APNs 039-160-160 and 039-170-

300; Township 44N, Range 5W, Sections 9 & 10, MDB&M (Latitude 41°40'17" N, Longitude 122°24'53" W). The Big Springs Quarry has officially been deemed reclaimed in accordance with the approved reclamation plan and the Use Permit has expired. To formalize the termination of the Use Permit, staff is recommending the corresponding use permit be revoked in accordance with Siskiyou County Code Section 10-6.1402 as the effective date in Notation #1 of the Use Permit has expired.

**Categorically Exempt
Use Permit**

**Recommending Adoption
Recommending Revocation**

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Cizin.

Ms. Cizin told the Commission that Use Permit UP-03-01 was approved by the Planning Commission on June 4, 2003, mining activities ceased in 2013, and the site was deemed reclaimed in 2016. The use permit is no longer valid as it was only effective for 15 years per notation #1 of the permit. She said in order to formalize the termination of the permit, staff recommends that the Planning Commission adopt the resolution recommending that the Board of Supervisors find that Use Permit UP-03-01 is no longer effective and that the Board of Supervisors revoke it and determine this project exempt from CEQA per Section 15321, enforcement actions by regulatory agencies.

Agency Input: None

Commission Questions: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing.

Commission Questions/Discussion: Commissioner Veale asked if all the applicants for the use permits being recommended for revocation had been notified and whether there was any response, and Ms. Cizin said she would discuss each project separately and whether or not there had been any comments. She added that response was very minimal overall.

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC-2024-015, A Resolution of the Planning Commission of the County of Siskiyou, Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permit of Big Springs Quarry (UP-03-01), Make All Necessary Findings Required Under the Siskiyou County Municipal Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA).

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

- 2.2. **Truax II Pit** is located east of the community of Macdoel, north of Red Rock Road, on APNs 003-440-210 and 003-440-550; Township 46N, Range 1W, Section 25, MDB&M (Latitude 41°18'1" N, Longitude 121°55'44" W). The Truax II Pit has officially been deemed reclaimed in accordance with the approved reclamation plan and the Use Permit has expired. To formalize the termination of the Use Permit, staff is recommending the corresponding use permit be revoked in accordance with Siskiyou County Code Section 10-6.1402 as the effective date in Notation #1 of the Use Permit has expired.

**Categorically Exempt
Use Permit**

**Recommending Adoption
Recommending Revocation**

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Cizin.

Ms. Cizin told the Commission that Use Permit UP-01-52 was approved by the Planning Commission on April 10, 2002, mining activities ceased in 2016, and the site was deemed reclaimed in 2017. She said the use permit is no longer valid as it was only effective for 15 years per notation #1 of the use permit. The mine owner, Wes Truax, called staff to confirm that he understood what the hearing was about. Staff answered his questions, and he did not want to provide comment. To formalize the termination of the permit, staff recommends that the Planning Commission adopt the resolution recommending the Board of Supervisors find that Use Permit UP-01-52 is no longer effective and that the Board of Supervisors revoke it and determine this project exempt from CEQA per Section 15321, enforcement actions by regulatory agencies.

Agency Input: None

Commission Questions: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing.

Commission Questions/Discussion: None

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC-2024-021, A Resolution of the Planning Commission of the County of Siskiyou, Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permit of Truax II Quarry (UP-01-52), Make All Necessary Findings Required Under the Siskiyou County Municipal Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA).

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

- 2.3. L&C Livestock Quarry** is located north of the city of Montague, south Reservoir Road, on APN 013-280-430; Township 45N, Range 6W, Section 16, MDB&M (Latitude 41°44'37" N, Longitude 122°32'25" W). The L&C Livestock Quarry has officially been deemed reclaimed in accordance with the approved reclamation plan and the Use Permit has expired by its own terms. To formalize the termination of the Use Permit, staff is recommending the corresponding use permit be revoked in accordance with Siskiyou County Code Section 10-6.1402 as is stated in the Notation: the permit is automatically terminated if not used for one year once established.

