



Siskiyou County
Planning Commission Supplemental Staff Report
February 19, 2025

New Business Agenda Item No. 1
Shasta Way (2M082) Road Abandonment (RA-24-01)

Applicant: Monte Shasta Mutual Water Company

Property Owners: Siskiyou County Roads Department
1312 Fairlane Road
Yreka, CA 96097

Project Summary The applicant is requesting approval of the following:

- General Plan conformity determination regarding a proposed abandonment of a portion of Shasta Way (County Road 2M082) by Board Resolution 86-273 on July 9, 1986.

Location: The project site is located in a portion of the northwest quarter of Section 14, Township 40N, Range 4W, Section 14, M.D.M; APN: 037-340-500

General Plan: Building Foundation Limitations, Wildfire Hazard, Woodland Productivity

Zoning: Rural Residential Agricultural, one-acre minimum parcel size (R-R-B-1)

Exhibits:

- A. Draft Resolution PC 2024-023
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Board of Supervisors Approve the Road Abandonment (RA-24-01) – Shasta Way (2M082)
A-1. Recommended Findings
- B. September 18, 2024, Planning Commission Staff Report Package
- C. December 10, 2024, Board of Supervisors Staff Report Package
- D. Comments

Background

Planning staff presented this project during the September 18, 2024, Planning Commission meeting. After the chair opened up the public hearing and discussion was held regarding the project, the Commission closed the public hearing and asked staff to come back at a later date to provide information regarding what the process would look like for how the property would be sold, should the road abandonment be approved. At that time, staff decided to take a step back after receiving notice that the adjoining neighbor (Martin and Olga Schwartz) opposed the project. Given the neighbor opposition, staff elevated the issue to the Board of Supervisors to see if they wanted to proceed with the project. Streets and Highway Code Section 8320 states that the legislative body “may” initiate an abandonment proceeding; meaning that a public entity cannot be forced to abandon its deeded road system if it does not want to.

During December 10, 2024, the Board of Supervisors meetings, the Board directed staff to proceed with the project. (Ultimately, how the property were to be disposed of, were it to be approved for abandonment, would be on the terms and conditions set forth by the Board of Supervisors as provided under Streets and Highways Code Section 8355, with a potential condition it be sold as a boundary line adjustment to one of the adjoining private properties. And if it were to be developed for a solar power site for a utility use, it would likely return to the Planning Commission for consideration of a conditional use permit.)

Presently the project is before the Planning Commission for the purpose of recommendation to the Board of Supervisors as to whether the proposed abandonment conforms with the general plan or not.



Figure 1: Portion of Road to be Abandoned

Analysis

Staff has evaluated the Siskiyou County General Plan relative to the proposed road abandonment and has determined that the project does not conflict with the General Plan. However, this abandonment conflicts with the Zoning Code in terms of minimum lot size and a boundary line adjustment would need to occur were the abandonment to be approved.

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Building Foundation Limitations, Wildfire Hazard, and Woodland Productivity. In addition, Planning staff has identified that Composite Overall Policies 41.9, and 41.18 apply to the proposed project.

The recommended findings are detailed in Exhibit A-1 attached to this staff report and are submitted for the Commission's review, consideration, and approval.

Comments

A Notice of Public Hearing was published in the Siskiyou Daily News on February 5, 2025, and mailed to property owners within 300 feet of the subject property. Four public comments were received at the time this staff report was written. Martin and Olga Schwartz submitted two public comment letters and Mike Gentile submitted one public comment letter in opposition to the project. Brandy Caporaso submitted one public comment letter in support of the project. Additionally, pursuant to Section 8323 of the Streets and Highways Code, a Notice of Intention to Vacate and Public Hearing was posted on the road on February 5, 2025.

Siskiyou County Roads Department-January 2025

The Public Works Department determined that they would open up a competitive bid to the adjoining property owners only, Gaylord Briggs and Martin and Olga Schwartz if the Board of Supervisors so placed that condition or as otherwise directed.

Environmental Review

The proposed road abandonment is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment. Because it can be seen with certainty that there is no potential for the proposed road abandonment to have a significant effect on the environment, staff is recommending the "common sense exemption" be adopted in accordance with Section 15061(b)(3) of the CEQA Guidelines. As such, the Board of Supervisors would need to adopt the common sense exemption prior to approving the proposed Road Abandonment (RA-24-01) – Shasta Way.

The proposed CEQA exemption must be considered together with any comments received during the public review process. Further, the exemption can only be approved if the finding is made, based on the whole record before it, that there is not substantial evidence that there are unusual circumstances (including future activities) which might reasonably result in the project having a significant effect on the environment.

Planning Staff Recommendations

Adopt Resolution PC 2024-023 taking the following actions:

- Recommend the Board of Supervisors approve the proposed road abandonment (RA-24-01) based on the recommended findings; and
- Recommend the Board of Supervisors determine the project exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.

Preparation

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Hailey Lang, Planning Director
Siskiyou County Planning Division
806 S. Main Street
Yreka, CA 96097

Resolution PC 2024-023

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Approve the Shasta Way (2M082) Road Abandonment (RA-24-01)

Whereas, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board; and

Whereas, the County of Siskiyou wishes to vacate a certain undeveloped street, as named by the Board of Supervisors Resolution 86-273 on July 9, 1986; and

Whereas, the undeveloped right-of-way that is proposed to be vacated includes Shasta Way (2M082); and

Whereas, the Planning Division presented its oral and written staff report on the proposed Shasta Way (2M082) Road Abandonment (RA-24-01) at a regular meeting of the Planning Commission on February 19, 2025; and

Whereas, the Planning Division recommended road abandonment RA-24-01 be considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15601(b)(3) of the CEQA Guidelines because it can be seen with certainty that there would not be any significant impacts to the environment resulting from the project; and

Whereas, the Planning Division recommended approval of road abandonment RA-24-01 subject to the findings contained in Exhibit A-1 to the written staff report; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on February 5, 2025; and

Whereas, a Notice of Intention to Vacate and the Public Hearing was posted on Shasta Way pursuant to Section 8323 of the Streets and Highways Code on February 5, 2025; and

Whereas, on February 19, 2025, the Chair of the Planning Commission opened the duly noticed public hearing on road abandonment RA-24-01 to receive testimony, both oral and written, following which the Chair closed the public hearing, and the Commission discussed road abandonment RA-24-01 prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A of the written staff report; and

Be It Further Resolved that the Planning Commission recommends the Board of Supervisors adopt the "common sense exemption" from CEQA and that the Board of Supervisors approve the proposed Shasta Way (2M082) Road Abandonment (RA-24-01).

It Is Hereby Certified that the foregoing Resolution PC 2024-023 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at the regular meeting of the Siskiyou County Planning Commission held on the 19th day of February 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SISKIYOU COUNTY PLANNING COMMISSION

Jeff Fowle, Chair

WITNESS, my hand and seal this 19th day of February 2025.

Hailey Lang, Secretary of the Commission

Findings

General Plan Consistency Findings

Composite Overall Policies

Policy 41.9 - Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

The proposed roadway abandonment will not impede any developable land surrounding the road to be vacated.

Policy 41.18 – Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

Staff has reviewed all Land Use Element policies and has determined that the proposed conforms to the General Plan.

Map 3: Building Foundation Limitations

Policy 8 – Enforce building construction standards (Uniform Building Code) and public works requirements.

No building is proposed as part of this project.

Map 10: Wildfire Hazard

Policy 30 – All development proposed within a wildfire hazard area shall be designed to provide safe ingress, egress, and have an adequate water supply for fire suppression purposes in accordance with the degree of wildfire hazard.

No building is proposed as part of this project.

Map 11: Woodland Productivity

Policy 31 – The minimum parcel size shall be one acre on 0-15% slope, and 5 acres on 16-29% slope.

No new parcels are proposed to be created as part of this project.

Policy 32 – Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted. The permitted uses will not create erosion or sedimentation problems.

The permitted density will not create erosion or sedimentation problems.

Policy 33 – All land uses and densities shall be designed so as not to destroy timber productivity on large parcels of high suitability woodland soils. (Class I and II.)

No new parcels are proposed as part of this project.

California Environmental Quality Act Findings

1. Pursuant to CEQA Guidelines, Section 15061(b)(3), because there is not substantial evidence, in light of the whole record before the County, that the project would have a significant effect on the environment, this road abandonment project is exempt pursuant to the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.

California Streets and Highways Code (SHC) Road Abandonment Findings

1. Road abandonment does not conflict with the General Plan (SHC Section 8313 [a]).

The proposed road abandonment meets the policies contained in the General Plan.



**Siskiyou County
Planning Commission Staff Report
September 18, 2024**

**New Business Agenda Item No. 1
Shasta Way (2M082) Road Abandonment (RA-24-01)**

Applicant: Monte Shasta Mutual Water Company

Property Owners: Siskiyou County Roads Department
1312 Fairlane Road
Yreka, CA 96097

Project Summary The applicant is requesting approval of the following:

- General Plan conformity determination regarding a proposed abandonment of a portion of Shasta Way (County Road 2M082) by Board Resolution 86-273 on July 9, 1986.

Location: The project site is located in a portion of the northwest quarter of Section 14, Township 40N, Range 4W, Section 14, M.D.M; APN: 037-340-500

General Plan: Building Foundation Limitations, Wildfire Hazard, Woodland Productivity

Zoning: Rural Residential Agricultural, one-acre minimum parcel size (R-R-B-1)

- Exhibits:**
- A. Draft Resolution PC 2024-023
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Board of Supervisors Approve the Road Abandonment (RA-24-01) – Shasta Way (2M082)
A-1. Recommended Findings
 - B. Draft Resolution PC 2024-025
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Board of Supervisors Deny the Road Abandonment (RA-24-01) – Shasta Way (2M082)
A-1. Recommended Findings
 - C. California Streets and Highway Code (Sections 8300-8362) for Road Abandonment

Background

The project is a proposed abandonment of a portion of a Siskiyou County Road named Shasta Way (County Road 2M082), named by Board Resolution 86-273 on July 9, 1986. The public hearing for this project was originally scheduled and noticed for the August 21, 2024, Planning Commission meeting, where it was continued without being heard to the September 18, 2024, Planning Commission meeting. The proposed purpose of this road abandonment is so that Monte Shasta Mutual Water Company may utilize the land to install a solar array to offset electricity costs for the water pumping system that serves the subdivision's 45 residents.

The area proposed for abandonment is an unpaved portion of road approximately 0.02 miles in length. The property was deeded to the County on July 11, 1986 (Document No. 1986-0008011). This 0.02 miles of roadway was recently dropped from the maintained mileage system on May 27, 2024, via Board of Supervisors Resolution 24-78.

Shasta Way was originally named by Board Resolution 86-273 on July 9, 1986. The road currently serves the Mont Shasta Subdivision in the community of Mount Shasta. However, this portion of road to be vacated is a dead-end road and no motorized vehicles utilize it to access adjacent properties. There is a well-used pedestrian and bicycle path entering from Shasta Way, running south along the unimproved portion of Monroe Drive, which is held via fee title along with the rest of the roads in the subdivision. The grant deed states that the portion of RSB 2, pages 125 and 125-A described as, 'Lotus Lane, Shasta Way, Alpine Drive, and a "Reserved for Future Road" strip along the Westerly subdivision boundary'. It is the 'Reserved for Future Road' that is labeled as Monroe Drive. The portion of Monroe Drive that is west of APN 037-350-020 was mapped in TMB 2 Pg 37-A as a "Monroe Drive (County Road)" with a note that states, "Reserved for Future Road", but it doesn't appear that the County ever took ownership of that portion. Instead, it was transferred from a private owner to another private owner, who is the adjacent property owner of APN 037-350-020. It is possible that that portion which is privately owned has an easement.

No above-ground utilities are present. An Underground Service Alert (USA) Utility Locate has not yet been completed. It has been indicated that the following utility companies may have underground utilities within that portion of roadway:

- AT&T Distribution- California
- Northland Cable TV- Mt. Shasta
- Pacific Power & Light Company- Yreka
- Monte Shasta Mutual Water Company- Mt. Shasta

A preliminary title report has not been provided to determine if the portion of road proposed to be vacated is encumbered by any easements of record. Given the fact that this road lies within a subdivision, private unrecorded easements likely exist.

The Siskiyou County Board of Supervisors will ultimately determine whether to approve the proposed road abandonment. However, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board. Additionally, for the Board of Supervisors to approve the proposed vacation of right-of-way, specific findings are required pursuant to Sections 892 and 8324 of the California Streets and Highways Code. In order to make these findings, the Board of Supervisors must determine whether the undeveloped right-of-way is useful as a non-motorized transportation facility and whether the undeveloped right-of-way is necessary for any present or prospective public use.



Figure 1: Project Location



Figure 2: Portion of Road to be Abandoned

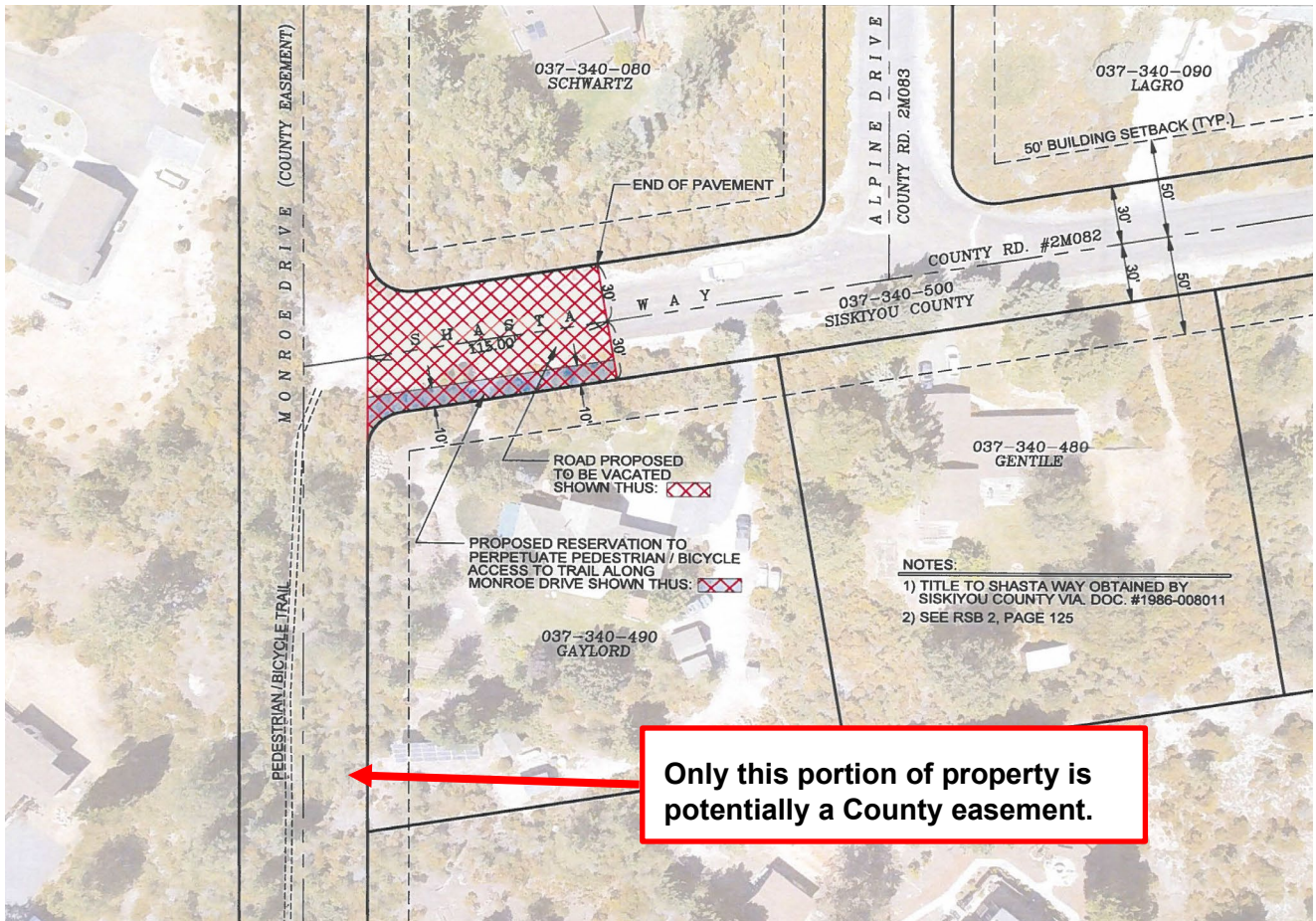


Figure 3: Exhibit Map from Public Works

Analysis

Staff has evaluated the Siskiyou County General Plan relative to the proposed road abandonment and has determined that the project does not conflict with the General Plan. However, this abandonment conflicts with the Zoning Code.

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Building Foundation Limitations, Wildfire Hazard, and Woodland Productivity. In addition, Planning staff has identified that Composite Overall Policies 41.9, and 41.18 apply to the proposed project.

In addition, staff has evaluated the proposed road abandonment relative to the findings required pursuant to California Streets and Highways Code Sections 8313 (a), 8313, and 8324 and found that the abandonment can either potentially be approved or denied, depending on how the Commission views the findings. The proposed road abandonment is useful for pedestrians and bicyclists. However, the County is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail in order to meet this finding. The Commission may view that this will be considered necessary (or unnecessary) for present or prospective use, as stated in Finding #3.

Analyzing the County's Zoning Code in relation to a road abandonment is not required. However, should the road abandonment be approved, the land associated with the abandonment will create an undevelopable lot (though, a legislative body may sell the property as provided under Streets and Highways Code Section 8356). Public Works is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail. This potential reservation would help make the required findings for bicycles and pedestrian access contained in Exhibit A-1.

The recommended findings are detailed in Exhibit A-1 attached to this staff report and are submitted for the Commission's review, consideration, and approval.

Comments

A Notice of Public Hearing was published in the Siskiyou Daily News on August 7, 2024, and mailed to property owners within 300 feet of the subject property. No public comments were received at the time this staff report was written. Additionally, pursuant to Section 8323 of the Streets and Highways Code, a Notice of Intention to Vacate and Public Hearing was posted on the road on September 3, 2024.

Siskiyou County Roads Department

The Public Works Department is waiting to determine several items, such as who will be given the portion of road to be abandoned. All these items are with County Counsel.

Environmental Review

The proposed road abandonment is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment. Because it can be seen with certainty that there is no potential for the proposed road abandonment to have a significant effect on the environment, staff is recommending the "common sense exemption" be adopted in accordance with Section 15061(b)(3) of the CEQA Guidelines. As such, the Board of Supervisors

would need to adopt the common sense exemption prior to approving the proposed Road Abandonment (RA-24-01) – Shasta Way.

