

**MINUTES OF THE
PLANNING COMMISSION MEETING
MARCH 27, 2019**

The Imperial County Planning Commission convened a Meeting on Wednesday, March 27, 2019 at 9:00 a.m in the Board of Supervisors Chambers, El Centro, California.

Staff present: Director Jim Minnick, Assistant Director Michael Abraham, Planner IV David Black, Planner IV Joe Hernandez, Clerk Michelle Garcia and GIS Tech Derek Newland.

Chairman Rudy Schaffner called meeting to order at 9:00 a.m

I. Roll Call: Commissioners present: Schaffner, Kalin, Bergh, Cabañas, Castillo, Wright, Medina, & Roben

Absent: Zuno & Zendejas,

II. Pledge of Allegiance:

III. Approval of Minutes: Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for March 13, 2019 meeting as submitted by staff. Motion was made by Commissioner Kalin seconded by Commissioner Cabañas and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), & Roben (yes).

1A. Consideration of General Plan Amendment #18-0001 as submitted by All American Grain, LLC, proposing a General Plan Amendment. The General Plan Amendment, with a Zone Change will allow more acreage under the M-2 Medium Industrial zone to establish & expand a rail container yard. The project is generally located south of the City of Calipatria along Highway 111, Union Pacific railroad tracks, Yocum Road and Albright Road, totaling approximately 89 total acres. Assessor Parcel Number 024- 260-032-000, (Supervisorial District #4).

1B. Consideration of Zone Change #18-0002 as submitted by All American Grain, LLC, proposing a Zone Change for the All American Grain container yard and rail expansion project. The proposed zone change will include the western portion of APN: 024-260- 032-000 from A-2 Medium Agriculture to M-2 Medium Industrial and project is totaling approximately 89 total acres. Assessor's Parcel Number 024-260-032-000, (Supervisorial District #4). The Commission took the following actions;

Jim Minnick, gave a brief description of the project, and introduced David Black, Planner IV to read the project into the record.

David Black, Planner IV, read the project into the record and was there to answer any questions from the Commission.

Chairman Schaffner. Asked the representative to come forward to the podium, introduce themselves and state their name and address for the record.

Tom Debose, Debose Design Group , state he read and agreed with the project and the conditions of approval.

Chairman Schaffner, opened/closed the public portion of the meeting, hearing none, he then turned it over to the commission for any questions or comments.

Chairman Schaffner, entertained a motion.

- a. Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), & Roben (yes); to recommend to Board of Supervisors to adopt the “Mitigated Negative Declaration”, with Findings that the proposed project with the proposed Mitigation Measures will not have a significant effect on the environment as recommended at the Environmental Evaluation Committee (EEC) meeting held on February 14, 2019; and recommend to Board of Supervisors to Make the De Minimus Finding as determined at the February 14, EEC hearing that the project will not individually or cumulatively have an adverse effect on Fish and Wildlife Resources, as defined in Section 711.2 of the Fish and Game Codes; and to .recommend to Board of Supervisors to approve the Resolution with Findings for General Plan Amendment #18-0001.
- b. Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), & Roben (yes); to recommend to Board of Supervisors to approve the Codified Ordinance with findings for Zone Change #18-0002.

Jim Minnick, stated the project would be recommended to the Board and there is no appeal.

Chairman Schaffner. Asked the representative to come forward to the podium, introduce themselves and state their name and address for the record.

Nathan White, Bel Air Holdings, stated he read and agreed with the project and the conditions of approval.

Chairman Schaffner, opened the public portion of the meeting, he then turned it over to the commission for any questions or comments.

Christopher D’Avignon, 7918 El Cajon Blvd, La Mesa CA, stated he owns the properties down from the site and wanted to state for the record that he is in support for the project.

Robert Menvielle, County Assessor’s, asked how they plan to irrigate.

Nathan White, stated (CVWD) Coachella Valley Water District.

Robert Menvielle, stated the reason he asks is because a member of the IID stated at the Board of Supervisors meeting and made a comment stating the Colorado River is owned by the Federal Government and therefor the IID would not deliver water for either industrial hemp or cannabis production.

Nathan White, stated they are working with CVWD and they have supplied a letter of intent and are doing a hydrology study to get that water supply secured.

Vice Chairman Kalin, asked Robert Menvielle, that it is his understanding there are other projects in the County that will be using city water, although they are not located in the city, pick up water, treat it and take it back to their facility to grow cannabis and evidently. The city needs to be comfortable with the Federal identity being lost as it goes through the municipal water system.

Robert Menvielle, stated he just thought it was an interesting meeting, but one member with the Board of Supervisors said that he saw great prospects to this county with industrial hemp and he thought it was going to create great prosperity and then here comes a member of the IID and says by the way "we are not going to sell water to hemp growers". He thought it was something the County and IID need to discuss.