**Categorically Exempt
Use Permit**

**Recommending Adoption
Recommending Revocation**

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Cizin.

Ms. Cizin told the Commission that Use Permit UP-88-33 was approved by the Planning Commission on June 3, 1992, mining activity ceased in 2013, and the site was deemed reclaimed in 2022. She said the

use permit is no longer valid as it is automatically terminated when not used for the approved purposes for one year once mining was established, per notations of the permit. To formalize the termination of the permit, staff recommended that the Planning Commission adopt the resolution recommending that the Board of Supervisors find that Use Permit UP-88-33 is no longer effective and that the Board of Supervisors revoke the use permit and determine this project exempt from CEQA per 15321, enforcement actions by regulatory agencies.

Agency Input: None

Commission Questions: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing.

Commission Questions/Discussion: Discussion was held that because this particular mine is so old whether or not the DMR would question why it has taken so long to close. Community Development Director Rick Dean said staff tried for many years to reclaim the area but the vegetation wouldn't take so they requested that the State look at the site. Ms. Cizin concurred that the mine has been reclaimed as far as the State is concerned and the State wants it formally closed.

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC-2024-019, A Resolution of the Planning Commission of the County of Siskiyou, Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permit of L&C Livestock Quarry (UP-88-33), Make All Necessary Findings Required Under the Siskiyou County Municipal Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA).

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

- 2.5. M-1 South Pit** is located on Spring Meadows Road, east of Squaw Valley Road, south of the community of McCloud, on APN 028-450-290; Township 39N, Range 3W, Section 24, MDB&M (Latitude 41°12'48" N, Longitude 122°08'18" W). The M-1 South Pit has officially been deemed reclaimed in accordance with the approved reclamation plan and the Use Permits have expired by their own terms. To formalize the termination of the Use Permits, staff is recommending the corresponding use permits be revoked in accordance with Siskiyou County Code Section 10-6.1402 as the permits have expired.

**Categorically Exempt
Use Permit**

**Recommending Adoption
Recommending Revocation**

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Cizin.

Ms. Cizin told the Commission that Use Permit UP-96-07 was approved by the Planning Commission on September 4, 1996, the site was mined under this permit until 2003 when Use Permit UP-03-08 was approved by the Planning Commission which extended the life of the mine by two years at which time mining activity ceased and reclamation activities commenced soon after. The site was deemed reclaimed in 2011. Ms. Cizin said the use permits are no longer valid and the end dates identified in the conditions of approval have passed. To formalize the termination of the permit, staff recommends that the Planning Commission adopt the resolution recommending that the Board of Supervisors find that Use Permits UP-96-07 and UP-03-08 are no longer effective and that the Board of Supervisors revoke the use permits and determine this project exempt from CEQA per 15321, enforcement actions by regulatory agencies.

Agency Input: None

Commission Questions: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing.

Commission Questions/Discussion: None

Motion: Following discussion, it was moved by Commissioner Veale, seconded by Commissioner Melo, to Adopt Resolution PC-2024-014, A Resolution of the Planning Commission of the County of Siskiyou, Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permits of M-1 South Mine (UP-96-07 and UP-03-08), Make All Necessary Findings Required Under the Siskiyou County Municipal Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA).

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

- 2.6. JJJ Quarry** is located south and east of Ager-Beswick Road, East of Bogus Creek, on APN 041-090-060 and 041-120-160; Township 47N, Range 5W, Section 36, MDB&M (Latitude 41°52'27" N, Longitude 122°22'35" W). The JJJ Quarry has officially been deemed reclaimed in accordance with the approved reclamation plan and the Use Permit has expired by its own terms. To formalize the termination of the Use Permit, staff is recommending the corresponding use permit be revoked in accordance with Siskiyou County Code Section 10-6.1402 as the permit has expired.