The proposed CEQA exemption must be considered together with any comments received during the public review process. Further, the exemption can only be approved if the finding is made, based on the whole record before it, that there is not substantial evidence that there are unusual circumstances (including future activities) which might reasonably result in the project having a significant effect on the environment.

Planning Staff Recommendations

Adopt Resolution PC 2024-023 taking the following actions:

- Recommend the Board of Supervisors approve the proposed road abandonment (RA-24-01) based on the recommended findings; and
- Recommend the Board of Supervisors determine the project exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.

Adopt Resolution PC 2024-025 taking the following actions:

- Recommend the Board of Supervisors deny the proposed road abandonment (RA-24-01) based on the recommended findings; and
- Recommend the Board of Supervisors determine the project exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.

Preparation

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Hailey Lang, Planning Director
Siskiyou County Planning Division
806 S. Main Street
Yreka, CA 96097

Resolution PC 2024-023

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Approve the Shasta Way (2M082) Road Abandonment (RA-24-01)

Whereas, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board; and

Whereas, the County of Siskiyou wishes to vacate a certain undeveloped street, as named by the Board of Supervisors Resolution 86-273 on July 9, 1986; and

Whereas, the undeveloped right-of-way that is proposed to be vacated includes Shasta Way (2M082); and

Whereas, the Planning Division presented its oral and written staff report on the proposed Shasta Way (2M082) Road Abandonment (RA-24-01) at a regular meeting of the Planning Commission on September 18, 2024; and

Whereas, the Planning Division recommended road abandonment RA-24-01 be considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15601(b)(3) of the CEQA Guidelines because it can be seen with certainty that there would not be any significant impacts to the environment resulting from the project; and

Whereas, the Planning Division recommended approval of road abandonment RA-24-01 subject to the findings contained in Exhibit A-1 to the written staff report; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on August 7, 2024; and

Whereas, a Notice of Intention to Vacate and the Public Hearing was posted on Shasta Way pursuant to Section 8323 of the Streets and Highways Code on September 3, 2024; and

Whereas, on September 18, 2024, the Chair of the Planning Commission opened the duly noticed public hearing on road abandonment RA-24-01 to receive testimony, both oral and written, following which the Chair closed the public hearing, and the Commission discussed road abandonment RA-24-01 prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A of the written staff report; and

Be It Further Resolved that the Planning Commission recommends the Board of Supervisors adopt the "common sense exemption" from CEQA and that the Board of Supervisors approve the proposed Shasta Way (2M082) Road Abandonment (RA-24-01).

It Is Hereby Certified that the foregoing Resolution PC 2024-023 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at the regular meeting of the Siskiyou County Planning Commission held on the 18th day of September 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SISKIYOU COUNTY PLANNING COMMISSION

Jeff Fowle, Chair

WITNESS, my hand and seal this 18th day of September 2024.

Hailey Lang, Secretary of the Commission

Findings

General Plan Consistency Findings

Composite Overall Policies

Policy 41.9 - Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

The proposed roadway abandonment will not impede any developable land surrounding the road to be vacated.

Policy 41.18 – Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

Staff has reviewed all Land Use Element policies and has determined that the proposed conforms to the General Plan.

Map 3: Building Foundation Limitations

Policy 8 – Enforce building construction standards (Uniform Building Code) and public works requirements.

No building is proposed as part of this project.

Map 10: Wildfire Hazard

Policy 30 – All development proposed within a wildfire hazard area shall be designed to provide safe ingress, egress, and have an adequate water supply for fire suppression purposes in accordance with the degree of wildfire hazard.

No building is proposed as part of this project.

Map 11: Woodland Productivity

Policy 31 – The minimum parcel size shall be one acre on 0-15% slope, and 5 acres on 16-29% slope.

No new parcels are proposed to be created as part of this project.

Policy 32 – Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted. The permitted uses will not create erosion or sedimentation problems.

The permitted density will not create erosion or sedimentation problems.

Policy 33 – All land uses and densities shall be designed so as not to destroy timber productivity on large parcels of high suitability woodland soils. (Class I and II.)

No new parcels are proposed as part of this project.

California Environmental Quality Act Findings

1. Pursuant to CEQA Guidelines, Section 15061(b)(3), because there is not substantial evidence, in light of the whole record before the County, that the project would have a significant effect on the environment, this road abandonment project is exempt pursuant to the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.
2. The Planning Commission has reviewed and considered the proposed project, and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
3. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.

California Streets and Highways Code (SHC) Road Abandonment Findings

1. Road abandonment does not conflict with the General Plan (SHC Section 8313 [a]).

The proposed road abandonment meets the policies contained in the General Plan.

2. The right-of-way is not useful for pedestrians, bicyclists or equestrians (SHC Section 8314).

The proposed road abandonment is useful for pedestrians, the County is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail in order to meet this finding.

3. The road is unnecessary for present or prospective public use (SHC Section 8324).

The proposed road abandonment is unnecessary for present or prospective public use.

Resolution PC 2024-025

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Deny the Shasta Way (2M082) Road Abandonment (RA-24-01)

Whereas, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board; and

Whereas, the County of Siskiyou wishes to vacate a certain undeveloped street, as named by the Board of Supervisors Resolution 86-273 on July 9, 1986; and

Whereas, the undeveloped right-of-way that is proposed to be vacated includes Shasta Way (2M082); and

Whereas, the Planning Division presented its oral and written staff report on the proposed Shasta Way (2M082) Road Abandonment (RA-24-01) at a regular meeting of the Planning Commission on September 18, 2024; and

Whereas, the Planning Division recommended road abandonment RA-24-01 be considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15601(b)(3) of the CEQA Guidelines because it can be seen with certainty that there would not be any significant impacts to the environment resulting from the project; and

Whereas, the Planning Division recommended approval of road abandonment RA-24-01 subject to the findings contained in Exhibit A-1 to the written staff report; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on August 7, 2024; and

Whereas, a Notice of Intention to Vacate and the Public Hearing was posted on Shasta Way pursuant to Section 8323 of the Streets and Highways Code on September 3, 2024; and

Whereas, on September 18, 2024, the Chair of the Planning Commission opened the duly noticed public hearing on road abandonment RA-24-01 to receive testimony, both oral and written, following which the Chair closed the public hearing, and the Commission discussed road abandonment RA-24-01 prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A of the written staff report; and

Be It Further Resolved that the Planning Commission recommends the Board of Supervisors adopt the "common sense exemption" from CEQA and that the Board of Supervisors deny the proposed Shasta Way (2M082) Road Abandonment (RA-24-01).

It Is Hereby Certified that the foregoing Resolution PC 2024-025 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at the regular meeting of the Siskiyou County Planning Commission held on the 18th day of September 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SISKIYOU COUNTY PLANNING COMMISSION

Jeff Fowle, Chair

WITNESS, my hand and seal this 18th day of September 2024.

Hailey Lang, Secretary of the Commission

Findings

General Plan Consistency Findings

Composite Overall Policies

Policy 41.9 - Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

The proposed roadway abandonment will not impede any developable land surrounding the road to be vacated.

Policy 41.18 – Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

Staff has reviewed all Land Use Element policies and has determined that the proposed conforms to the General Plan.

Map 3: Building Foundation Limitations

Policy 8 – Enforce building construction standards (Uniform Building Code) and public works requirements.

No building is proposed as part of this project.

Map 10: Wildfire Hazard

Policy 30 – All development proposed within a wildfire hazard area shall be designed to provide safe ingress, egress, and have an adequate water supply for fire suppression purposes in accordance with the degree of wildfire hazard.

No building is proposed as part of this project.

Map 11: Woodland Productivity

Policy 31 – The minimum parcel size shall be one acre on 0-15% slope, and 5 acres on 16-29% slope.

No new parcels are proposed to be created as part of this project.

Policy 32 – Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted. The permitted uses will not create erosion or sedimentation problems.

The permitted density will not create erosion or sedimentation problems.

Policy 33 – All land uses and densities shall be designed so as not to destroy timber productivity on large parcels of high suitability woodland soils. (Class I and II.)

No new parcels are proposed as part of this project.

California Environmental Quality Act Findings

1. Pursuant to CEQA Guidelines, Section 15061(b)(3), because there is not substantial evidence, in light of the whole record before the County, that the project would have a significant effect on the environment, this road abandonment project is exempt pursuant to the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.
2. The Planning Commission has reviewed and considered the proposed project, and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
3. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.

California Streets and Highways Code (SHC) Road Abandonment Findings

1. Road abandonment does not conflict with the General Plan (SHC Section 8313 [a]).

The proposed road abandonment meets the policies contained in the General Plan.

2. The right-of-way is not useful for pedestrians, bicyclists or equestrians (SHC Section 8314).

The proposed road abandonment is useful for pedestrians, the County is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail in order to meet this finding.

3. The road is unnecessary for present or prospective public use (SHC Section 8324).

The proposed road abandonment is potentially necessary for present or prospective public use.

ROAD ABANDONMENT PROCEDURES

The law governing road abandonment is located in the Public Streets, Highways, and Service Easements Vacation Law (Streets and Highways Code Sections 8300-8363). Requests for abandonment are directed to the Public Works Department, who then handle the proceedings. The standard procedure for abandoning roads is summarized as follows:

1. A report is prepared for Planning Commission review and recommendation. The Commission must report on the abandonment's conformity to the General Plan, as outlined in item 4 below. This may include inspection of Title Reports (not required), detailed maps, and a field inspection to verify the affected properties. These items are provided by Public Works. The Commission then forwards their recommendation to the Board of Supervisors (Government Code Section 65402 - Planning and Zoning Law) & (Section 8313[b]). Note: may be categorically exempt project - CEQA Section 15061(b)(3).
2. The Board of Supervisors must pass a Resolution of Intention to Vacate the road (Section 8320).
3. A Notice of Intention to Vacate and Public Hearing must be published and the road posted (Section 8322-8323).
4. A public hearing must be held to determine the following:
 - a) Road abandonment does not conflict with the General Plan (Section 8313 [a]).
 - b) The right-of-way is not useful for pedestrians, bicyclists, or equestrians (Section 8314).
 - c) The road is unnecessary for present or prospective public use (Section 8324).
5. If the Board makes all of the required findings, it may pass a resolution abandoning the road. The resolution may make the abandonment conditional (Section 8324).
6. The Board may reserve from the abandonment, an easement or right-of-way for public utilities or future rights-of-way (Section 8340).
7. The resolution is then recorded without acknowledgment.

Update-2/26/96 - c:\personal\wv

Staff Report

Meeting Date: December 10, 2024
To: Siskiyou County Board of Supervisors
From: Hailey Lang, Planning Director and Tom Deany, Public Works Director
Subject: Shasta Way (2M092) Road Abandonment (RA-24-01)

Background

The project is a proposed abandonment of a portion of a Siskiyou County Road named Shasta Way (County Road 2M082), named by Board Resolution 86-273 on July 9, 1986. The proposed purpose of this road abandonment is so that Monte Shasta Mutual Water Company may utilize the land to install a solar array to offset electricity costs for the water pumping system that serves the subdivision's 45 residents.

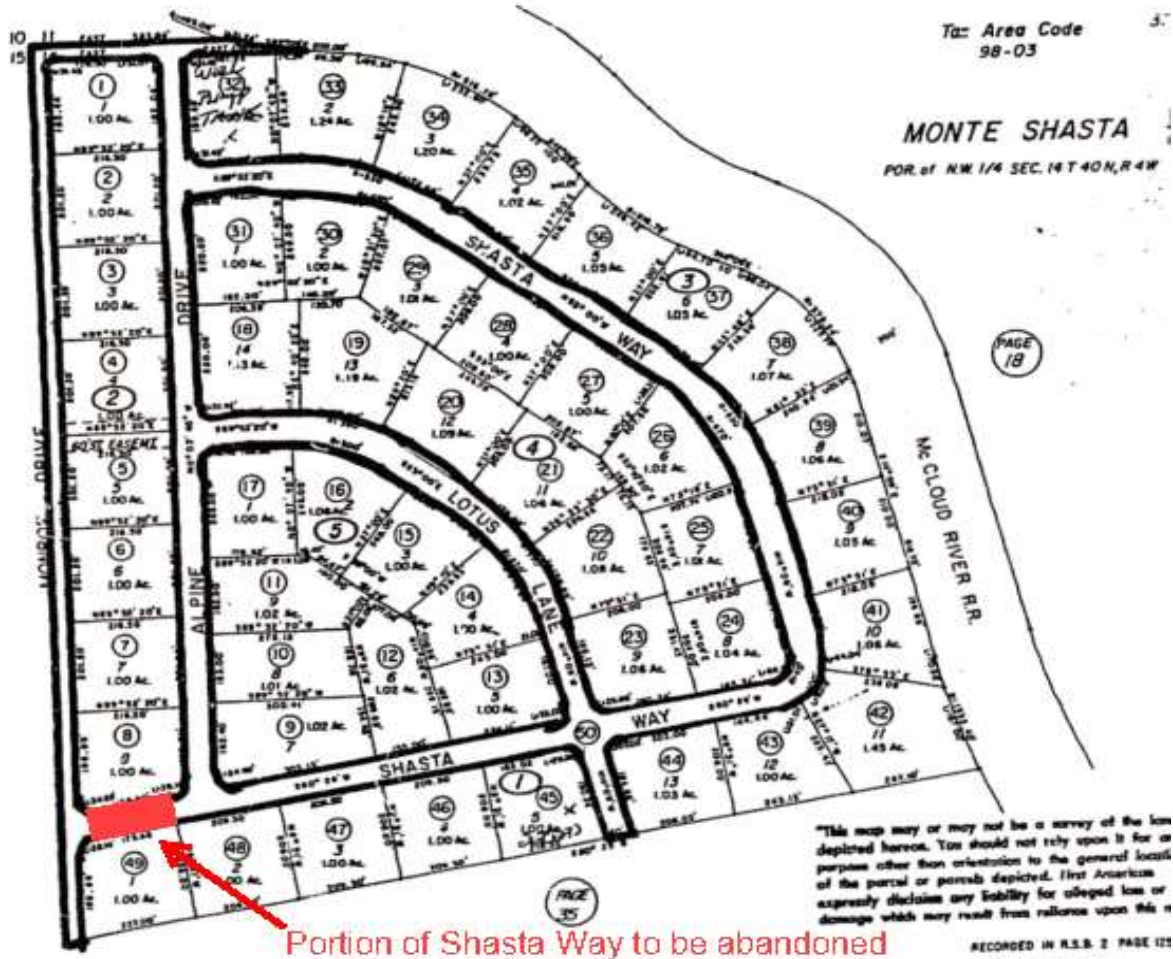
The area proposed for abandonment is an unpaved portion of road approximately 0.02 miles in length. The property was deeded to the County on July 11, 1986 (Document No. 1986-0008011). This 0.02 miles of roadway was recently dropped from the maintained mileage system on May 27, 2024, via Board of Supervisors Resolution 24-78.

Shasta Way was originally named by Board Resolution 86-273 on July 9, 1986. The road currently serves the Monte Shasta Subdivision in the community of Mount Shasta. However, this portion of road to be vacated is a dead-end road and no motorized vehicles utilize it to access adjacent properties. There is a well-used pedestrian and bicycle path entering from Shasta Way, running south along the unimproved portion of Monroe Drive, which is held via fee title along with the rest of the roads in the subdivision. The grant deed states that the portion of RSB 2, pages 125 and 125-A described as, 'Lotus Lane, Shasta Way, Alpine Drive, and a "Reserved for Future Road" strip along the Westerly subdivision boundary'. It is the 'Reserved for Future Road' that is labeled as Monroe Drive. The portion of Monroe Drive that is west of APN 037-350-020 was mapped in TMB 2 Pg 37-A as a "Monroe Drive (County Road)" with a note that states, "Reserved for Future Road", but it doesn't appear that the County ever took ownership of that portion. Instead, it was transferred from a private owner to another private owner, who is the adjacent property owner of APN 037-350-020. It is possible that that portion which is privately owned has an easement.

No above-ground utilities are present. An Underground Service Alert (USA) Utility Locate has not yet been completed. It has been indicated that the following utility companies may have underground utilities within that portion of roadway:

- AT&T Distribution- California
- Northland Cable TV- Mt. Shasta
- Pacific Power & Light Company- Yreka
- Monte Shasta Mutual Water Company- Mt. Shasta

The Siskiyou County Board of Supervisors ultimately determine whether to approve the proposed road abandonment. However, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board. Additionally, for the Board of Supervisors to approve the proposed vacation of right-of-way, specific findings are required pursuant to Sections 892 and 8324 of the California Streets and Highways Code. In order to make these findings, the Board of Supervisors must determine whether the undeveloped right-of-way is useful as a non-motorized transportation facility and whether the undeveloped right-of-way is



necessary for any present or prospective public use.