Commissioner Bergh, doesn't the Coachella Valley Water District get water from the IID, How is that transferred.

Jim Minnick, stated according to the IID in the past they have mentioned that its "blended water" IID is just one source of their water

Nathan White, stated that their intent will be to have onsite water tanks, so they will be storing water and will also have a reverse osmosis system so they will be processing their waste water and recirculating back to production.

Commissioner Bergh, stated the report reads they will use 500 gallons of water.

Nathan White, stated per green house.

Commissioner Bergh, asked what the loss would be.

Paul Diamico, Bel Air Holdings, stated the reverse osmosis system is a two to one system. For every gallon of water they use for cannabis production there are two gallons lost but they will recirculate as much as they can.

Commissioner Bergh, asked where the water goes from there.

Nathan White, stated they work with some very intelligent people one of them is Dr. John Freeman who also works with NASA who is a plant species expert. He has a lot of saline tolerant plant species that can be utilized which would actually treat some of that water and use for some of the landscape onsite. There are different plants and trees that can be covered to use some of that waste right. That is also the intent to keep that onsite and not have to import more water.

Chairman Schaffner, asked if it was City water, and if they were trying to get the salt out.

Nathan White, stated salt and any other contaminants, it's a concrete asbestos pipe so they are trying to get all the contaminants out of the water before it enters into their system for quality control.

Vice Chairman Kalin, asked if a concrete asbestos pipe line supplies the entire city with all of their domestic water.

Nathan White, stated, Salton City, Yes.

Vice Chairman Kalin, with asbestos?

Nathan White, stated it was an asbestos pipe stated he was not sure if it is on the inside or on the outside that is what they were told from the CVWD.

Chairman Schaffner, stated that was transite pipe.

Vice Chairman Kalin, stated they have been around forever, probably not a good idea to be talking about asbestos.

Nathan White, stated his concern is the health of the plants.

Vice Chairman Kalin, stated he believed a regular filter would get rid of the asbestos.

Nathan White, stated reverse osmosis is for the salinity reduction and for the quality of plants.

Paul Diamico, stated you want to have a zero baseline when you feed the plants to make sure the plants get exactly what they intend to get peak performance.

Vice Chairman Kalin, stated so basically you want to use distilled water.

Paul Diamico, stated yes for the most part, and then you add in what the plant wants to eat and that will give you the best results.

Commissioner Bergh, stated he had a question about the waste and it stating that you will store outside.

Nathan White, stated they have an industrial system that they will be utilizing for water infiltration on larger scale projects, it is called an EGRP. It's an enhanced water filtration system and in the parking lot structure around the landscape areas they will install systems that will go 20 to 30 feet deep and can take 7-10 times the infiltration of standard soil. They will be utilizing infiltration onsite as possible.

Commissioner Bergh, asked what about the filters.

Nathan White, stated just standard waste and recycling

Commissioner Bergh, stated what about the asbestos.

Nathan White, stated if there is asbestos.

Commissioner Bergh, stated there is asbestos in the water.

Nathan White, stated potentially yes, and if so they will have to use a specialized waste processing facility.

Chairman Schaffner, asked Jim Minnick, when they get there paperwork from the water people and they say they will supply them water, is part of that the acceptance of whatever they send back to the sewage.

Jim Minnick, stated yes.

Nathan White, stated for the record that is a separate jurisdiction that is the Salton Community Services District.

Vice Chairman Kalin, stated the report reads that they are proposing to rotate soil based on 3 cycle inoculation active use and ready to use, he asked Mr. White to please define what they mean by inoculation.

Paul Diamico, stated to restore fungi/bacteria levels, just to get the soil back to life and ready to plant again.

Vice Chairman Kalin, asked how is it that they are going to do that.

Paul Diamico, stated they are going to have a very ambitious crew and they will be putting in place a wood chipper for the cannabis byproduct not being used.

Vice Chairman Kalin, asked what they are using for the inoculum

PaulDiamico, stated lactobacillus.

Vice Chairman Kalin, stated lactobacillus makes lactic acid.

Paul Diamico, stated that is going to help store bacteria and break down the materials needed for the earth worms to compost.

Vice Chairman Kalin, stated that was fine, thank you. He then stated he was curious by what they mean by "organic biosynthetic feed", is it organic or is it synthetic.

Paul Diamico, stated it was a combination of the two.

Vice Chairman Kalin, stated the plants are not organic if you are using some synthetic fertilizer.

Paul Diamico, stated correct, their baseline soil is 100% organic material and we will be supplementing their feed with some biosynthetic material.

Vice Chairman Kalin, you are using some synthetic fertilizer.

Paul Diamico, stated exactly, they are taking the salts out.

Vice Chairman Kalin, stated so it's not going to be an organic crop.

Paul Diamico, stated no

Vice Chairman Kalin, stated I thought it was.

Commissioner Bergh, asked where the initial material is coming from

Paul Diamico, stated they are working on contracts with different providers most of them coming from up North.