**Categorically Exempt
Use Permit**

**Recommending Adoption
Recommending Revocation**

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Cizin.

Ms. Cizin told the Commission that Use Permit UP-91-20 was approved by the Planning Commission on December 4, 1991, mining activities ceased in 2005, and the site was deemed reclaimed in 2019. The use permit is no longer valid as it is automatically terminated when not used for the approved purposes for one year once mining was established per notation #1 of the permit. Ms. Cizin said in order to formalize the termination of the permit, staff recommends that the commission adopt the resolution recommending the Board of Supervisors find that Use Permit UP-91-20 is no longer effective and that the Board of Supervisors revoke the use permit and determine this project exempt from CEQA per 15321, enforcement actions by regulatory agencies.

Agency Input: None

Commission Questions: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing.

Commission Questions/Discussion: None

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC-2024-017, A Resolution of the Planning Commission of the County of Siskiyou,

Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permit of JJJ Quarry (UP-91-20), Make All Necessary Findings Required Under the Siskiyou County Municipal Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA).

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

- 2.7. Jenner Kidder Creek Mine** is located on Highway 3, one-half mile south of the community of Greenview, on APNs 024-220-280, 024-220-300, 024-220-260, 024-220-290, 024-220-310; Township 43N, Range 9W, Section 29, MDB&M (Latitude 41°32'39" N, Longitude 122°54'13" W). The Jenner Kidder Creek Mine has officially been deemed reclaimed in accordance with the approved reclamation plan and the Use Permit has expired by its own terms. To formalize the termination of the Use Permit, staff is recommending the corresponding use permit be revoked in accordance with Siskiyou County Code Section 10-6.1402 and the permit has automatically terminated.

**Categorically Exempt
Use Permit**

**Recommending Adoption
Recommending Revocation**

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Cizin.

Ms. Cizin told the Commission that Use Permit UP-87-10 was approved by the Planning Commission on July 15, 1987, mining activities ceased in 2007, and the site was deemed reclaimed in 2017. The use permit is no longer valid as it is automatically terminated when not used for the approved purposes for one year once mining was established per the notation of the permit. To formalize the termination of the permit, staff recommends the Planning Commission adopt the resolution recommending that the Board of Supervisors find that Use Permit UP-87-10 is no longer effective and that the Board of Supervisors revoke the use permit and determine this project exempt from CEQA per 15321, enforcement actions by regulatory agencies.

Agency Input: None

Commission Questions: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing.

Commission Questions/Discussion: Chair Fowle asked if the Jenners commented and whether they wanted to close the mine, and Ms. Cizin said they did not comment and that staff is closing the file as the permit is no longer valid and the mine has been deemed reclaimed both by the County and the State.

Chair Fowle said he was aware of discussions between the Jenners and NOAA and CDFW about doing some major work in the Kidder Slough for benefit of fish, which may not be quarry related but there would be a lot of material potentially getting moved. Discussion was held regarding whether it would be easier for the Jenners to start from scratch and apply for a new use permit or whether they could utilize the existing use permit for purposes of moving materials. Ms. Cizin said it would depend on what they wanted to do and the area in which they wanted to move materials. She said the existing use permit is for commercial quarrying operations so the potential project being described might fall into a different project category.

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale,

to Adopt Resolution PC-2024-018, A Resolution of the Planning Commission of the County of Siskiyou, Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permit of Jenner Kidder Creek (UP-87-10), Make All Necessary Findings Required Under the Siskiyou County Municipal Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA).

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

Chair Fowle called for a break at 9:46 a.m.

The Chair reconvened the meeting at 10:51 a.m.

- 2.8. Klamath Ranch Quarry** is located north of Copco Road, approximately 6 miles east of Interstate 5, on APN 041-070-220; Township 47N, Range 5W, Section 17, MDB&M (Latitude 41°55'21" N, Longitude 122°27'32" W). The Klamath Ranch Quarry never became operational, and the Use Permit has expired by its own terms. To formalize the termination of the Use Permit, staff is recommending the corresponding use permit be revoked in accordance with Siskiyou County Code Section 10-6.1402 and the permit has automatically terminated.