Figure 1: Project Location



Figure 2: Portion of Road to be Abandoned

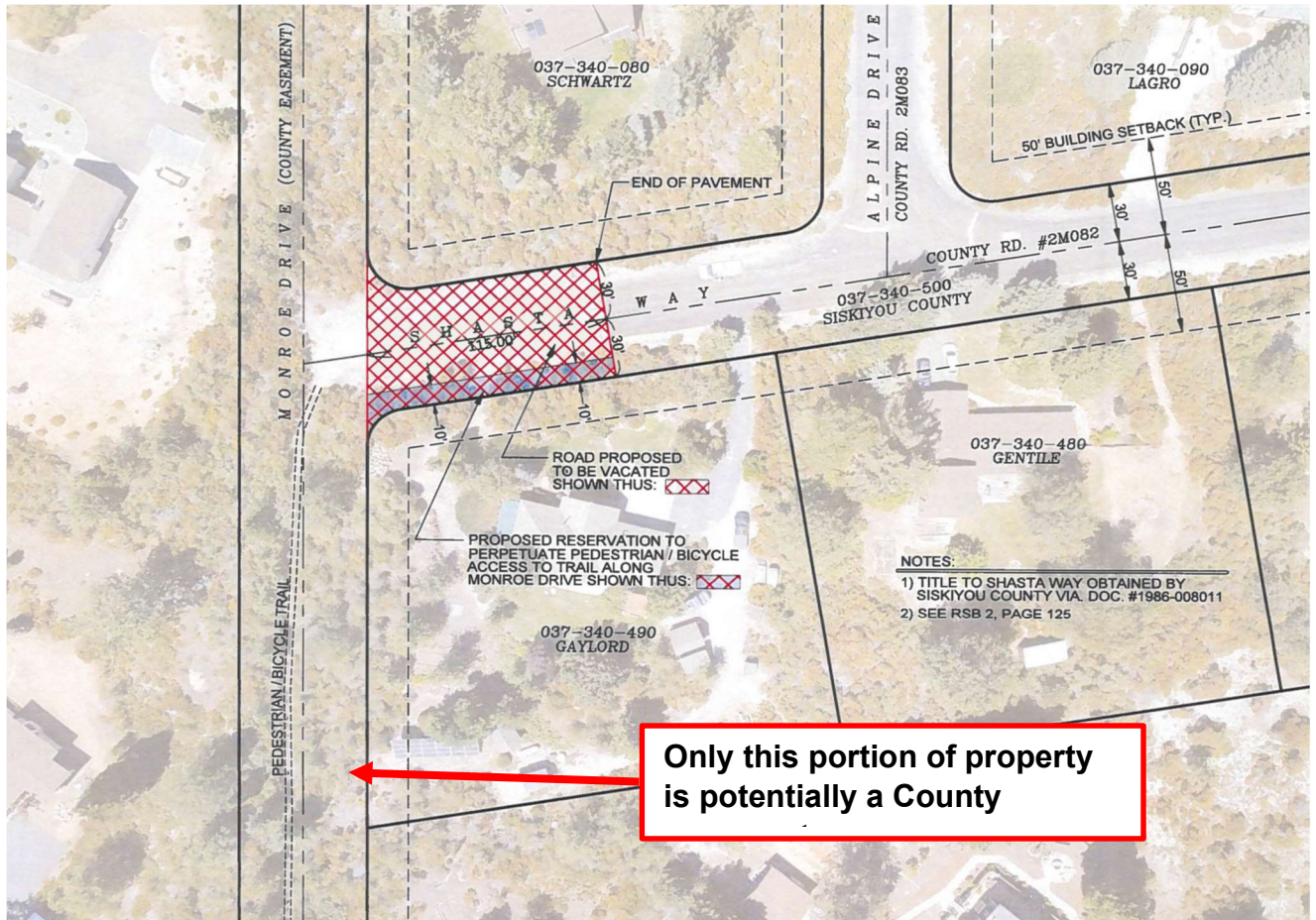


Figure 3: Exhibit Map from Public Works

Planning Commission

At the September 19, 2024, Planning Commission meeting, the Planning Commission requested that the applicant meet with the County to discuss the process for selling the area proposed to be abandoned to one of the adjacent neighbors, Mr. Gaylord Briggs. The Commission wanted to be sure that there were not going to create an undevelopable lot and that the land would be sold to one of the adjacent property owners. The other adjacent property owners, Martin and Olga Schwartz, contacted the County to let them know their opposition to this project as they are planning to build a secondary ingress/egress on Shasta Way exiting their property. The Planning Commission declined to make findings recommending the abandonment, or not, until the County had a clear proposed plan of disposing of the property.

On October 22, 2024, the County Administration Office, County Counsel, the Public Works Department, and the Planning Department met to discuss the project. Public Works voiced concerns over not having complete support from the property owners and can no longer support the road abandonment. Additionally, Public Works is not agreeable for taking away an existing right from an existing property owner to facilitate the road abandonment. Ultimately, it was decided that staff could no longer recommend the project for approval due to the neighbor opposition.

Staff now brings this project to the Board of Supervisors for direction given the considerations that are not directly within the road abandonment process, specifically neighborhood opposition. If the Board directs the project to proceed, then the project will have two major components: (1) the formal road abandonment process whereby findings have to be made as to the general plan and other findings as describe above; and (2) then enter property sale negotiations should the Board approve the abandonment (probably contingent on a property sale being finalized. If the Board does not want to proceed with road abandonment over neighborhood opposition, then staff would proceed no further and return any application fee.

Under Section 8320 of the Streets and Highways Code, the Board of Supervisors “may” initiate proceedings to vacate a public street at the request of an interested person. Staff, as discussed above, is recommending not to initiate abandonment proceedings due to neighbor opposition as detailed above. If instead the Board instructs staff to proceed with the application and should the Board eventually approve abandonment, it is anticipated that staff will recommend that a condition of the abandonment be completion of a sale of the street (probably by boundary line adjustment).

Comments

The adjacent property owner, Martin and Olga Schwartz, submitted emails detailing their opposition to the project and the main reasoning being that they plan to build an access from their property onto Shasta Way.

Recommended Motion

- Provide direction to staff on whether or not to proceed with the Shasta Road Abandonment project and commence formal road abandonment proceedings.

Attachments

- A. Resolution
- B. Planning Commission packet and draft minutes
- C. Comment from adjacent property owner Olga (and Martin) Schwartz



**Siskiyou County
Planning Commission Staff Report
September 18, 2024**

**New Business Agenda Item No. 1
Shasta Way (2M082) Road Abandonment (RA-24-01)**

Applicant: Monte Shasta Mutual Water Company

Property Owners: Siskiyou County Roads Department
1312 Fairlane Road
Yreka, CA 96097

Project Summary The applicant is requesting approval of the following:

- General Plan conformity determination regarding a proposed abandonment of a portion of Shasta Way (County Road 2M082) by Board Resolution 86-273 on July 9, 1986.

Location: The project site is located in a portion of the northwest quarter of Section 14, Township 40N, Range 4W, Section 14, M.D.M; APN: 037-340-500

General Plan: Building Foundation Limitations, Wildfire Hazard, Woodland Productivity

Zoning: Rural Residential Agricultural, one-acre minimum parcel size (R-R-B-1)

- Exhibits:**
- A. Draft Resolution PC 2024-023
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Board of Supervisors Approve the Road Abandonment (RA-24-01) – Shasta Way (2M082)
A-1. Recommended Findings
 - B. Draft Resolution PC 2024-025
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Board of Supervisors Deny the Road Abandonment (RA-24-01) – Shasta Way (2M082)
A-1. Recommended Findings
 - C. California Streets and Highway Code (Sections 8300-8362) for Road Abandonment

Background

The project is a proposed abandonment of a portion of a Siskiyou County Road named Shasta Way (County Road 2M082), named by Board Resolution 86-273 on July 9, 1986. The public hearing for this project was originally scheduled and noticed for the August 21, 2024, Planning Commission meeting, where it was continued without being heard to the September 18, 2024, Planning Commission meeting. The proposed purpose of this road abandonment is so that Monte Shasta Mutual Water Company may utilize the land to install a solar array to offset electricity costs for the water pumping system that serves the subdivision's 45 residents.

The area proposed for abandonment is an unpaved portion of road approximately 0.02 miles in length. The property was deeded to the County on July 11, 1986 (Document No. 1986-0008011). This 0.02 miles of roadway was recently dropped from the maintained mileage system on May 27, 2024, via Board of Supervisors Resolution 24-78.

Shasta Way was originally named by Board Resolution 86-273 on July 9, 1986. The road currently serves the Mont Shasta Subdivision in the community of Mount Shasta. However, this portion of road to be vacated is a dead-end road and no motorized vehicles utilize it to access adjacent properties. There is a well-used pedestrian and bicycle path entering from Shasta Way, running south along the unimproved portion of Monroe Drive, which is held via fee title along with the rest of the roads in the subdivision. The grant deed states that the portion of RSB 2, pages 125 and 125-A described as, 'Lotus Lane, Shasta Way, Alpine Drive, and a "Reserved for Future Road" strip along the Westerly subdivision boundary'. It is the 'Reserved for Future Road' that is labeled as Monroe Drive. The portion of Monroe Drive that is west of APN 037-350-020 was mapped in TMB 2 Pg 37-A as a "Monroe Drive (County Road)" with a note that states, "Reserved for Future Road", but it doesn't appear that the County ever took ownership of that portion. Instead, it was transferred from a private owner to another private owner, who is the adjacent property owner of APN 037-350-020. It is possible that that portion which is privately owned has an easement.

No above-ground utilities are present. An Underground Service Alert (USA) Utility Locate has not yet been completed. It has been indicated that the following utility companies may have underground utilities within that portion of roadway:

- AT&T Distribution- California
- Northland Cable TV- Mt. Shasta
- Pacific Power & Light Company- Yreka
- Monte Shasta Mutual Water Company- Mt. Shasta

A preliminary title report has not been provided to determine if the portion of road proposed to be vacated is encumbered by any easements of record. Given the fact that this road lies within a subdivision, private unrecorded easements likely exist.

The Siskiyou County Board of Supervisors will ultimately determine whether to approve the proposed road abandonment. However, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board. Additionally, for the Board of Supervisors to approve the proposed vacation of right-of-way, specific findings are required pursuant to Sections 892 and 8324 of the California Streets and Highways Code. In order to make these findings, the Board of Supervisors must determine whether the undeveloped right-of-way is useful as a non-motorized transportation facility and whether the undeveloped right-of-way is necessary for any present or prospective public use.



Portion of Shasta Way to be abandoned

Figure 1: Project Location



Figure 2: Portion of Road to be Abandoned

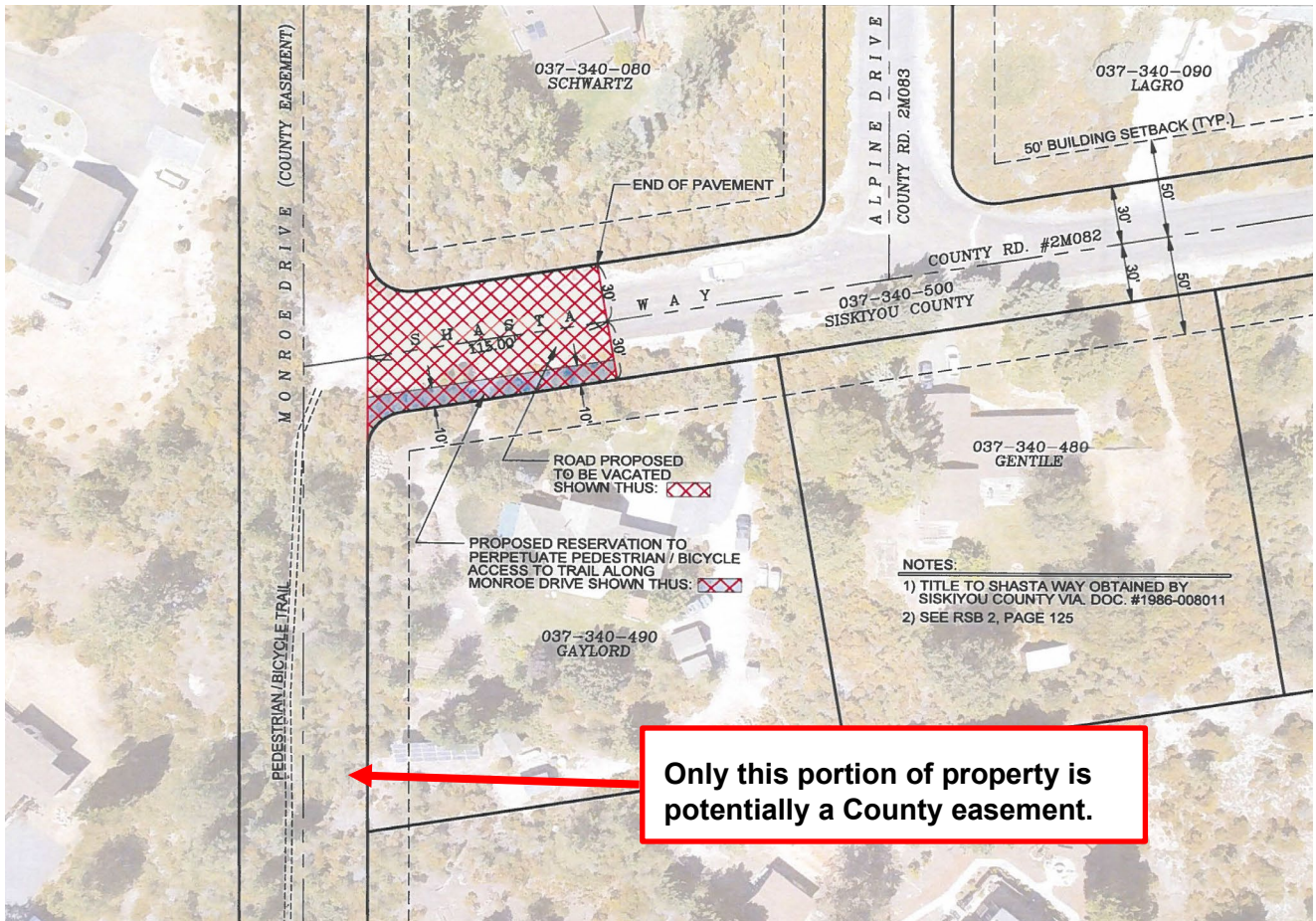


Figure 3: Exhibit Map from Public Works

Analysis

Staff has evaluated the Siskiyou County General Plan relative to the proposed road abandonment and has determined that the project does not conflict with the General Plan. However, this abandonment conflicts with the Zoning Code.

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Building Foundation Limitations, Wildfire Hazard, and Woodland Productivity. In addition, Planning staff has identified that Composite Overall Policies 41.9, and 41.18 apply to the proposed project.

In addition, staff has evaluated the proposed road abandonment relative to the findings required pursuant to California Streets and Highways Code Sections 8313 (a), 8313, and 8324 and found that the abandonment can either potentially be approved or denied, depending on how the Commission views the findings. The proposed road abandonment is useful for pedestrians and bicyclists. However, the County is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail in order to meet this finding. The Commission may view that this will be considered necessary (or unnecessary) for present or prospective use, as stated in Finding #3.

Analyzing the County's Zoning Code in relation to a road abandonment is not required. However, should the road abandonment be approved, the land associated with the abandonment will create an undevelopable lot (though, a legislative body may sell the property as provided under Streets and Highways Code Section 8356). Public Works is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail. This potential reservation would help make the required findings for bicycles and pedestrian access contained in Exhibit A-1.

The recommended findings are detailed in Exhibit A-1 attached to this staff report and are submitted for the Commission's review, consideration, and approval.

Comments

A Notice of Public Hearing was published in the Siskiyou Daily News on August 7, 2024, and mailed to property owners within 300 feet of the subject property. No public comments were received at the time this staff report was written. Additionally, pursuant to Section 8323 of the Streets and Highways Code, a Notice of Intention to Vacate and Public Hearing was posted on the road on September 3, 2024.

Siskiyou County Roads Department

The Public Works Department is waiting to determine several items, such as who will be given the portion of road to be abandoned. All these items are with County Counsel.

Environmental Review

The proposed road abandonment is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment. Because it can be seen with certainty that there is no potential for the proposed road abandonment to have a significant effect on the environment, staff is recommending the "common sense exemption" be adopted in accordance with Section 15061(b)(3) of the CEQA Guidelines. As such, the Board of Supervisors

would need to adopt the common sense exemption prior to approving the proposed Road Abandonment (RA-24-01) – Shasta Way.

The proposed CEQA exemption must be considered together with any comments received during the public review process. Further, the exemption can only be approved if the finding is made, based on the whole record before it, that there is not substantial evidence that there are unusual circumstances (including future activities) which might reasonably result in the project having a significant effect on the environment.

Planning Staff Recommendations

Adopt Resolution PC 2024-023 taking the following actions:

- Recommend the Board of Supervisors approve the proposed road abandonment (RA-24-01) based on the recommended findings; and
- Recommend the Board of Supervisors determine the project exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.

Adopt Resolution PC 2024-025 taking the following actions:

- Recommend the Board of Supervisors deny the proposed road abandonment (RA-24-01) based on the recommended findings; and
- Recommend the Board of Supervisors determine the project exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.

Preparation

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Hailey Lang, Planning Director
Siskiyou County Planning Division
806 S. Main Street
Yreka, CA 96097

Resolution PC 2024-023

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Approve the Shasta Way (2M082) Road Abandonment (RA-24-01)

Whereas, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board; and

Whereas, the County of Siskiyou wishes to vacate a certain undeveloped street, as named by the Board of Supervisors Resolution 86-273 on July 9, 1986; and

Whereas, the undeveloped right-of-way that is proposed to be vacated includes Shasta Way (2M082); and

Whereas, the Planning Division presented its oral and written staff report on the proposed Shasta Way (2M082) Road Abandonment (RA-24-01) at a regular meeting of the Planning Commission on September 18, 2024; and

Whereas, the Planning Division recommended road abandonment RA-24-01 be considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15601(b)(3) of the CEQA Guidelines because it can be seen with certainty that there would not be any significant impacts to the environment resulting from the project; and

Whereas, the Planning Division recommended approval of road abandonment RA-24-01 subject to the findings contained in Exhibit A-1 to the written staff report; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on August 7, 2024; and

Whereas, a Notice of Intention to Vacate and the Public Hearing was posted on Shasta Way pursuant to Section 8323 of the Streets and Highways Code on September 3, 2024; and

Whereas, on September 18, 2024, the Chair of the Planning Commission opened the duly noticed public hearing on road abandonment RA-24-01 to receive testimony, both oral and written, following which the Chair closed the public hearing, and the Commission discussed road abandonment RA-24-01 prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A of the written staff report; and

Be It Further Resolved that the Planning Commission recommends the Board of Supervisors adopt the "common sense exemption" from CEQA and that the Board of Supervisors approve the proposed Shasta Way (2M082) Road Abandonment (RA-24-01).

It Is Hereby Certified that the foregoing Resolution PC 2024-023 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at the regular meeting of the Siskiyou County Planning Commission held on the 18th day of September 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SISKIYOU COUNTY PLANNING COMMISSION

Jeff Fowle, Chair

WITNESS, my hand and seal this 18th day of September 2024.

Hailey Lang, Secretary of the Commission

Findings

General Plan Consistency Findings

Composite Overall Policies

Policy 41.9 - Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

The proposed roadway abandonment will not impede any developable land surrounding the road to be vacated.

Policy 41.18 – Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

Staff has reviewed all Land Use Element policies and has determined that the proposed conforms to the General Plan.

Map 3: Building Foundation Limitations

Policy 8 – Enforce building construction standards (Uniform Building Code) and public works requirements.

No building is proposed as part of this project.

Map 10: Wildfire Hazard

Policy 30 – All development proposed within a wildfire hazard area shall be designed to provide safe ingress, egress, and have an adequate water supply for fire suppression purposes in accordance with the degree of wildfire hazard.

No building is proposed as part of this project.

Map 11: Woodland Productivity

Policy 31 – The minimum parcel size shall be one acre on 0-15% slope, and 5 acres on 16-29% slope.

No new parcels are proposed to be created as part of this project.

Policy 32 – Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted. The permitted uses will not create erosion or sedimentation problems.

The permitted density will not create erosion or sedimentation problems.

Policy 33 – All land uses and densities shall be designed so as not to destroy timber productivity on large parcels of high suitability woodland soils. (Class I and II.)

No new parcels are proposed as part of this project.

California Environmental Quality Act Findings

1. Pursuant to CEQA Guidelines, Section 15061(b)(3), because there is not substantial evidence, in light of the whole record before the County, that the project would have a significant effect on the environment, this road abandonment project is exempt pursuant to the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.
2. The Planning Commission has reviewed and considered the proposed project, and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
3. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.

California Streets and Highways Code (SHC) Road Abandonment Findings

1. Road abandonment does not conflict with the General Plan (SHC Section 8313 [a]).

The proposed road abandonment meets the policies contained in the General Plan.

2. The right-of-way is not useful for pedestrians, bicyclists or equestrians (SHC Section 8314).

The proposed road abandonment is useful for pedestrians, the County is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail in order to meet this finding.

3. The road is unnecessary for present or prospective public use (SHC Section 8324).

The proposed road abandonment is unnecessary for present or prospective public use.

Resolution PC 2024-025

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Deny the Shasta Way (2M082) Road Abandonment (RA-24-01)

Whereas, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board; and

Whereas, the County of Siskiyou wishes to vacate a certain undeveloped street, as named by the Board of Supervisors Resolution 86-273 on July 9, 1986; and

Whereas, the undeveloped right-of-way that is proposed to be vacated includes Shasta Way (2M082); and

Whereas, the Planning Division presented its oral and written staff report on the proposed Shasta Way (2M082) Road Abandonment (RA-24-01) at a regular meeting of the Planning Commission on September 18, 2024; and

Whereas, the Planning Division recommended road abandonment RA-24-01 be considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15601(b)(3) of the CEQA Guidelines because it can be seen with certainty that there would not be any significant impacts to the environment resulting from the project; and

Whereas, the Planning Division recommended approval of road abandonment RA-24-01 subject to the findings contained in Exhibit A-1 to the written staff report; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on August 7, 2024; and

Whereas, a Notice of Intention to Vacate and the Public Hearing was posted on Shasta Way pursuant to Section 8323 of the Streets and Highways Code on September 3, 2024; and

Whereas, on September 18, 2024, the Chair of the Planning Commission opened the duly noticed public hearing on road abandonment RA-24-01 to receive testimony, both oral and written, following which the Chair closed the public hearing, and the Commission discussed road abandonment RA-24-01 prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A of the written staff report; and

Be It Further Resolved that the Planning Commission recommends the Board of Supervisors adopt the "common sense exemption" from CEQA and that the Board of Supervisors deny the proposed Shasta Way (2M082) Road Abandonment (RA-24-01).

It Is Hereby Certified that the foregoing Resolution PC 2024-025 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at the regular meeting of the Siskiyou County Planning Commission held on the 18th day of September 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SISKIYOU COUNTY PLANNING COMMISSION

Jeff Fowle, Chair

WITNESS, my hand and seal this 18th day of September 2024.

Hailey Lang, Secretary of the Commission

Findings

General Plan Consistency Findings

Composite Overall Policies

Policy 41.9 - Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

The proposed roadway abandonment will not impede any developable land surrounding the road to be vacated.

Policy 41.18 – Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

Staff has reviewed all Land Use Element policies and has determined that the proposed conforms to the General Plan.

Map 3: Building Foundation Limitations

Policy 8 – Enforce building construction standards (Uniform Building Code) and public works requirements.

No building is proposed as part of this project.

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No building is proposed as part of this project.

Map 11: Woodland Productivity

Policy 31 – The minimum parcel size shall be one acre on 0-15% slope, and 5 acres on 16-29% slope.

No new parcels are proposed to be created as part of this project.

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The permitted density will not create erosion or sedimentation problems.

Policy 33 – All land uses and densities shall be designed so as not to destroy timber productivity on large parcels of high suitability woodland soils. (Class I and II.)

No new parcels are proposed as part of this project.

California Environmental Quality Act Findings

1. Pursuant to CEQA Guidelines, Section 15061(b)(3), because there is not substantial evidence, in light of the whole record before the County, that the project would have a significant effect on the environment, this road abandonment project is exempt pursuant to the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.
2. The Planning Commission has reviewed and considered the proposed project, and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
3. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.

California Streets and Highways Code (SHC) Road Abandonment Findings

1. Road abandonment does not conflict with the General Plan (SHC Section 8313 [a]).

The proposed road abandonment meets the policies contained in the General Plan.

2. The right-of-way is not useful for pedestrians, bicyclists or equestrians (SHC Section 8314).

The proposed road abandonment is useful for pedestrians, the County is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail in order to meet this finding.

3. The road is unnecessary for present or prospective public use (SHC Section 8324).

The proposed road abandonment is potentially necessary for present or prospective public use.

ROAD ABANDONMENT PROCEDURES

The law governing road abandonment is located in the Public Streets, Highways, and Service Easements Vacation Law (Streets and Highways Code Sections 8300-8363). Requests for abandonment are directed to the Public Works Department, who then handle the proceedings. The standard procedure for abandoning roads is summarized as follows:

1. A report is prepared for Planning Commission review and recommendation. The Commission must report on the abandonment's conformity to the General Plan, as outlined in item 4 below. This may include inspection of Title Reports (not required), detailed maps, and a field inspection to verify the affected properties. These items are provided by Public Works. The Commission then forwards their recommendation to the Board of Supervisors (Government Code Section 65402 - Planning and Zoning Law) & (Section 8313[b]). Note: may be categorically exempt project - CEQA Section 15061(b)(3).
2. The Board of Supervisors must pass a Resolution of Intention to Vacate the road (Section 8320).
3. A Notice of Intention to Vacate and Public Hearing must be published and the road posted (Section 8322-8323).
4. A public hearing must be held to determine the following:
 - a) Road abandonment does not conflict with the General Plan (Section 8313 [a]).
 - b) The right-of-way is not useful for pedestrians, bicyclists, or equestrians (Section 8314).
 - c) The road is unnecessary for present or prospective public use (Section 8324).
5. If the Board makes all of the required findings, it may pass a resolution abandoning the road. The resolution may make the abandonment conditional (Section 8324).
6. The Board may reserve from the abandonment, an easement or right-of-way for public utilities or future rights-of-way (Section 8340).
7. The resolution is then recorded without acknowledgment.

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**Siskiyou County Planning Commission
Regular Meeting
September 18, 2024**

The Siskiyou County Planning Commission meeting of September 18, 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 Hart, Melo, Lindler, Veale and Fowle

Absent:

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

Minutes: The Clerk informed the Commission that the correct adjournment time for the August 21, 2024, Minutes should be 10:04 a.m. It was moved by Commissioner Melo, seconded by Commissioner Veale, to approve the corrected Minutes from the August 21, 2024, Planning Commission meeting with Commissioner Hart abstaining since he was absent from the August meeting.

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

Unscheduled Appearances: None

Conflict of Interest Declaration: Commissioner Lindler said she had a past business relationship with Gaylord Briggs, the project proponent for the Monte Shasta Mutual Water Company Road Abandonment project, but she has no financial conflict of interest.

Commissioner Hart asked Assistant County Counsel William Carroll whether he should recuse himself from the Use Permit Revocation project since he is a pit operator, and Mr. Carroll advised that because he does not have a direct business relationship with the McLaughlin Pit, he would not have a conflict of interest.

Presentation of Documents: The Chair instructed members of the public that were present for the meeting to provide the Commission Clerk with any documents they wanted to present to the Commission.

Availability of Public Records: The Chair referred to the Agenda and noted that public records are available upon request.

Public Hearing Protocol: The Chair advised those present at the meeting that the Public Hearing protocol is outlined in the Agenda.

Right of Appeal Statement: The Chair read the Right of Appeal Statement.

Changes to the Agenda: None

New Business:

Agenda Item 1: Monte Shasta Mutual Water Company / Siskiyou County Road Department Road Abandonment (UP-RA-01) / Categorically Exempt

General Plan conformity determination regarding a proposed abandonment of a portion of Shasta Way (County Road 2MO82) by Board Resolution 86-273 on July 9, 1986. Prior to the Board of

Supervisors considering the proposed abandonment, the Planning Commission will review the proposal in order to make a recommendation to the Board. This portion of roadway is located in a portion of the Northwest quarter of Section 14, Township 40N, Range 4W, Section 14, M.D.M; APN: 037-340-500.

**Categorically Exempt
Road Abandonment**

**Continued to a Date Uncertain
Continued to a Date Uncertain**

Staff Report:

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

Ms. Lang told the Commission that the project involved a General Plan determination for a potential roadway abandonment, and there are three findings that the Planning Commission must make.

She said the roadway being potentially abandoned is about 115 linear feet at the end of Shasta Way located in the Monte Shasta Subdivision outside the city of Mount Shasta. The project applicant's intent is to build a solar array at the location to be used by the Monte Shasta Mutual Water Company. She said Siskiyou County Public Works received the request a few years ago.

She said the Planning Commission must make the following findings, and the Planning Commission's findings will be elevated to the Board of Supervisors to make the same determinations:

1. The potential roadway abandonment conforms to the General Plan.
2. The right of way is not usable for pedestrian, bicyclists, or equestrians.
3. The road is unnecessary for present or prospective public use.

Ms. Lang said the staff report includes both an approval recommendation and a denial recommendation.

Ms. Lang told the Commission that there are no policies that conflict with the General Plan for this specific abandonment.

As far as Finding 2 is concerned, she said the easement to the west, Monroe Drive, is a County easement that people in the neighborhood use to access Shasta Way for bicycle and pedestrian use.

Ms. Lang said Finding 3, depending on interpretation, could go both ways depending on how prospective public use is defined since there is a formal County easement.

Ms. Lang told the Commission that Tom Deany, Deputy Director of Public Works, was present to answer questions.

Ms. Lang pointed out that should the roadway abandonment be recommended for approval at the Board of Supervisors level, it would create an undevelopable lot so that portion of land would have to be deeded over to one of the property owners because it might become an issue in the future. She said she believed Director Deany was on board with that.

Commission Questions:

Commissioner Veale asked if staff received any public comments, and Ms. Lang said after notice was mailed to adjacent property owners, two property owners wanted to know what the project was about but they did not submit written comments. She added that as required by the Streets and Highway code, notice was posted at the road two weeks prior to this hearing and no comments were received.

Agency Input:

Tom Deany, Director of Public Works, said before he started working for the County an encroachment was issued allowing this project to go ahead, so the water company had some cash outlay thinking they had obtained the required permission to do their project. Mr. Deany said the Planning Division rejected the project because an encroachment would not work for this type of project and that the encroachment permit should not have been issued.

However, Mr. Deany said he is in support of the project because he believes that if someone gets permission from the County to move forward, they should be able to do it as long as there is a way to surrender the property once it is given up.

Commissioner Melo asked Mr. Deany how the property would be divided, and Mr. Deany said County Counsel would help make that determination.

The Chair opened the Public Hearing.

Public Comments: None

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

Commission Questions/Discussion:

A lengthy discussion was held regarding various scenarios should the roadway be abandoned. The Commission was concerned that because the portion of Shasta Way proposing to be abandoned has access to Monroe Drive, which is a County easement, and anyone using the path would be trespassing. Ms. Lang said that Public Works is in support of establishing some sort of bicycle/pedestrian easement should the road be abandoned so that portion of the road could still be accessed.

Mr. Carroll said if the project becomes a real property deal, it would normally rest with the County Administrator's office with assistance from County Counsel, but there is currently nothing pending regarding an actual agreement or deal. He suggested that the road abandonment not be approved unless and until there is agreement to complete this project. Mr. Carroll suggested that the Planning Commission make it a condition that the road abandonment would not occur if no agreement to transfer the property is made.

Commissioner Hart pointed out that as the roadway stands now, it creates a problem for the County in case someone gets hurt. Mr. Deany agreed and said unfortunately it is an issue all over the county, and Public Works is working on getting those issues resolved.

Discussion was held that since the County does not have an official policy, the California Streets and Highways Code is the policy that has to be followed.

Discussion was held that should the subject portion of Shasta Way be abandoned by the County, it would have to be sold either to the property owner to the north or the property owner to the south who would then have to do a boundary line adjustment to absorb it into their existing property.

The Commission asked whether the subject portion of Shasta Way would have to go out for public bid if it were abandoned. Mr. Carroll said the Streets and Highways code contains a special section that provides that property owned by a public entity can go to whoever the adjoining owner is and doesn't require a public bid process. He said he did not see a legal issue with abandoning the road or an issue with disposing of the property.

Mr. Gaylord Briggs of Mount Shasta, the project applicant, asked to address the Commission. He said he owns the parcel immediately adjacent to and south of the portion of Shasta Way proposing to be abandoned, and he would be interested in acquiring that property for the benefit of the water company if that is the method the County/Planning Commission wants. Mr. Briggs said he is the treasurer of the water company, which is a mutual water company, and all the property owners in the subdivision have a share.

Mr. Briggs told the Commission that the property owners on Monroe Drive submitted a request to the County a while ago expressing interest in receiving their adjoining segment of Monroe Drive should it be abandoned. He said Monroe Drive was never developed and does not exit out to Shasta Acres or Monroe Drive and that Monroe Drive stops at the southern border of his parcel.

Discussion was held that Public Works recommended a bicycle and pedestrian easement be put in place should the road abandonment be approved because people in the neighborhood use it as a trail.

After a lengthy discussion, the Commission ultimately decided that it would be more efficient and there would be less risk of legal liability to the County to send the project back to Public Works and Planning staff to facilitate the transfer of ownership of the 115 feet of Shasta Way, proceed with the abandonment process, and then move it on to the Board of Supervisors.

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Hart, to postpone the Monte Shasta Mutual Water Company Road Abandonment project (UP-RA-01) to a date uncertain and return the project to staff, and directed the Siskiyou County Administrator to make the project a priority.

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.

2.4. McLaughlin Pit is located west of Moffett Creek and the city of Fort Jones on Light Hill Road, on APNs 024-040-220 and 024-040-320; Township 43N, Range 9W, Section 3, MDB&M (Latitude 41°36'19" N, Longitude 122°51'51" W).

The McLaughlin Pit 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 noted in the Use Permit 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 reminded the Commission that in order to clean up the County's records and officially close the files for several mines throughout the County, staff has recommended that the corresponding land use permits be officially revoked. She said because conditional land use permits run with the land and in order to properly close the file, the permit should be officially revoked. County code requires that the Planning Commission provide a recommendation of the revocation to the Board of Supervisors who will then consider and potentially adopt a resolution to officially revoke the land use permit.

Ms. Cizin told the Commission that McLaughlin Quarry land use permit (UP-82-23) was approved by the Planning Commission on August 18, 1982, mining activities ceased in 2008, and the site was deemed reclaimed in 2012. She said the use permit is no longer valid as it automatically terminated when not used for the approved purposes in excess of one year as noted on the permit.

Ms. Cizin said that in order to formalize the termination of the permit, staff recommended the Commission adopt the resolution recommending the Board of Supervisors find that UP-82-23 is no longer effective and that the Board of Supervisors revoke the use permit and determine the project exempt from CEQA pursuant to 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 Discussion: None

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC-2024-020, A Resolution of the Planning Commission of the County of Siskiyou, Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permit of McLaughlin Quarry (UP-82-23), 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.

Items for Discussion/Direction:

Ongoing Staff Update Regarding the General Plan Update

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 joint meeting with the Board of Supervisors and Planning Commission will be on October 15, 2024. The discussion will be centered around the Vision and Guiding Principles as well as the community workshop and survey results.

Miscellaneous:

- 1. Future Meetings:** The next regular meeting of the Planning Commission is scheduled for Wednesday, October 16, 2024, at 9:00 a.m.

2. Correspondence: None

3. Staff Comments: None

- 4. Commission Comments:** Brief discussions were held regarding upcoming planning projects being delayed because of the lack of accurate project descriptions, Kidder Creek Orchard Camp fared well in the Shelly Fire because the fuel load surrounding the property was reduced, and the types of events that require special event use permits.

A lengthy discussion was held regarding the County's new well permitting process.

A discussion was held regarding the County recouping the cost for repairing Horn Lane after it was damaged by the US Forest Service fire camp while responding to the Shelly and Boise fires.

Adjournment: The meeting was concluded at approximately 10:23 a.m.

Respectfully submitted,

Hailey Lang, Secretary

vjr

From: [Hailey Lang](#)
To: olouchakova@gmail.com
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: RE: request for information
Date: Wednesday, October 16, 2024 11:18:41 AM

Hello,

Monte Shasta Mutual Water Company submitted an application to abandon a portion of Shasta Way in order to place a solar array for electrification purposes. You can read the staff report of the proposed project here as well as listen to the audio of the meeting:

<https://www.co.siskiyou.ca.us/planningcommission/page/planning-commission-meeting-6>

The Planning Commission did not approve the project and asked that the applicant meet with the County to first discuss and agree upon who will take over the portion of land. No subsequent applications have been submitted. We will forward along your comment to the Planning Commission for their review. We send out letters to all property owners within a 300-foot buffer of a project that will be heard at the Planning Commission. Should this project go back to Planning Commission, you will be noticed for that project and a notice will be sent to you via the mail.

I've attached the application for your review.

Here's the attachment as a link for your review:

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Please let me know if you have any questions.

Thanks,

From: Olga Louchakova-Schwartz <olouchakova@gmail.com>
Sent: Saturday, October 12, 2024 4:00 PM
To: planning <planning@co.siskiyou.ca.us>
Cc: Olga Louchakova-Schwartz <olouchakova@gmail.com>
Subject: request for information

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How can we read the Company's application for building the panels, and how can we find information on its prior applications (which, according to our neighbors, were denied by the county)? Is there a way we may know for when the hearing is scheduled?

Thank you very much in advance

Olga (and Martin) Schwartz
313 Alpine Drive, Mount Shasta, CA 96067

--

From: [Olga Louchakova-Schwartz](#)
To: [Hailey Lang](#)
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: Re: request for information
Date: Wednesday, October 16, 2024 11:39:07 AM

This is awesome!

Thank you so much for this information, and for forwarding it to the planning commission.
I especially appreciate the notice about hearing when it will be scheduled.

Since it is going to the planning commission, I am adding a couple of more specific concerns.
In conversation with MSMWC, I was told that the panels will be placed exactly on our property line, and will be 12 ft high. This blocks the view of Eddies, and blocks our frontage. I hoped we will build an annex in the south-western corner of our property - a garage or a studio. We cannot do it if the frontage will be blocked. And most importantly, our deed has no information about any of the MSMWC plans; I spoke with our realtor - she did not hear anything like this, and the previous owner Jeff Buffington denies he had any agreement with MSMWC regarding their plans to block the frontage or use his property (!) for this construction.

Thank you again.