**Categorically Exempt
Use Permit**

**Recommending Adoption
Recommending Revocation**

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Cizin.

Ms. Cizin told the Commission that Use Permit UP-09-07 was approved by the Planning Commission on December 2, 2009, but not all conditions of approval were met and mining never commenced so the permit was not vested making the use permit invalid as identified in Condition of Approval 13. To formalize the termination of the permit, staff recommended that the Planning Commission adopt the resolution recommending the Board of Supervisors find that UP-09-07 is no longer effective and that the Board of Supervisors revoke the use permit and determine this project exempt from CEQA per 15321, enforcement actions by regulatory agencies.

Agency Input: None

Commission Questions: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing.

Commission Questions/Discussion: Chair Fowle said he recalled that there was a component in the use permit requiring that the mine operators repair Copco Road from the ingress/egress of the mine, and he wanted to know if that had been done. Discussion was held that such a provision might have been included in the Mitigation Monitoring and Reporting Program that was part of the project. Mr. Dean added that RES Company now owns the mine site and there is an active Code Enforcement case against them.

Discussion was held that Copco Road is now in bad shape due to the dam removal. Mr. Dean said that the Environmental Health Division specifically commented that all concrete material should be recycled and utilized for roads up there which was not the case. He said the material is buried in place along the banks which goes against state law. Everyone in the state is required to follow recycling regulations, but they were completely ignored for this project. He said there was plenty of source up there but it has all

been buried and disposed of in place and could have been utilized for roads.

Motion: Following discussion, it was moved by Commissioner Veale, seconded by Commissioner Melo, to Adopt Resolution PC-2024-016, A Resolution of the Planning Commission of the County of Siskiyou, Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permit of Klamath Ranch Quarry (UP-09-07), Make All Necessary Findings Required Under the Siskiyou County Municipal Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA).

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

- 2.9. Nash Pit** is located south of the community of Greenview, east of Highway 3, on APNs 024-242-140 and 024-242-150; Township 43N, Range 9W, Section 32, MDB&M (Latitude 41°32'19" N, Longitude 122°54'22" W). The Nash Pit never became operational, and the Use Permit has expired by its own terms. To formalize the termination of the Use Permit, staff is recommending the corresponding use permit be revoked in accordance with Siskiyou County Code Section 10-6.1402 and as the permit has automatically terminated.

**Categorically Exempt
Use Permit**

**Not Recommending Adoption
Not Revoked**

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Cizin.

Ms. Cizin told the Commission that Use permit UP-98-08 was approved by the Planning Commission on November 3, 1999. Mining of the site never commenced, and the determination was made in 2016 that no reclamation was necessary due to no mining disturbance. The owner expressed their desire to close the mine but to retain the use permit in a letter dated April 16, 2016. Ms. Cizin said the use permit is no longer valid as it automatically terminated when not used for the approved purposes within two years of approval per notation #1 of the use permit. To formalize the termination of the permit, staff recommends that the Planning Commission adopt the resolution recommending the Board of Supervisors find that UP-98-08 is no longer effective and that the Board of Supervisors revoke the use permit and determine this project exempt from CEQA per 15321, enforcement actions by regulatory agencies.

Agency Input: None

Commission Questions: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing.

Commission Questions/Discussion: Chair Fowle he recalled this project and that a permit application was submitted in 1998 for repaving of Highway 3 by Caltrans in partnership with the Nashes, but Caltrans backed out so the pit was not created. He said the original process was very lengthy and contentious and wanted to know whether it would save time and money to not revoke the permit, as it could lead to another year-long process and take up more staff time and cost more money. Ms. Cizin said the existing use permit could stand, but they would still have to establish a new reclamation plan.