Olga

On Wed, Oct 16, 2024 at 11:18 AM Hailey Lang <hlang@co.siskiyou.ca.us> wrote:

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313 Alpine Drive, Mount Shasta, CA 96067

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From: [Olga Louchakova-Schwartz](#)
To: [Hailey Lang](#)
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: Re: request for information
Date: Wednesday, October 16, 2024 11:51:41 AM

Dear Ms. Lang,

In addendum,

Please check the non-profit status of MSMWC if this is the organization that is supposed to take over the ownership of the land.

I have experience of working for non-profits, and so I checked MSNWC status with the Secretary of State non-profit organizations roster. My understanding was that their information card submission was missing for many years. While this can be remediated (the company has been providing water to the neighborhood since its establishment in the 80s), if I am correct, at present their incorporation status may be delinquent, which would affect their attempts at ownership if such attempts were made. Similarly, I can't find MSMWC in the roster of tax-exempt organizations with IRS -- but IRS database is huge, and the name may simply be not showing.

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313 Alpine Drive, Mount Shasta, CA 96067

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From: [Hailey Lang](#)
To: [Olga Louchakova-Schwartz](#)
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: RE: request for information
Date: Wednesday, October 16, 2024 12:06:50 PM

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We will send this comment to Planning Commission as well.

Thanks!
Hailey

From: Olga Louchakova-Schwartz <olouchakova@gmail.com>
Sent: Wednesday, October 16, 2024 11:38 AM
To: Hailey Lang <hlang@co.siskiyou.ca.us>
Cc: William Carroll <wcarroll@co.siskiyou.ca.us>; Janine Rowe <jrowe@co.siskiyou.ca.us>
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To: [Olga Louchakova-Schwartz](#)
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: RE: request for information
Date: Wednesday, October 16, 2024 12:07:29 PM

Olga,

Noted, thank you for bringing this to our attention.

Thanks,
Hailey

From: Olga Louchakova-Schwartz <olouchakova@gmail.com>
Sent: Wednesday, October 16, 2024 11:51 AM
To: Hailey Lang <hlang@co.siskiyou.ca.us>
Cc: William Carroll <wcarroll@co.siskiyou.ca.us>; Janine Rowe <jrowe@co.siskiyou.ca.us>
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313 Alpine Drive, Mount Shasta, CA 96067

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To: [Hailey Lang](#)
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: Re: request for information
Date: Wednesday, October 16, 2024 12:15:41 PM

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Sent: Wednesday, October 16, 2024 11:38 AM
To: Hailey Lang <hlang@co.siskiyou.ca.us>
Cc: William Carroll <wcarroll@co.siskiyou.ca.us>; Janine Rowe <jrowe@co.siskiyou.ca.us>
Subject: Re: request for information

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From: Olga Louchakova-Schwartz <olouchakova@gmail.com>

Sent: Saturday, October 12, 2024 4:00 PM

To: planning <planning@co.siskiyou.ca.us>

Cc: Olga Louchakova-Schwartz <olouchakova@gmail.com>

Subject: request for information

Dear Planning Commision,

My husband and I live at 313 Alpine Drive in Mount Shasta, APN 037-340-080-000.

It came to our attention that the Monte Shasta Mutual Water Company is applying for a permit to build solar panels on the south boundary of our property, on Shasta Way. We are new owners, and learned from neighbors that the MSMWC attempts to build these solar panels have a history, and this is not the only permit they applied for.

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Thank you very much in advance

Olga (and Martin) Schwartz

313 Alpine Drive, Mount Shasta, CA 96067

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From: [Hailey Lang](#)
To: olouchakova@gmail.com
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: RE: request for information
Date: Wednesday, October 16, 2024 11:18:41 AM

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EXHIBIT D - COMMENTS

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313 Alpine Drive, Mount Shasta, CA 96067

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From: [Olga Louchakova-Schwartz](#)
To: [Hailey Lang](#)
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: Re: request for information
Date: Wednesday, October 16, 2024 11:39:07 AM

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Cc: Olga Louchakova-Schwartz <olouchakova@gmail.com>

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313 Alpine Drive, Mount Shasta, CA 96067

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From: [Olga Louchakova-Schwartz](#)
To: [Hailey Lang](#)
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: Re: request for information
Date: Wednesday, October 16, 2024 11:51:41 AM

Dear Ms. Lang,

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313 Alpine Drive, Mount Shasta, CA 96067

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From: [Hailey Lang](#)
To: [Olga Louchakova-Schwartz](#)
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: RE: request for information
Date: Wednesday, October 16, 2024 12:06:50 PM

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To: [Olga Louchakova-Schwartz](#)
Cc: [William Carroll](#); [Janine Rowe](#)
Subject: RE: request for information
Date: Wednesday, October 16, 2024 12:07:29 PM

Olga,

Noted, thank you for bringing this to our attention.

Thanks,
Hailey

From: Olga Louchakova-Schwartz <olouchakova@gmail.com>
Sent: Wednesday, October 16, 2024 11:51 AM
To: Hailey Lang <hlang@co.siskiyou.ca.us>
Cc: William Carroll <wcarroll@co.siskiyou.ca.us>; Janine Rowe <jrowe@co.siskiyou.ca.us>
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Olga (and Martin) Schwartz

313 Alpine Drive, Mount Shasta, CA 96067

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From: [Brandy Caporaso](#)
To: [planning](#)
Subject: Public Hearing Comment-Monte Shasta Mutual Water Company / Siskiyou County Road Department Road Abandonment (UP-RA-01)
Date: Sunday, February 2, 2025 4:57:56 PM

Dear Planning Commissioners,

I support the application of the abandonment of a portion of Shasta Way (County Road 2M082) that is before the commission as the proposed road cannot be used as a second ingress/egress for Monte Shasta subdivision as there is private property prohibiting the building of the road. I also support the exempt determination for CEQA.

Brandy Caporaso
529 Shasta Way
Mt. Shasta, CA 96067
530.859.0134

To: County Council Natalie Reed
Planning Hailey Lang
Public works Thomas Deany
From: Mike Gentile
116 Shasta Way
Mount Shasta, CA 96067
Re: Notice of Public Hearing, Jan 31, 2025:
County Rd. Abandonment and SOLAR FARM

Feb 8, 2025

Review of Plannings' Determinations: Comments, Observations, and Illustrations Against Approval of Shasta Way Abandonment

*[Please also review previous objections sent by email 12.16.24 to Hailey Lang and Tom Deany,
and 2.3.2025 to Ed Valenzuela].*

Our Comment: In what follows, we present excerpts from the Planning materials relevant to the decision-making of BOS to abandon the county road.

I. Paragraphs and excerpts below are cited from *Minutes of Sept 18 Planning Commission Hearing*

I-a. Excerpts from Planning Commission Staff Report

Background:

“The project is a proposed abandonment of a portion of a Siskiyou County Road named Shasta Way. The proposed purpose of this road abandonment is so that Monte Shasta Mutual Water Company may utilize the land to install a solar array to offset electricity costs for the water pumping system that serves the subdivision’s 45 residents.

The area proposed for abandonment is an unpaved portion of road approximately 0.02 mi. The road currently serves the Mont Shasta Subdivision in the community of Mount Shasta. **However, this portion of road to be vacated is a dead-end road and no motorized vehicles utilize it to access adjacent properties.** There is a well-used pedestrian and bicycle path entering from Shasta Way, running south along the unimproved portion of Monroe Drive”

Our Comment: “No motorized vehicles utilize it to access adjacent properties” statement was hidden in the background. But it is likely the first impression presented or absorbed by the Board of Supervisors. However, the more accurate statement should be: “motorized vehicles do use the road currently, but not often.

I-b. Excerpts from Planning Commission Staff Report

Staff Report:

“The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Lang. Ms. Lang told the Commission that the project involved a General Plan determination for a potential roadway abandonment, and there are three findings that the Planning Commission must make. She said the roadway being potentially abandoned is about 115 linear feet at the end of Shasta Way located in the Monte Shasta Subdivision outside the city of Mount Shasta. The project applicant’s intent is to build a solar array at the location to be used by the Monte Shasta Mutual Water Company. She said Siskiyou County Public Works received the request a few years ago. She said the Planning Commission must make the following findings, and the Planning Commission’s findings will be elevated to the Board of Supervisors to make the same determinations:

1. The potential roadway abandonment conforms to the General Plan.
2. The right of way is not usable for pedestrian, bicyclists, or equestrians.
3. The road is unnecessary for present or prospective public use.

Ms. Lang said the staff report includes both an approval recommendation and a denial recommendation. Ms. Lang told the Commission that there are no policies that conflict with the General Plan for this specific abandonment. As far as Finding 2 is concerned, she said the easement to the west, Monroe Drive, is a County easement that people in the neighborhood use to access Shasta Way for bicycle and pedestrian use. Ms. Lang said Finding 3, depending on interpretation, could go both ways depending on how prospective public use is defined since there is a formal County easement.”

Our Comment: all three findings that the planning department cited are proven to be vague or false in varying degrees up to 100% inaccurate.



Examples

On or around October 21 2024, Mr. Briggs, the applicant who termed the Shasta Way segment “un-used” in his application, used this segment for a crush stone delivery; the truck drove right through the gravel section now proposed for a solar project, and dumped crush stone to his western driveway.



Also, a snowplow recently (Feb 7) cleaned snow through the proposed easement area to the Monroe Road section on Shasta Way (i.e., the road is used).

I-c. Current or Prospective Uses

The following is from hand written application by MSMWC /Gaylord



Siskiyou County Planning Division

808 South Main Street Yreka, California 96097
Phone (530) 841-2100 Fax: (530) 841-4076
[Siskiyou County Planning Division](http://www.siskiyoucountyplanning.com)

1

Application for Development Review

Application No(s): 110-34-10 Date Filed: RECEIVED MAY 20 2024
(the above is completed by staff)

General Data Required

Name of Applicant (Please Print) Monte Shasta Mutual Water Company (MSMWC)
Address or Location of Property: North of and adjacent to 108 Shasta Way, Mt Shasta, CA 96004
Assessor's Parcel Number(s) 037-340-000
Site Area (acres/sq. ft.): 60' x 150' - 9000 sq ft
Current Zoning: Rural Residential Agriculture
Proposed Zoning: _____
Under Williamson Act Contract? Yes No
Existing Use of Property: _____
Property Owners / Homeowners Association (Name, Address, Contact Person, Telephone / Email):

Siskiyou County Road Department - 1712 Fairlane Road, Suite 2, Yreka, CA 96097

Description of Proposal: vacating of an unused segment of Candy Road 2 MOAB - Shasta Way, to facilitate the installation of a ground mount PV solar array. The facility consists of 75-80 PV solar panels, support and mounting structure, attendant electrical devices and connections and security fencing. For the benefit of MSMWC and its 95 members.
(continue on separate sheet if necessary)

Applicant Information

Applicant In signing this application, I, as applicant, represent to have obtained

Example of Prospective and Current Uses

From: Olga Louchakova-Schwartz <olouchakova@gmail.com>
Sent: Saturday, October 12, 2024 4:00 PM
To: planning <planning@co.siskiyou.ca.us>
Cc: Olga Louchakova-Schwartz <olouchakova@gmail.com>
Subject: request for information

Dear Planning Commission,

My husband and I live at 313 Alpine Drive in Mount Shasta, APN 037-340-080-000.

It came to our attention that the Monte Shasta Mutual Water Company is applying for a permit to build solar panels on the south boundary of our property, on Shasta Way. We are new owners, and learned from neighbors that the MSMWC attempts to build these solar panels have a history, and this is not the only permit they applied for.

We are concerned because we hope to build a second exit (as a fire exit), from our property onto Shasta Way, which the solar panels would be blocking. At present, we have only one driveway, which makes it difficult to exit in the case of fire. We are also concerned by the obstruction of the view, and possible loss of the value of our property. We did not know about MSMWC and their plans at the time of purchase.

How can we read the Company's application for building the panels, and how can we find information on its prior applications (which, according to our neighbors, were denied by the county)? Is there a way we may know for when the hearing is scheduled? [there was no information from MSMWC on their plans, and no information from the County]

Thank you very much in advance

Olga (and Martin) Schwartz
313 Alpine Drive, Mount Shasta, CA 96067

Our Comment: The Schwartz's have an encroachment permit for a driveway which the solar panels would block and negatively affect a future ADU or other legally permitted structure(s).

Analysis

“Staff has evaluated the Siskiyou County General Plan relative to the proposed road abandonment and has determined that the project does not conflict with the General Plan.

However, this abandonment conflicts with the Zoning Code.

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Building Foundation Limitations, **Wildfire Hazard**, and Woodland Productivity. In addition, Planning staff has identified that Composite Overall Policies 41.9, and 41.18 apply to the proposed project.

In addition, staff has evaluated the proposed road abandonment relative to the findings required pursuant to California Streets and Highways Code Sections 8313 (a), 8313, and 8324 and found that the abandonment can either potentially be approved or denied, depending on how the Commission views the findings.

The proposed road abandonment is useful for pedestrians and bicyclists. However, the County is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail in order to meet this finding. The Commission may view that this will be considered necessary (or unnecessary) for present or prospective use, as stated in Finding #3...

Analyzing the County's Zoning Code in relation to a road abandonment is not required. However, should the road abandonment be approved, the land associated with the abandonment will create an undevelopable lot (though, a legislative body may sell the property as provided under Streets and Highways Code Section 8356). Public Works is proposing for a portion of the easement to be reserved for bicycles and pedestrians to preserve access to a nearby trail. This potential reservation would help make the required findings for bicycles and pedestrian access

Ms. Lang also said the Planning Commission must make the findings, and the Planning Commission's findings will be elevated to the Board of Supervisors to make the same determinations:

1. The potential roadway abandonment conforms to the General Plan.
Right of way is not usable for pedestrian, bicyclists, or equestrians.
3. The road is unnecessary for present or prospective public use.

Ms. Lang said the staff report includes both an approval recommendation and a denial recommendation. Ms. Lang told the Commission that there are no policies that conflict with the General Plan for this specific abandonment. As far as Finding 2 is concerned, she said the easement to the west, Monroe Drive, is a County easement that people in the neighborhood use to access Shasta Way for bicycle and pedestrian use.

Ms. Lang said Finding 3, depending on interpretation, could go both ways depending on how prospective public use is defined since there is a formal County easement.

Ms. Lang told the Commission that Tom Deany, Deputy Director of Public Works, was present to answer questions.

Ms. Lang pointed out that should the roadway abandonment be recommended for approval at the Board of Supervisors level, it would create an undevelopable lot so that portion of land would have to be deeded over to one of the property owners because it might become an issue in the future.”

Our comment: States above (in first red above) “conflicts with zoning code but not the general plan”. This is unlikely because they are coordinated: preserve and enhance the beautiful, most cherished characteristics loved by its residents. I read many of the 2050 general plan comments and wishes by our fellow residents. Please see *Discovering Siskiyou* website and the website for the Chamber of Commerce of Mt. Shasta.

In regards to preserving a bicycle path etc., this is an easily solved, incongruent distraction. This is irrelevant to the hundreds of feet, both sides of frontage of 108 Shasta way and 313 Alpine Dr, in which both have numerous possibilities for present or prospective use!

In two places Ms. Lang referred to undevelopable lot with no requirement to analyzing the county’s zoning code--which seems to conflict with the general plan itself. Specifically, how would one know without analyzing in depth, if the solar farm can be built within the residential zoning code and bylaws, or if any of such bylaws for solar farms exist? **Or should exist!** The second reference to undevelopable lot ends with it might become an issue in the future? **It obvious it is an issue right now!**

The abandonment area, as proposed, creates a substantially non-developable, under-sized (9000 sq ft.) parcel. It is twelve times less than parcels on Monroe Way (the public who will have their rear yard land area in view, and very close proximity, to the panels (see satellite with 2.5 acre 108,900 sq ft low density zoning). And, it is ~ five times less than Shasta Way with 1 acre 43560 sq ft low density zoning.

So, per Ms. Lang, “**portion of land would have to be deeded over to one of the property owners**”, or split between two adjacent property owner. In order to compensate for this gross non-conformance, abandonment will have to be split into 2 lots of 1.1, or 1 lot will have 1.2 acres.

108 Shasta Way, one acre residential property (Is there a zoning bylaw?), is adding 75-80 panels to the existing count. So it amounts to ~ 100 panels sited on 108 Shasta Way, in a once desirable single family residential zone. Interpreted by lenders and insurance underwriters, this use, may influence conventional financing and/or raise insurance premiums.

California general plan and green initiative is primarily for **new residential homes to have their OWN panels** on their own legal conforming lot. Providing electricity cost mitigation for the individual dwelling on its lot. Common sense!

My individual home total annual electric bill, if on my own solar panels, is approximately 700%-1000% more savings than this proposed installation can provide.

In contrast, the Shasta Way solar project, in essence a solar farm, will be servicing just a minor, very partial percent of monthly electricity for the 45 homes (and growing total) and their gross growing 12 month electricity usage.

The project has one-dimensionality, (no leverage: servicing use of the communities well pumps only), seasonally skewed and ultimately inefficient. **In contrast, a home with all its electricity on the panels gets the added benefit of a 2035 mandatory electric home charge.** This is not a net positive for the general plan and carbon emissions!—and all in the middle of a beautiful county road.

This solar farm is not a benefit for the members, or public, but an obvious incurable external obsolescence.

IV. What is exactly this 100 panel solar farm?

Our Comment: What exactly is ~100 panels on a 1+ acre lot in a residential neighborhood? Certainly doesn't comply with any Siskiyou County general plan.

What precedent does it set for the downtown Dunsmuir, McCloud, and Mount Shasta ?

Will someone put 80 or 144 panels in their back or front yard and sell electricity to their neighbors?

If one carefully reads excerpts from the planning, they are far from an endorsement of the project. In fact, they are quite the opposite.

On Tue, Oct 22, 2024 at 4:43 PM Hailey Lang <hlang@co.siskiyou.ca.us> wrote:

<<<Hi, Olga.

I wanted to provide a quick update to you. Based on your concerns and opposition to the project based on not being able to build a secondary access driveway should the solar array be placed:

the County will be formally recommending this project be denied at the Board of Supervisors meeting (either the 3rd or 18th of December meeting). Public Works cannot recommend this for approval as now there is not full consensus of the neighbors of the street. Likewise, the Planning Department would have a hard time recommending this project for approval as other County departments have issues as well as the most adjacent residents of this project (which would be your parcel and Mr. Brigg's parcel). Please let me know if you have any questions.

Thanks,

Hailey>>>>

V. Conformity with the General Plan

V.-a. Excerpts from Siskiyou County General Plan

LAND USE POLICIES

- c. All heavy commercial and heavy industrial uses should be located away from areas clearly committed to residential uses.
- d. All heavy, non-agriculturally related commercial and industrial uses should be located away from areas clearly committed to agricultural uses.
- e. All proposed uses of the land shall be clearly compatible with the surrounding and planned uses of the area.
- f. All proposed uses of the land may only be allowed if they clearly will not be disruptive or destroy the intent of protecting each mapped resource.
- g. Existing or planned industrial areas shall not be developed in a manner that will destroy industrial potential.

Policy 41.6.

All development will be designed so that every proposed use and every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, fire hazard or any other resource or environmentally related problems.

The project doesn't conform with the conformity aspect the General Plan either. Specifically, it doesn't conform to a required separation of commercial from residential uses etc.

Example: Item (g) above in Siskiyou County General Plan (not to be overlooked if you substitute residential for industrial it's quite *apropos*).

Conforming, i.e., conformity homogeneous land usage is critical: crucial in procuring and reaching the goals of the General Plan.

These same principles in real estate terms are of the utmost significance in maintaining a home and/or neighborhood's stability, status and of course value.

VI. Conclusion and the Proposed Course of Action

The panels should be reduced in number and placed at 108 Shasta Way, Gaylord Briggs private rear yard as he first researched and intended. There would be no need for security fencing or electrical extension.

Along with the already existing panels near the wells and pumps on 108 Shasta Way, the size of the new installation should be correlated to its peak seasonal productivity, without wasting the excess of electricity. This would drive down the size and cost of installation.

Thank you for your time, consideration, objectivity from All of the Siskiyou County citizens!

Mike Gentile

OSL
MS

Draft Feb 12, 2025

**To: Hailey Lang
Ed Valenzuela
Secretary
Tom Deany**

**From: Olga Louchakova-Schwartz
Martin Schwartz
313 Alpine Dr., Mount Shasta, CA 96067**

Re: Planning Department Notice of Meeting Feb 19 2025
Abandonment of Monroe Road and South Section of Shasta Way, and Construction of the Solar Farm

Fire-Related, Environmental, and Individual Property Rights Risks, with a Limited Analysis of Sustainability

In this letter, we bring up the objections against the location and size of the proposed solar farm on the boundary of our property on the county road. First, reliability during power outages in our local water supply system depends not on the surplus of electricity but on the surplus of the water in the storage tanks. Second, reduction of the costs needs to be optimized by sizing down the installation in order not to pay for the excessive amount of panels which give the excess electricity that will be going to waste. The public impact of the installation in its proposed size and placement acts against its alleged public benefit by blocking the emergency fire exit, by obstructing views, and by the risks to the environment; it also turns county road into an undersized lot with the excess of density in use of land, and blocks our frontage. We are requesting the reduced-size installation to be placed in the lot which was originally assigned to host the equipment of the Monte Shasta Mutual Company: on 108 Shasta Way.

I. Excerpts from the County Materials



Siskiyou County Planning Division

806 South Main Street Yreka, California 96097
Phone (530) 841-2100 Fax (530) 841-4076

[Siskiyou County Planning Division](http://www.siskiyoucountyplanning.com)

1

Application for Development Review

Application No(s): UD-24-10 Date Filed: RECEIVED MAY 20 2024
(the above is completed by staff)

General Data Required

Name of Applicant (Please Print) Mount Shasta Mutual Water Company (MSMWC)
Address or Location of Property: North of and adjacent to 108 Shasta Way, Mt Shasta, CA 96041
Assessor's Parcel Number(s): 077-740-500
Site Area (acres/sq. ft.): 60' x 150' - 9000 sq ft
Current Zoning: Rural Residential Agriculture
Proposed Zoning: _____
Under Williamson Act Contract? Yes No
Existing Use of Property: _____
Property Owners / Homeowners Association (Name, Address, Contact Person, Telephone / Email):

Siskiyou County Road Department - 1718 Fairlane Road, Suite 2, Yreka, CA 96097

Description of Proposal: Vacating of an un-used segment of County Road 2MOB2 - Shasta Way, to facilitate the installation of a ground mount PV solar array. The facility consists of 75-80 PV solar panels, support and mounting structure, attendant electrical devices and connections and security fencing. For the benefit of MSMWC and its 45 members.
(continue on separate sheet if necessary)

Applicant Information

Applicant In signing this application, I, as applicant, represent to have obtained

fee title along with the rest of the roads in the subdivision. The grant deed states that the portion of RSB 2, pages 125 and 125-A described as, 'Lotus Lane, Shasta Way, Alpine Drive, and a "Reserved for Future Road" strip along the Westerly subdivision boundary. It is the 'Reserved for Future Road' that is labeled the Monroe Drive [Important fire exit. see II-b]."

Planning Commission Staff Report, September 18, 2024

"Shasta Way was originally named by Board Resolution 86-273 on July 9, 1986. **The road currently serves the Mont Shasta Subdivision in the community of Mount Shasta.**

However, this portion of road to be vacated is a dead-end road and no motorized vehicles utilize it to access adjacent

properties.[Incorrect! see II-a] There is a well-used pedestrian and bicycle path entering from Shasta Way, running south along the unimproved portion of Monroe Drive, which is held via

II. The Current Uses of the Western Section of Shasta Way

II-a. The uses by the individual owners of 313 Alpine Drive.

On Tue, Oct 22, 2024 at 4:43 PM Hailey Lang <hlang@co.siskiyou.ca.us> wrote:

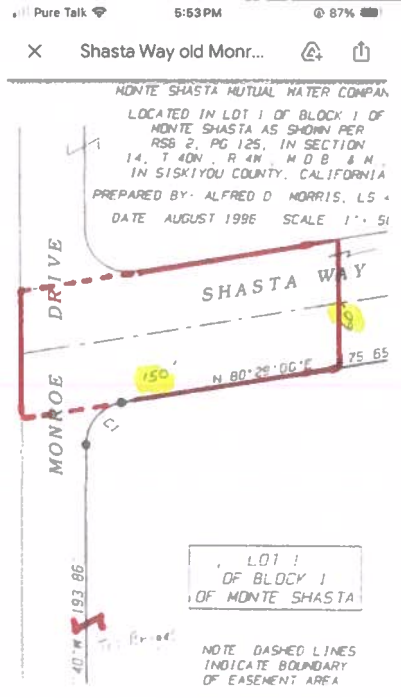
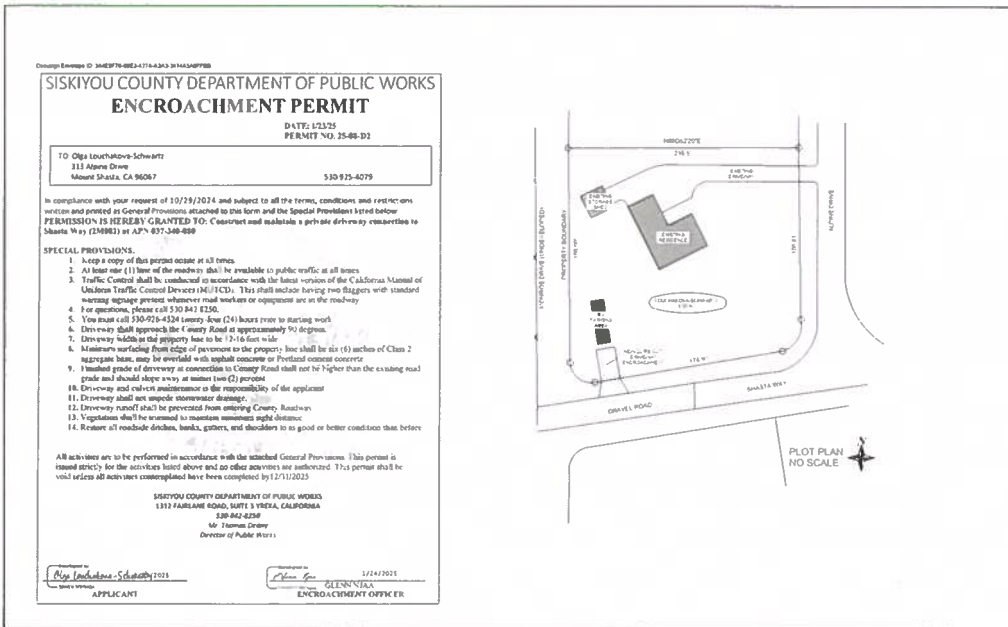
Hi, Olga,

I wanted to provide a quick update to you. Based on your concerns and opposition to the project based on not being able to build a secondary access driveway should the solar array be placed: the County will be formally recommending this project be denied at the Board of Supervisors meeting (either the 3rd or 18th of December meeting). Public Works cannot recommend this for approval as now there is not full consensus of the neighbors of the street. Likewise, the Planning Department would have a hard time recommending this project for approval as

other County departments have issues as well as the most adjacent residents of this project (which would be your parcel and Mr. Briggs's parcel). Please let me know if you have any questions

Thanks,

Hailey



Our Comments: We notified Mr. Briggs about our plans in 2022, but he conveniently omitted to mention this to the County.

We have already started preparation for building the driveway by clearing manzanita and setting up a connected fence. We further plan to build an ADU in the south-western corner of our property. It is the only location suitable because of the location of our septic tank.

Should the abandonment move forth despite objections, we want to purchase the abandoned land, whether all of it or half of it, as is suggested by law. Depending on the conditions of the purchase, we plan to grant the County an easement to turn this section into a fire egress.

II-b. The Public Uses of the "Reserved for future road" Monroe Drive: EMERGENCY FIRE EXIT



On Feb, 2025, on CNN, Governor Newsom emphasized the need for infrastructure to have both fire ingress and egress. **Since the County plans abandoning Monroe Road, which can serve to separate ingress from egress, and make a second emergency fire exit, we filed a complaint with the State Fire Marshal.**

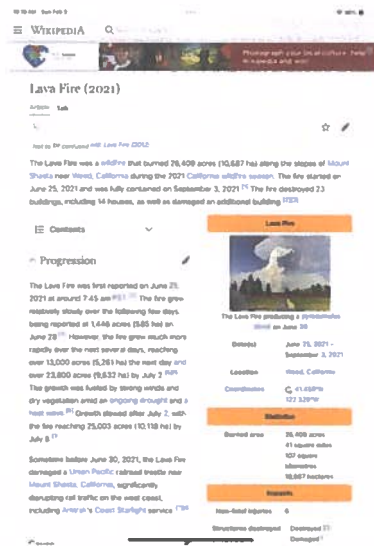
7 10 20 PM 404 N. Mt. Shasta Blvd
Mt. Shasta CA 96067
(530) 926-2520 • Fax (530) 926-1830 • pages@nctv.com

TO: NAME *Offices of the State Fire Marshall*
ADDRESS *710 Riverpoint Court*
CITY STATE ZIP *West Sacramento CA 95605-7689*
PHONE *916-568-3800*

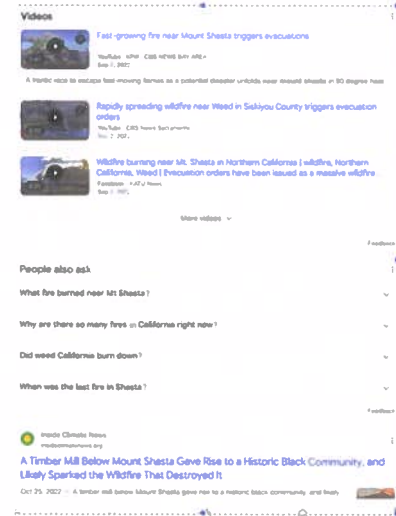
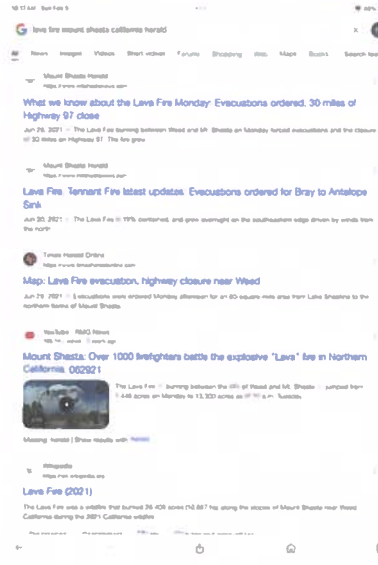
DO NOT FORWARD
In case of damage save all packing materials and call nearest UPS office.

FROM: NAME *Olga Kouchakov - Schwartz*

2021 Fire



2022 Fire



We live in a growing community, now 45 households, projected to be around 100 households. According to the forestry maps, we are in the highest fire danger area, and we are close to the 2021, 2022 fires in Weed.

We hope that the County BOS will pay attention to the fire issue, stops the plans of abandoning Monroe Road, and clears Monroe Road from manzanita to give us the second fire emergency exit and separate the ingress from egress.



Due to the shape of the development of our subdivision (Fig 1., our parcel map and the corresponding Google map), we have only the single fire egress/ingress combined, via Lotus Lane.

The northern end of Alpine Drive has no exit, is overgrown, and is not drivable for even 4-wheel drive passenger vehicles. Therefore, sections of **Monroe Road west of Alpine Drive properties have no relevance for fire egress and have to be dedeed back to owners of corresponding properties.** The only egress via the section of Lotus Lane near parcel 44 (212 Lotus Lane) can quickly turn into a bottleneck. In case of fire coming from the east, it can become easily blocked, turning our location into a death-trap.



Fig. 1 A fire coming from the east will block the only emergency fire exit, which now serves as ingress and egress combined.

Monroe Road is a natural solution to the problem. The width of this road, 30', would let through both passenger vehicles and fire engines. ("The minimum width requirement for fire apparatus access roads is generally **20 feet (6096 mm)** to ensure an unobstructed access for emergency vehicles."). Parcel 49 (108 Shasta Way) contains 2 community wells which would be accessible to the fire engines via this road. However, Siskiyou County Board of Supervisors (BOS) excluded maintenance of this road from its plans. Instead, BOS plans the abandonment of this road in favor of an unnecessary solar farm (see section III below on the absence of public benefit, and section IV on added fire hazard). Installing 9600 sq. feet of solar

panels in the middle of a residential neighborhood would block the separation of the ingress and the egress, and block fire engine access to the community wells at 108 Shasta Way.

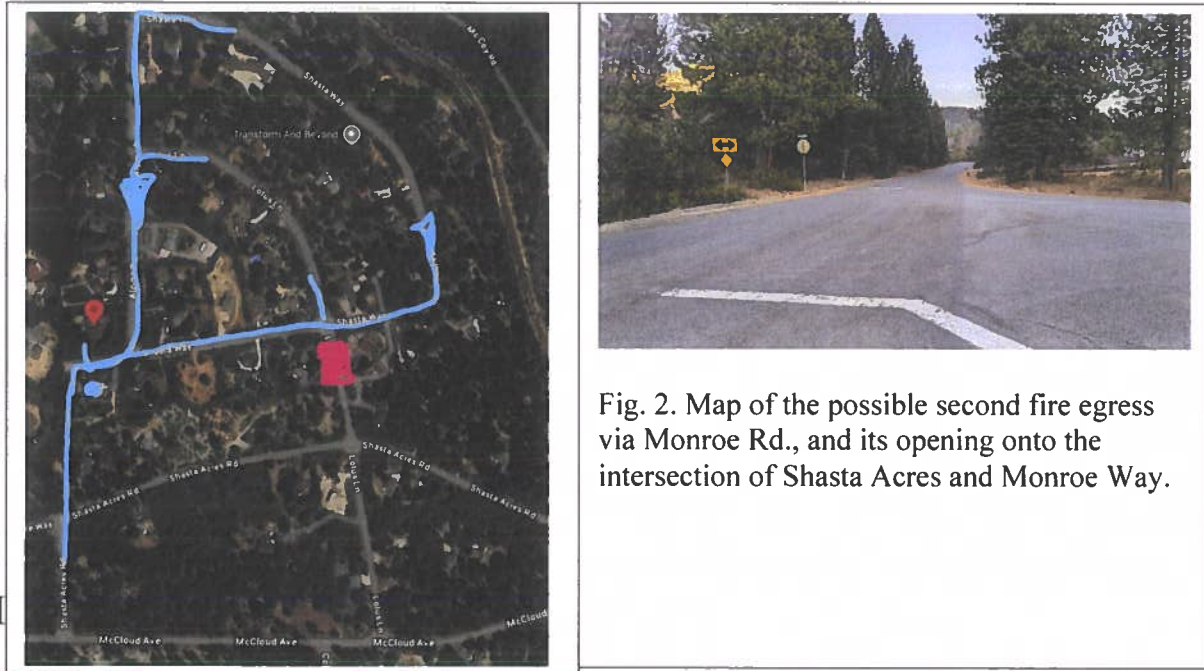


Fig. 2. Map of the possible second fire egress via Monroe Rd., and its opening onto the intersection of Shasta Acres and Monroe Way.

III-a. Excerpts from interior communications with the Monte Shasta Mutual Water Company regarding **the financing of the project**

Emails: Olga Louchakova-Schwartz <olouchakova@gmail.com>

Mon, Sep 30, 2024,
11:16 AM

to Mike [Bradley]

Mike,

I am writing out of the concern for the water company.

It looks like an investment project for a couple of members. However, we are the membership organization, and there needs to be a full financial disclosure.

Olga

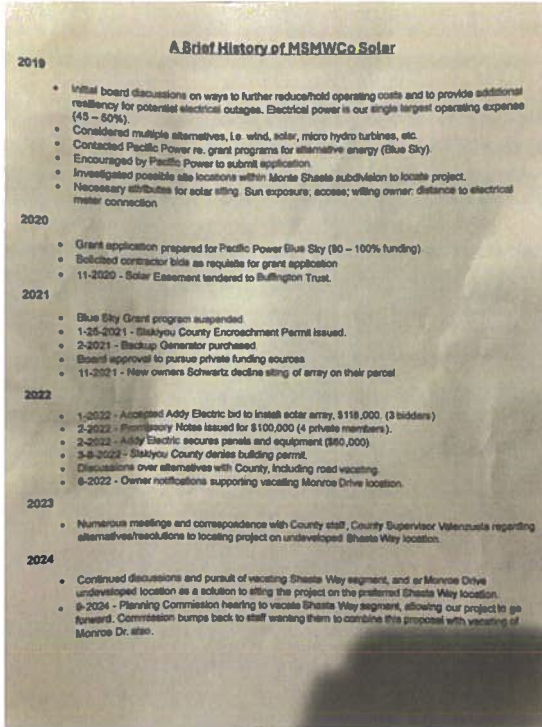
On Mon, Sep 30, 2024 at 7:23 AM Mike Bradley <fogrots@gmail.com> wrote:

We will discuss the solar panel project at the annual meeting. **As for the financing, a few of the members have loaned the money necessary for the project and will be paid back in time.**

Thank you,

Mike

On Sep 29, 2024, at 1:23 PM, Olga Louchakova-Schwartz <olouchakova@gmail.com> wrote:
 Dear Mike,
 I thought I'd better ask you in advance of the meeting: how are we paying for these panels?
 Thanks in advance
 Olga



Our Comments: Against what Mr. Briggs claims, no easement was ever tendered to Buffington Trust, no agreement of any kind signed or discussed. The prior owners of 313 Alpine Dr. never agreed on solar project.