Discussion was held regarding automatic termination of a use permit. Even though the DMR wants the permit officially terminated, Assistant County Counsel William Carroll said it is in the County's discretion to either close the permit or leave it open and that the Planning Commission can make a recommendation to the Board of Supervisors to not revoke the permit.

Discussion was held that all the preliminary work for this pit was done but ground was never broken. The Commission agreed that it would save time and money to leave the use permit open in the event Caltrans decides to move forward with repaving Highway 3 and to leave the decision of whether or not to revoke it in the hands of the Board of Supervisors.

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to recommend to the Board of Supervisors that they not revoke Use Permit UP-98-08 and directed staff to transmit the Planning Commission's reasons stated at this meeting.

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present.

Items for Discussion/Direction:

Ongoing Staff Update Regarding the General Plan Update

This is an ongoing agenda item pertaining to the Siskiyou County 2050 General Plan Update. Staff will be providing an update on the project schedule, deliverables, and any other updates relating to this project.

Staff Report: Ms. Lang told the Commission that the consultant team is reviewing public feedback from the six community workshops as well as comments posted on the website. They are working on a report on key themes and takeaways as well as edits to the Existing Conditions Background Report. She said the consultants will post an additional newsletter discussing deliverables and future key dates within the next few weeks.

Ms. Lang said she is currently working with the CAO to coordinate a date for the joint Board of Supervisors and Planning Commission meeting, the main intent of which is to review feedback and create guiding principles. The consultants would like to schedule the meeting before November, and she said she hoped that it could be held during one of the regularly scheduled Board of Supervisors or Planning Commission meetings.

Chair Fowle said he wanted to make sure the baseline report would be done before the next joint meeting, and Ms. Lang said that was her understanding and potentially the information contained in the background report may help both the Board of Supervisors and Planning Commission to define the vision and goals of the guiding principles, etc.

Ms. Lang continued with her presentation and said after the joint meeting occurs, the consultants would prepare for zoning revisions and the General Plan preparation of the elements which will occur in tandem and will go into February/March 2025. The funding also includes updating the noise element and open space and conservation elements which are required by state law. She said the housing element was recently approved, and staff would be initiating and leading the safety element and circulation element updates.

Ms. Lang said staff hopes to be able to utilize the Regional Transportation Plan which will be updated in the next year or so as a basis for the circulation element because a lot of the policies and government code sections and items that have to be discussed will already be included. She said they would rely heavily on the local hazard mitigation plan for the Safety Element update, and Siskiyou County Office of Emergency Services is working with their own consultants on that aspect. She said there would be public meetings and staff would be filling the gap with anything that needs to occur with those elements.

In response to Chair Fowle's question regarding whether or not the Planning consultants are working with the OES consultants, Ms. Lang said she is very involved with the local hazard mitigation plan in order to be efficient with time and resources. She said the goal is for long-term longevity, with updates and utilization being done regularly, so there is ongoing communication with the state, CAL FIRE, and other stakeholders. Draft zoning revisions and elements are also being considered, followed by EIR scoping.

Ms. Lang said since the workshops and surveys there have been more public comments and clarifying questions being submitted, and that hazards are the forefront of most comments, particularly regarding wildfire. She said there have also been a lot of comments related to water conservation and water usage. She said members of the public have been sending the bulletins posted by the State Water Board and asking that policies for water conservation and consumption be integrated so she has been sending them on to the consultants.

Ms. Angelina Cook of McCloud was present and requested to make a comment, and the Chair invited her to the podium. Ms. Cook said she was there on behalf of the McCloud Chamber of Commerce and that the Chamber expressed concerns about the lack of participation and notification in the community planning process. As an unincorporated community, she said they face challenges with economic development and hazard mitigation. They see the General Plan update and zoning code revisions as opportunities to address these issues but need guidance on how to effectively engage in the process. She said the Chamber plans to submit an official letter to express their interest and to request more meaningful involvement. She said the community feels mistreated and wants better representation in the county in order to address some of their unmet needs.