Notice the amount of the loan (second line, 2022), **\$100,000** to be issued with the interest of 3% (from personal communications with members, 2022-2023)

During the payback period of the loan, there will be no offset of electricity costs for the residents. There would be if the project were to be built on a grant. But the solar farm is funded by a loan of **\$100,000**.

According to the report of Mr. Briggs at the 2023 annual meeting, the annual saving from the panels

are \$9000. This annual savings total will be used to pay back the loan. The monthly payments will be \$9000:12=\$750. See below the mortgage calculator for this approx. amount, as an example only showing tendency (do not have data for exact calculations)

Calculate payments

Mortgage amount \$:

Years to repay:

% Interest rate:

Results

Monthly repayment
\$ 656

If rates rise to 5% (1) It's
\$ 758

Total repayment
\$ 126,035

Total interest
\$ 26,035

1. If you have a variable rate mortgage consider possible future increases in the rate, as that will increase your repayment. This shows your repayment if rates increase by 2%.

Chart: Interest vs Mortgage

Category	Percentage
Mortgage	79.3%
Interest	20.7%

Interesting Fact
 Over the lifetime of this mortgage **20.7%** of the payments made will be paying off interest only.

By the time the loan is paid back (approx 16 years?), the solar panels will lose 30%-50% of their capacity. In 25 years, solar trash will need be removed.



Fig. 3.

▲ → Payout of the \$100,000 loan vs. the declining value of the panels

According to the Water Master (MSMWC Board meeting Jan 6), a need for the new water tank (the company has two of them) will come upfront in 10 years or so. The const of the tank is several hundred thousand \$. The savings for the members from the solar panel installation after payback of the loan will amount only to \$200 per year per household ($\$9000:45:12 = \$16,6$ monthly), which is completely insufficient to buy a new tank. And, just on Feb 8, Mr. Bradley (President of MSMWC) sent out an email saying:

1. " The large tank is in excellent condition and has at least 30+ years or more of safe, usable life left.
2. Solar panels have a reliable life span of 30+years and more if properly taken care of."

An open evaluation of 6-year-old solar farm project by the community did not take place; members did not vote on paying back to the anonymous investors out of the water fees; based on the information we have, a large scale constellation of the solar cells (as opposed to distributed placement of smaller unities on neighbor properties) is neither feasible not sustainable for the MSMWC, and has undisclosed conflicts with public benefit. We hope BOS of Siskiyou County requests the planning records from MSMWC, and gets some realistic evaluation going. **In case the project is allowed to proceed without the external feasibility and sustainability review, we will escalate the issue.**

III-b. Environmental Review

The notice of public hearing from Jan 31, 2025 states:

"It is anticipated that the proposed road abandonment will be determined to be exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines under the 'general rule' that CEQA only applies to projects which have the potential for causing a significant effect on the environment".

Our Comment: The massive, widely known, and difficult to mitigate significant effect of solar farms on the environment consists in **the change of hydrolic processes in the soil by runoffs.**

The climate, in which rainstorms progressively replace the snowfall, makes the erosion of the Mt. Shasta slope even more likely.

Below are the excerpts from various Internet sources.

Solar Panel Runoff Calculator

There are several calculators available for estimating stormwater runoff from solar panel installations. The Minnesota Pollution Control Agency (MPCA) provides a Solar Panel Calculator that helps project proponents estimate the hydrologic impacts of installing solar PV panels. This calculator uses detailed instructions for estimating the water quality volume required for stormwater management at solar PV facilities.



Additionally, the PV-SMaRT Solar Farm Runoff Calculator, developed by the

the solar revolution has proven overall a boon for the environment, offsetting millions of carbon dioxide emissions by replacing coal, oil, and natural gas for electric generation, one issue posed is stormwater management. In this article, we will discuss projects we've worked illustrate some of the challenges and solutions associated with the stormwater management of array developments both during and after the construction phase. At the high level, the main stormwater issue associated with solar arrays is the concentrated runoff of stormwater at the solar panel drip line, which can act like un-guttered roofs that channelize and accelerate stormwater flow. Instead of traveling as sheet flow across a fallow field, landfill, or macadamized parking area, stormwater now lands on the surface in channelized runoff that must be carefully managed to prevent soil scouring, erosion, and contamination and prevent stormwater management systems from becoming overwhelmed with excessive runoff flow and sediment accumulation.



- ⊕ BMPs
- ⊕ Compliance-
- ⊕ Erosion Control-
- ⊕ Green Infrastructure-
- ⊕ Program Management-
- ⊕ Sediment Control-
- ⊕ Slope Stabilization-
- ⊕ Vegetation Management-

[View All Companies](#)

<https://www.psu.edu/news/research/story/solar-farms-stormwater-controls-mitigate-runoff-erosion-study-finds>

Water Resources Research

Research Article  Open Access   

Effect of Solar Farms on Soil Erosion in Hilly Environments: A Modeling Study From the Perspective of Hydrological Connectivity

Hu Liu  Chuandong Wu Yang Yu, Wenzhi Zhao Jintao Liu, Hailong Yu, Yanli Zhuang, Omer Yetemen

First published 12 December 2023 | <https://doi.org/10.1029/2023WR035067>

Hu Liu and Chuandong Wu contributed equally to this work.

SECTIONS

 PDF  TOOLS  SHARE

Abstract

Hydrological connectivity (HC) is a useful framework for understanding hydrological responses to landscape changes. We present herein a novel model (SOFAR) for utility-scale solar farms (USFs), combining modules of soil moisture dynamics, roof effects of photovoltaic panels (PVs), vegetation growth and landform evolution. By augmenting the model with a DEM-based HC index, we investigate hydrological behaviors following the construction of a USF in China's Loess Hilly Region. Nine scenarios are designed, to explore the effects of co-evolving ecohydrology and landscape on soil erosion and HC in USFs deployed in different climates and terrains, by altering the annual precipitation, rainfall frequency, and ground slope. Our results show that the USF considerably increased runoff (99.18%–154.26%) during its operational period, and soil erosion rate (21.4%–74.84% and 25.35%–76.18%) and HC (0.08%–0.26% and 0.47%–0.91%) throughout construction and operational periods, respectively. The highest erosion rates were detected in the PV installation zones and in the areas close to the river channel. We prove the hypothesis that HC is a critical indicator for sediment yield in a USF, and thus the long-term responses of soil erosion to USF installation and development can be explained in terms of HC. We conclude that USFs may increase soil erosion, mainly by



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December 2023
e2023WR035067

 Figures  References  Related  Information

Recommended

[Modeling Soil Erosion With Evolving Rills on Hillslopes](#)

Songbai Wu, Li Chen

Water Resources Research

[Modulation of headcut soil erosion in rills due to upstream sediment loads](#)

Robert R. Wells, Sean J. Bennett, Carlos V. Alonso

Water Resources Research

[Modeling erosion and sedimentation coupled with hydrological and overland flow processes at the watershed scale](#)

Jongho Kim, Valeriy Y. Ivanov, Nikolaos D. Katopodes

Water Resources Research

[Impact of solar panels on runoff generation process](#)

Ginzeio Balamonte, Luciano Cristina

Our Comment: a simple Google search "erosion of the slope under solar farm" renders more than 10 pages of references, including

"Types of Erosion At Solar Farms

Understanding the various types of erosion that can impact solar farms is crucial for effectively planning and implementing erosion control measures...

AI: Soil erosion can significantly undermine the structural integrity of solar farms. When soil is washed away or blown off the site, it can cause uneven ground conditions, risking the stability of solar panels and potentially causing them to become misaligned or damaged....Water erosion...soil erosion,..."

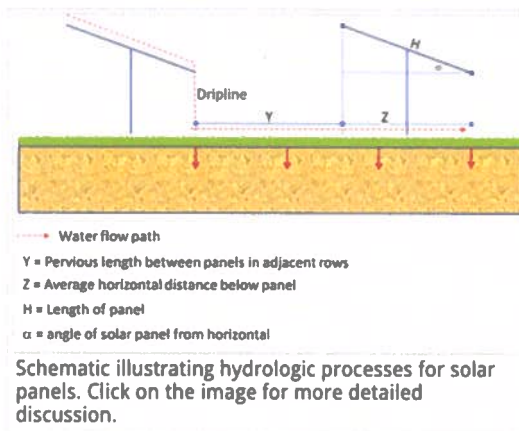
<https://www.greenlancer.com/post/erosion-control-solar-farms#:~:text=Erosion%20at%20Solar%20Farms.to%20become%20misaligned%20or%20damaged.>

Policy 41.6. Siskiyou County General Plan Land Use Policies

All development will be designed so that every proposed use and every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, fire hazard or any other resource or environmentally related problems.

Our Comments:

The solar farm will be established on the slope at elevation of 4000 ft, and in a climate with increasing rainstorms. The runoff from the massive installation is predicted to erode the soil underneath and on the sides of the panels.



Did MSMWC provide the County with the results of any environmental review of the project? Did they purchase the monitoring technology, or software licenses?

Applications

- Estimation of stormwater runoff CN and runoff for the purposes of obtaining general construction or operating and management permits for solar PV development.

Technology Overview

A runoff curve number (CN) and runoff calculator has been developed to estimate stormwater CN and runoff at ground solar photovoltaic (PV) sites by accounting for: 1) Soil and topographic characteristics (soil texture, soil depth, soil bulk density, slope); 2) Surface cover (row crop, turf, pollinator habitat, etc); 3) Disconnected impervious surfaces associated with solar panel design (panel spacing and orientation); and 4) Climatic factors (precipitation).

Phase of Development

nt
PV-SMaRT: Software License for Commercial For-profit Organizations

Preview terms

Term: 1 year

Price per license:
 From \$1,000.00 exd. TAX

ORDER NOW

Here is example of discussion of runoff situation on forums. Is this the scenario BOS desires to achieve?

The screenshot shows a Reddit thread on the r/legal subreddit. The main post, titled "What actions can I take against solar farm?", describes a situation where a solar farm's runoff is affecting a property. A comment by user 'Konstantin_kuraev' is highlighted with a yellow circle and contains the text: "The solar farm should have filed an environmental impact study with the EPA, there will be a section covering water runoff. You shouldn't be able to get a copy, there will be someone within the Chicago laws that govern water runoff. You'll need the right kind of lawyer, but there maybe reports and complaints you can file to get things going. Their project should not have affected your land. There are heaps and heaps of environmental laws to protect you." Other comments in the thread include "I've been duped by a solar farm co there anything I can do?" and "Has anyone signed up for one of these solar farm things?".

A cumulative effects from potential installation may endanger the slope, and even affect the national forest which begins at 0,3 mi up the hill. It will affect the residential lots located on the slope below the solar farm on Monroe Way. Notably, on the plans submitted by Mr. Briggs, **there is no clearance between the edge of the solar farm and the boundary of our property at 313 Alpine Drive.**

DeLuca Effort to Develop Solar Regulations to Protect Homeowners Moves Forward

Feb 8, 2024 | DeLuca

SPRINGFIELD, Ill. - Representing the voice of homeowners concerned about the effects of sprawling commercial solar farm developments, state Rep. Anthony DeLuca, D-Chicago Heights, passed a plan out of a House committee Tuesday that would institute minimum 500-foot setbacks between homes and solar properties.



Rep. Anthony DeLuca
 (D-Chicago Heights)
 80th District

The point we are making here is that **environmental inspection should also include specific studies of the impact on adjacent properties, because in the case of sales, this is the first thing a potential buyer will request.** The solar farm creates external obsolescence.

Letter: Readers share concerns over solar farms



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03:44

Posted Tuesday, October 25, 2022 1:15 am

According to the Center for Electrosmog Prevention, little do people know how dangerous solar energy systems can be to their health. The EMFs (manmade electromagnetic fields) produce unnatural electric, magnetic, or rf (microwave) radiation into the environment. Solar panels and their inverters give off elevated magnetic fields. High voltage transient emissions (aka "dirty energy") travel along the wiring in the home or in the ground to other homes.

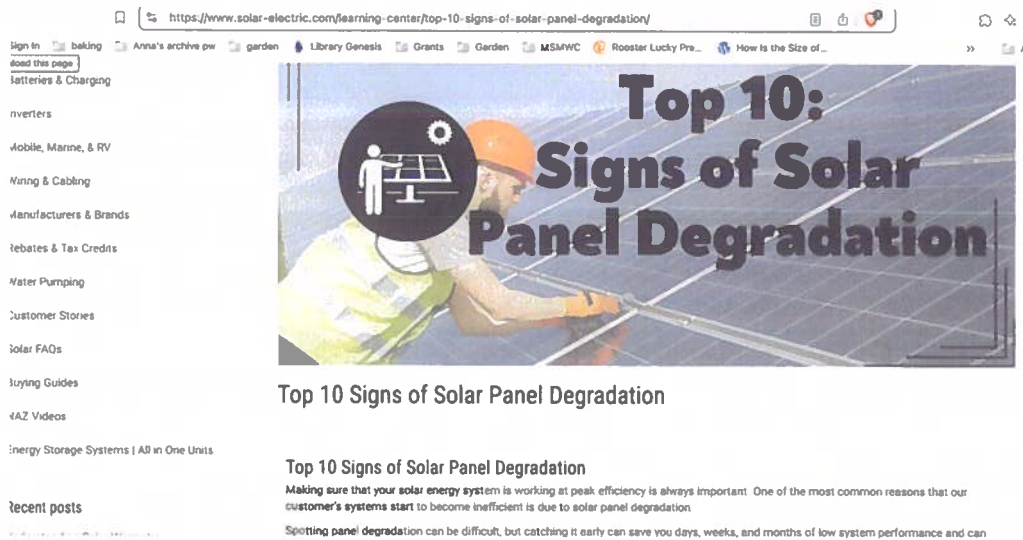
We urge the county to conduct the inspection of environmental impact of the proposed solar farm, and only then decide on whether the road can be considered for abandonment.

Another hazard from the solar farm is SOLAR TRASH. MSMWC has no plans or funds to remove the solar trash at the end of the lifecycle of panels.

Forbes

The last few years have seen growing concern over what happens to solar panels at the end of their life. Consider the following statements:

- The problem of solar panel disposal "will explode with full force in two or three decades and wreck the environment" because it "is a huge amount of waste and they are not easy to recycle."
- "The reality is that there is a problem now, and it's only going to get larger, expanding as rapidly as the PV industry expanded 10 years ago."
- "Contrary to previous assumptions, pollutants such as lead or carcinogenic cadmium can be almost completely washed out of the fragments of solar modules over a period of several months, for example by rainwater."



Top 10 Signs of Solar Panel Degradation

Top 10 Signs of Solar Panel Degradation

Making sure that your solar energy system is working at peak efficiency is always important. One of the most common reasons that our customer's systems start to become inefficient is due to solar panel degradation.

Spotting panel degradation can be difficult, but catching it early can save you days, weeks, and months of low system performance and can

The violations of environmental laws thrive in silence; consequently, **if this inspection is omitted, the solar farm endangering the Shasta Forest and the Shasta Mountain slope will be displayed by us in media and on the web; and, if county fails to request environmental study from the applicant or to conducts its own review, we'll escalate the issue.**

Please see the precedent when the decision of abandonment, made under similar circumstances, was revoked.

<https://law.justia.com/cases/california/court-of-appeal/3d/22/1056.html>

“The board exceeded its jurisdiction in purporting to abandon the right to accept the portion of the right of way in question because there was no evidence to show that it, as distinguished from the whole of the roadway, was **unnecessary for prospective public use, and because there was no evidence to show any public interest or benefit, as distinguished from private gain to the proponent of the abandonment.** The judgment denying relief must be reversed and the case is remanded with instructions to order the resolution void”.

III-c. Infringement on the Individual Property Rights

We moved to Mt. Shasta from Berkeley to avoid our dwelling being jammed by construction of an apartment complex/high-rise, 6 ft away from our bedroom window. We came here seeking rural morality, a sense of the Western wilderness, and promise of the individual rights of American identity. We bought a house on an acre close to the national forest; we never would have imagined that someone would want to take away our street frontage (160 out of 190 ft of southern frontage) and property rights. Abandonment of Shasta Way and Monroe Rd. to build a 9600 sq. ft. , 12 ft high solar farm will turn our corner property into a property next to **the undersized lot with a doubled density in the use of land.**

Loss of the Market Value of Nearby Houses.

The houses in Mt. Shasta are valued for the natural beauty of environment.



Relocating to Mt. Shasta, California

Quality of Life

Mt. Shasta draws visitors from all across Northern California as a gateway to world-class recreation, known worldwide for picturesque mountain terrain and excellent quality of life. A unique blend of friendly neighborhoods, attractive parks, fine restaurants and prosperous businesses make this well-rounded city the jewel of Siskiyou County



Photo © Jane English

Industrial installation surrounded by a security fence in the middle of a neighborhood previously valued for its beauty and pristine nature is likely to drive down the value of the neighborhood houses. All adjacent and nearby properties will experience a similar effect. Impact of panels on the price of houses **depends on the kind of neighborhood the panels are in**. The panels will be clearly visible in Google aerial view to all potential buyers.

Neighborhood properties within 0.1 mi. : Google Aerial map. Red dot – properties with value going down; yellow dot- Mr. Briggs' property.



From: gkbear@nctv.com <gkbear@nctv.com>
Sent: Monday, December 16, 2024 10:34 AM
To: Hailey Lang <hlang@co.siskiyou.ca.us>
Subject: Road vacating info.

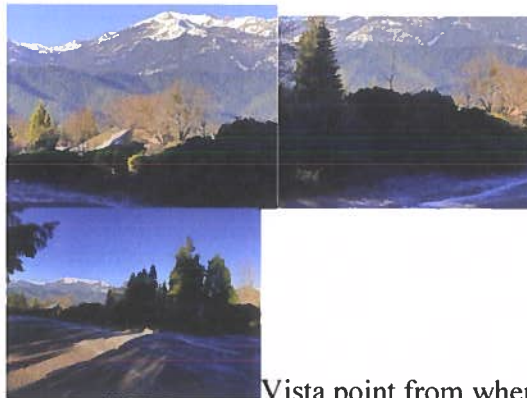
"3. Shasta Way slopes downward to the west, therefore, siting the array as far west and north as practical further reduces visibility.

4. The installed security fencing would utilize materials that could further camouflage the facility. (What?????????)"

Our comments: The view of panels from the back yard of 402 Monroe.