Chair Fowle asked Ms. Cook what the best way would be to communicate with the McCloud community, and Ms. Cook said the best way would be to send emails to the McCloud Community Service District, the Chamber of Commerce, and the McCloud Community Resource Center.

Ms. Lang said she communicates with the Chamber and the Community Services District and has attended numerous meetings, and she offered to participate in another meeting. She added that any interested individuals or groups may add their email address to the General Plan mailing list and public comments can be submitted until the final General Plan is adopted by using the "Participate!" tab on the General Plan website.

Commissioner Melo added that McCloud has an elected board and wanted to know why they did not participate in discussions regarding limiting vacation rentals in McCloud. Ms. Cook said they do not take initiative because they feel understaffed. Chair Fowle added that the Planning Commission often doesn't get comments on concerns the district may want addressed prior to or as a condition of approval. He said the Planning Commission is not political, and they only deal with whether the project is legal or not, if there is an issue and whether it can be mitigated, and if not, they deny it. He said they thrive on input to put the best project in place if it can be approved. He asked Ms. Cook to encourage McCloud to communicate to the Planning Commission when being asked for information because the Commission relies on that input when making their decisions.

Commission Questions/Discussion: Commissioner Veale asked if staff was familiar with Cal-Ore Communications getting a grant to install fiberoptics, and Ms. Lang said she was not aware of that.

Chair Fowle said he would not be able to participate in a joint meeting if they were held on a Tuesday during the months of November through March, but he would be available if the meeting was scheduled on a Wednesday.

Miscellaneous:

- 1. Future Meetings:** The next regular meeting of the Planning Commission is scheduled for Wednesday, September 18, 2024, at 9:00 a.m.
- 2. Correspondence:** Ms. Jereb told the Commission that staff was contacted by a company who is doing a project to deliver high speed broadband service to the unserved and underserved communities in Siskiyou County and wanted to know what the permitting requirements were. She said they don't have any requirements for the particular section they were talking about, but it

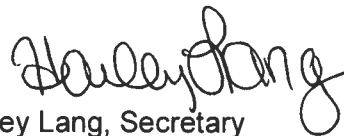
sounded like they were going to head down Klamath River. Discussion was held regarding whether or not the area was in Siskiyou Telephone's area. Ms. Jereb said the map she was sent shows it to be from Hawkinsville to the Klamath River.

Ms. Jereb also told the Commission that Planning staff received an email on August 5, 2024, from the Department of Conservation regarding a draft 2020 Siskiyou County Important Farmlands map. They are inviting the public to review and comment on the map. Chair Fowle said he has seen the map and it is very inaccurate and that their data collection was in error. He said that he is part of a group that has already commented.

3. **Staff Comments:** Mr. Dean told the Commission that the fire hazard debris removal cleanup of Head Fire at the confluence of the Scott and Klamath rivers has begun. The County is working with Cal OES through a CEQA exemption for cleanup. He said they reached out to tribes for cultural consultation onsite but they did not participate. The Karuk Tribe said it's not their area. Roy Hall with the Shasta Tribe said he would get back to them.
4. **Commission Comments:** Commissioner Veale said he heard a rumor that Siskiyou County would be receiving \$20 million when dam removal started. Chair Fowle said a certain amount would be put towards reclamation for the county itself and not County government. He said the Karuk Tribe has funds available to them for areas outside of Klamath River proper for doing projects and that it is in the neighborhood of \$20 to \$40 million. Mr. Dean added that there was also a mitigation fund that was established that he thought was near that number, and it was to offset impacts to wells, flood plain issues, etc., but it was poorly managed in his opinion.

Adjournment: The meeting was concluded at approximately 10:52 a.m.

Respectfully submitted,


Hailey Lang, Secretary