Views which will be obstructed *en route* to the main entrance to the Gateway Trail system



Vista point from where pictures were taken – main intersection on the

tourist bike route



VI. The Incoherence in MSMWC Planning

On Feb 9, after multiple requests made since 2022, we finally obtained MSMWC planning record. Below is our risk analysis.

From: Mike Bradley <fogrots@gmail.com>
Date: February 9, 2025 at 10:28:46 AM PST
To: [REDACTED] Gaylord Briggs <gkbear@nctv.com>
Subject: Re: 2/8/25 emails response to Mike Bradley and clarification to recipients

[REDACTED]

>>>> I do have a hard time understanding your emails and if there are any actual requests for information or general questions. That is why I have attached the Clarification of Information Request. I have attached here some information for you that I think you have requested. The attachments are;


1. Clarification of Information Requests
2. 3 years of Pacific Power payments
3. Solar Project Proforma

The proposed project acquires equipment that reduces operating costs and enhances resilience against prolonged power outages. This investment is entirely funded through cost savings, with no impact on the current rate structure. Members do not contribute dues; they simply pay for the water they use. The alternative to this investment is paying over \$150,000 to Pacific Power over the next decade with no added benefits or protections while facing increased water rates to members. In contrast, this equipment will pay for itself in 10 years and continue generating savings and resilience benefits for an additional 20-25+ years.

Mike Bradley>>>>

Our comments are in Table 1

Table 1. Risks vs. Inflated Benefits

Claims made by Mr. BRadley	Real Situation	Our Comments
“The proposed project acquires equipment thatenhances resilience against prolonged power outages.”	For the last 40 years, “prolonged power outages” were always successfully covered by the 3 day (at least) supply of water in the tanks. The recent, and the only, failure to deliver water was not connected with a power outage but with the outdated failed sensor in the old tank – totally a fault of maintenance.	Power outages do not threaten our water system. Reliability during power outages in our local water supply system depends not on the surplus of electricity but on the surplus of the water in the storage tanks. Thus, no resilience will be added by the solar farm. What would add resilience is the timely updating of equipment, including tanks.
“reduces operating costs”	The costs of maintenance and cleaning not considered .	Simply not true; as shown in III-b, the panels need environmental and other kind of maintenance. The water fees will have to drastically go up.  Reduction of the costs needs to be optimized by sizing down the installation in order not to pay for the excessive amount of panels which give the excess electricity that will be going to waste.
“This investment is entirely funded through cost savings, with no impact on the current rate structure”	Not true. It will be funded by a frivolous solicitation of \$100,000.00 loan, to be paid back at 3% (or more?), by members, through the water fees, without members' consent on any of this.	Drives members of community into an undisclosed debt.
“The alternative to this investment is paying over \$150,000 to Pacific Power over the next decade with no added benefits or protections while	The payback of the loan will be ca. \$130,000.00. Erosion maintenance costs, environmental safety, snow removal costs will mount up to not	Not showing accountability for the collateral damage: - possible external obsolescence

<p>facing increased water rates to members.”</p>	<p>less than over \$20k. Meanwhile, PacPower prices on electricity may go down, and there may be new technology replacing solar panels. Plus, costs on the removal and replacement of the panels.</p>	<p>- FIRE HAZARD of the obstructed egress on Monroe Road - environmental hazards</p>
<p>In contrast, this equipment will pay for itself in 10 years and continue generating savings and resilience benefits for an additional 20-25+ years.</p>	<p>The loan may need more time to be paid back (around 16 years?). The life span of the panels depends on the kind of panels purchased, and on environment, i.e.. varies from 15 to 30 years. It may be only 10 years of savings which will not be sufficient to pay for a replacement tank. This amount can be further diminished by the maintenance and environmental regulation compliance costs.</p>	<p>This is a manufacturer’s , not a user-centered assessment. 30 YEARS IS A SALES PITCH. It’s overly optimistic, doesn’t take into consideration, e.g., sedimentation of volcanic dust, or the industrial-size maintenance needs. It’s not coordinated with long term needs of the water system: the rate of earnings looks not catching with the rate of needed spending to support the system.</p>



TCHRentals · 4mo ago

It is so frustrating to read all these success stories when my solar panels failed after one year and manufacturer is impossible to contact.

👍 1 🗨️ Award 🔄 Share ...



Snoyboyd · 4mo ago

Many people believe "no maintenance needed" like their sales person copy and pasted from customer to customer. Inverters typically last 10-15 years. The Solar modules "panels" typically have a 25 year performance warranty but not a true warranty like many would like to believe. Who's checking and tracking the performance?

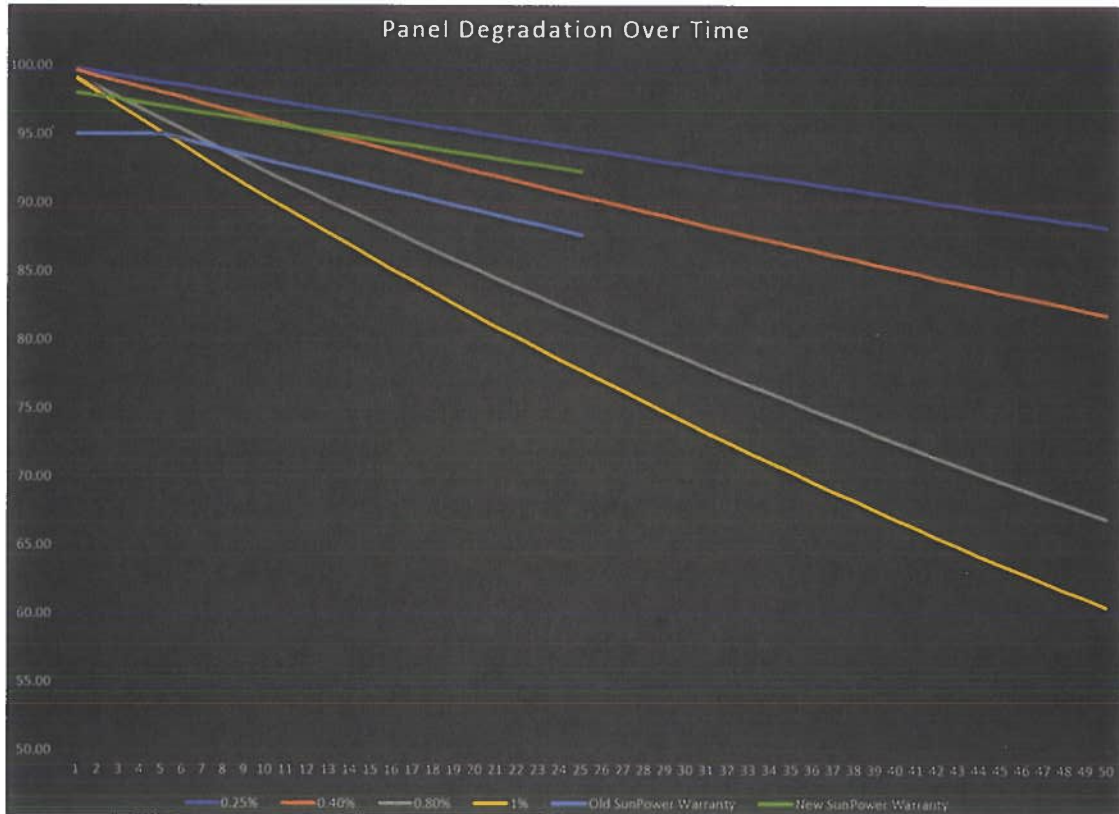
Every part of the complete system is another failure point which includes the connectors. Between installation and handling errors to bad batches or lack of QC from production, things will fail over time.

Cleaning the modules themselves is a the most basic form of maintenance for PV systems. Without periodic cleanings, many warranties for the .modules themselves will be void, especially if the have been cleaned with a power washer.

Sales people are great at selling the idea of maintenance free but you didn't purchase a 1200lb rock, did you?

👍 1 🗨️ Award 🔄 Share ...

Average permitting and regulatory compliance costs for solar farms fall between \$15k to \$50k—a necessary expense to meet local standards and an investment in sustainable energy production. Marketing and advertising expenses are another



As you can see, even panels with a consistent 0.4% yearly decrease in energy production drop to 90% by the 25th year, while SunPower guarantees their panels to beat that by about 2%. Meanwhile, “average” panels with degradation rates of 0.8% will have dropped to nearly 80% by year 25.

AI Overview

After 25 years, solar panels **typically produce less electricity and may require more maintenance**. They can still be recycled or disposed of in other ways. [🔗](#)



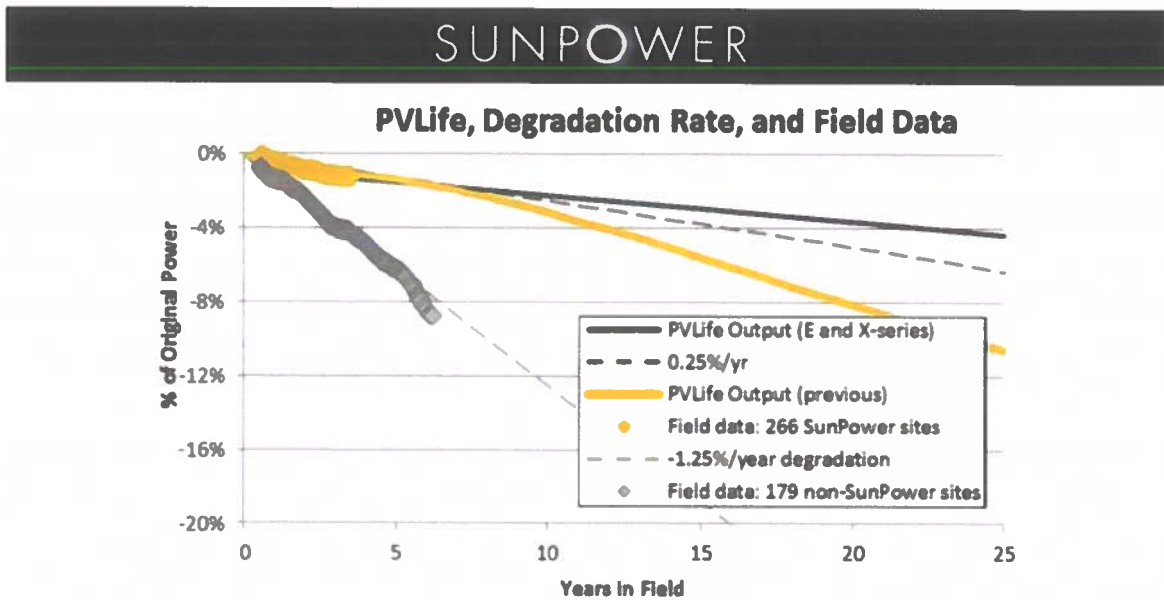
Performance

- Solar panels typically lose 0.5–1% of their efficiency each year. [🔗](#)
- After 25 years, most panels operate at around 80–85% of their original capacity. [🔗](#)
- High-quality panels may degrade more slowly. [🔗](#)
- Panels may require more frequent maintenance or replacement of certain components.

Evaluation of self-cleaning mechanisms for improving performance of roof-mounted **solar PV panels**: A comparative study.

Hameed D, Ditta A, Bajwa MW, Ullah S, Mujtaba MA, Fouad Y, Kalam MA, Soudagar MEM. PLoS One. 2024 Oct 29;19(10):e0309115. doi: 10.1371/journal.pone.0309115. eCollection 2024. PMID: 39471177 **Free PMC article.**

Solar panel installation is generally exposed to dust. **[VOLCANIC in Mt. Shasta]** Therefore, soiling on the surface of the **solarpanels** significantly reduces the effectiveness of **solar panels**. ...To harness maximum **solar** energy from **solar panels** ...



V. Conclusion and the Proposed Course of Action

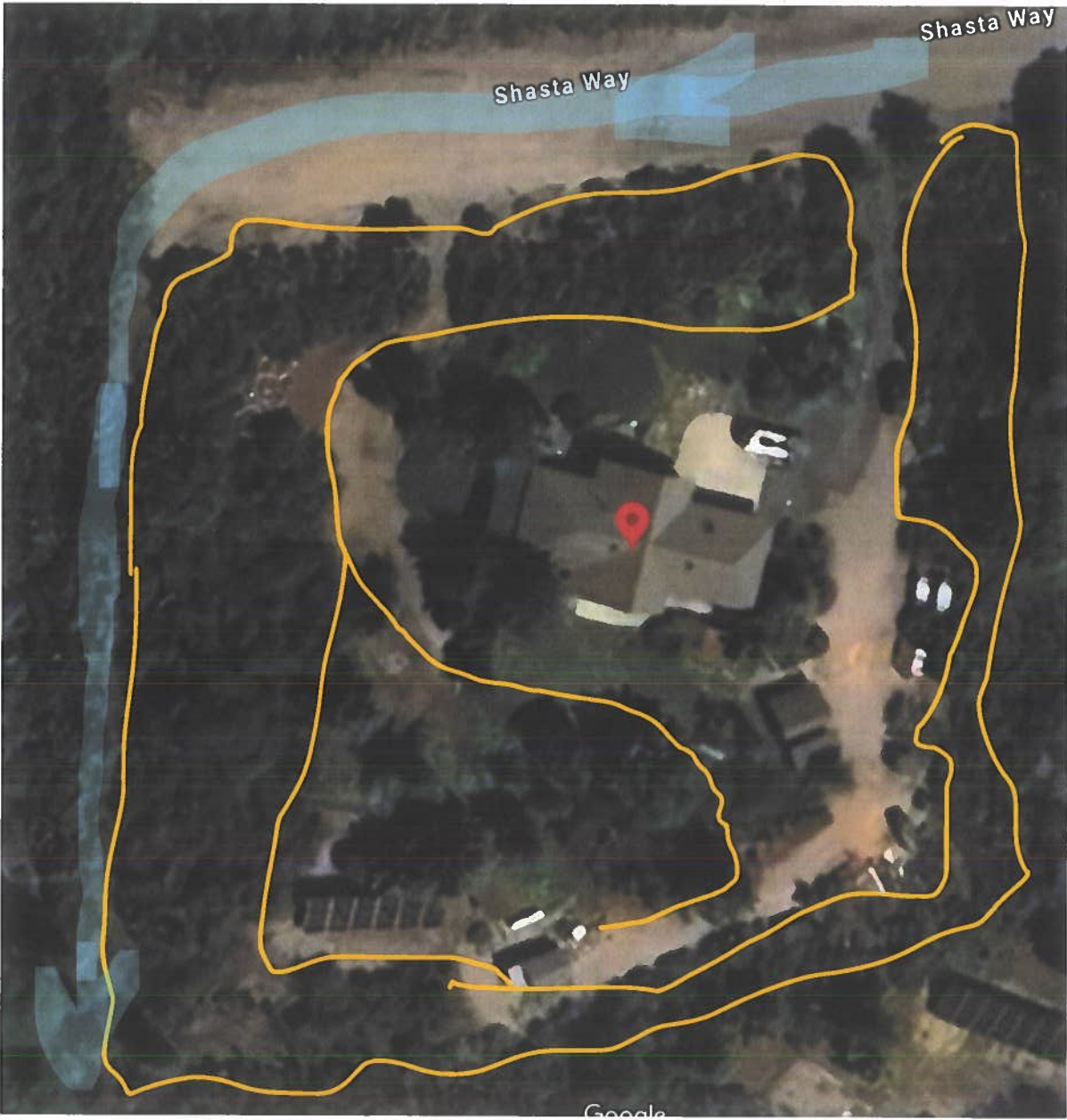
- a) Proposed location of the installation conflicts with a fire exit
- b) The project doesn't account for environmental risks
- c) The project doesn't account for individual property rights
- d) Alternative solutions were not examined

Expert assessments needed on environmental hazards and sustainability. Alternative solutions need to be examined.



Since at the peak performance panels will over-produce electricity, and since the size of installation escalates a)-c) risks, the project should be optimized and number of panels reduced in size. They should be placed at 108 Shasta Way, in Mr. Briggs private rear yard. It would allow us to have the Monroe Road fire exit, save on the fence and maintenance, and will help to mitigate environmental hazards. The map below (in yellow lines) shows that Mr. Briggs has enough space to accommodate the whole installation (even at its current size!).

INSTALLING PANELS IN MR. BRIGGS BACKYARD WOULD ALLOW TO KEEP MONROE ROAD AS AN EMERGENCY FIRE EXIT.

The members should not be indebted by default to undisclosed lenders. As we requested at the annual meeting on Oct 6, 2024, the members should be indemnified from the responsibility for any borrowings by the Board of MSMWC. These comments never showed up in Oct 6 minutes.



108 SHASTA WAY: LOCATIONS WHERE THE PANELS MAY BE INSTALLED

-  FIRE EGRESS
-  PANELS

From: [Janine Rowe](#)
To: [Janine Rowe](#)
Subject: FW: a note in advance of Feb 19 meeting
Date: Thursday, February 13, 2025 2:24:51 PM

From: Olga Louchakova-Schwartz <olouchakova@gmail.com>
Sent: Thursday, February 13, 2025 2:06:01 PM
To: Ed Valenzuela <evalenzuela@co.siskiyou.ca.us>; Hailey Lang <hlang@co.siskiyou.ca.us>; mike gentile <actdontreact4@gmail.com>; martz@berkeley.edu <martz@berkeley.edu>
Subject: a note in advance of Feb 19 meeting

Dear Ed and Hailey,

Responding to Ed's earlier request to send him my objections, I am sharing a note I received from somebody who lives in Florida and is a high profile investment specialist.

His message gives you a sense of how this installation will "appear" in the mind of any person outside of the narrow MSMWC circle, if such a person wants to come to Mt. Shasta for tourism.

I am looking forward to sending you another report on how this installation works (or rather, will not work) for the plan of Siskiyou County strategic development.

I will not be able to attend Feb 19 due to work commitments, but thank you, Hailey, for making the effort to accept our written objections on time despite your busy work schedule.

Olga

On Thu, Feb 13, 2025 at 1:38 PM xxxxxxxxxxxxxxx wrote:

Hi Olga,

I'm sorry to hear this. Definitely fight this. What on earth is a water company doing by foraying into solar. That's the jurisdiction of a electricity company, not a water company.

Also, those solar panels can become extremely hot. Mt. Shasta has lots of trees, forests and foilage growth. We don't want solar panels inadvertently starting any more

fires!

I sincerely hope you win and encourage you to enlist the help of your neighbors and the town. **If solar panels are installed next to your property, your neighbors' properties are next.** [Meaning, creates a precedent]

Also, I'm surprised that any solar panels would be installed at all - it snows in Mt. Shasta and the effectiveness of solar panels is significantly reduced.

Chief Investment Officer

XXXXXXXXXX

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