Commissioner Bergh, asked no human waste.

Paul Diamico, stated no.

Vice Chairman Kalin, stated the description states maximum of 12 employees, if you wish to increase that right now would be the time.

Nathan White, stated the direct jobs associated with that are not our direct jobs those would be 3 outside agencies, such as the transportation companies that come in and drop off daily.

Vice Chairman Kalin, read the report out loud, stated daily traffic will consist of 12 employees maximum per day, if you wish to increase that, now is the time.

Nathan White, stated he was just using that as an example and to be clear they do not need to increase the number of employees.

Commissioner Bergh, as far as the solar, you are saying you are self-sufficient, how does the IID come into play.

Nathan White, stated they will have a service drop.

Commissioner Bergh, stated they won't be having just solar, it appears that you are having just solar.

Nathan White, stated there is a pole in the rear of the property that they will be tying into what he believes to be around 100 amp service that they will be putting down as backup.

Commissioner Bergh, stated they should have a letter from the IID.

Nathan White, stated not yet, they are working on those applications.

Commissioner Bergh, asked Mr. Minnick if that will be in place before issuing a building permit.

Jim Minnick, stated yes, there will not be a building permit unless they have water, sewer & power.

Commissioner Bergh, asked who enforces the storm drain.

Jim Minnick, stated Coachella, in this case.

Nathan White, stated that part of their conditions states that they have 100% onsite infiltration or retention.

Commissioner Bergh, stated that one of the items was referring to insignificant as far as health, safety, law enforcement, etc. So this project will be totally independent or operate independently from the Sheriff's office, they will have their own onsite and the County will not be required to have any Sheriff Deputies there for any purposes.

Jim Minnick, stated no, that is incorrect. The Sheriffs are responsible for keeping law and order for the County of Imperial, the operation will require onsite security. If there was an incident, Sheriffs will have to respond like they would to anybody else, but no the Sheriff isn't going to be working for them on their property.

Nathan White, stated the same would be for Imperial County Fire.

Vice Chairman Kalin, stated he had a question for Joe Hernandez, Planner IV, regarding page 3 of the staff report for water process, stated he was unclear on what drainage from the watering accounts for about 10% of the original water introduced to each plotter. What is plotter.

Paul Diamico, stated he believed he meant planter.

Vice Chairman Kalin, stated thank you that clarified it. He then stated that it reads some of the drainage will be spread to evaporate. Where is the evaporation pond?

Paul Diamico, stated they have flood tray tables that will hold most of the water any drainage coming off of those which shouldn't be any access coming out of those because they will be watering about 2 gallons per plant with about 10% run off once he sees the run off they will shut off water and it evaporates in the green house.

Vice Chairman Kalin, stated on the floor.

Nathan White, stated in a tray.

Vice Chairman Kalin, stated it also says they have an installed floor drain that will collect excess drainage that will then be delivered to storage tanks for reuse.

Nathan White, stated for the treatment system.

Vice Chairman Kalin, stated it just seems like all that stuff on the floor is unsanitary.

Commissioner Castillo, asked if they would be using a fertigation system.

Paul Diamico, stated yes, they will be using an Argus Fertigation System.

Commissioner Castillo, stated so you won't have much waste at all.

Paul Diamico, stated for the most part, he has accounted for 10% waste.

Commissioner Roben, stated he had one question for Robert Menvielle. He asked if the IID told him that they will not provide water to hemp operations.

Robert Menvielle, stated he didn't want to quote what was said.

Commissioner Roben, said he thought hemp was removed from a class 3.

Robert Menvielle, stated it is.

Jim Minnick, stated industrial hemp was no longer classified by the federal government.

Commissioner Roben, stated it is a farm crop, he was curious as to why the IID would come to the Board to make that statement.

Robert Menvielle, stated a member of the IID Board was at a discussion at a Board meeting and he made that statement that it is federal water and the IID would not deliver it. He was also surprised by that statement.

Jim Minnick, stated they probably need to re address that.

Commissioner Roben, stated he believes they should.

Chairman Schaffner, closed the public portion of the hearing and entertained a motion.

c. Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), & Roben (yes); to adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended by the Environmental Evaluation Committee (EEC) on January 24, 2019; and make the De Minimus findings as recommended at the January 24, 2019 EEC hearing that the project will not individually or cumulatively have an adverse effect on fish and wildlife resources, as defined in section 711.2 of the fish and game code; and to approve Conditional Use Permit #18-0022, subject to all the conditions

and authorize the Planning & Development Services Director to sign the CUP Agreement upon the receipt from the applicant.

Jim Minnick, Director , stated that the project stands approved by this Commission if any member of the public wishes to appeal this decision, must do so within 10 days of approval with the Planning Department with a \$650.00 fee.

Public Comments:	NONE
Commissioner Comments:	NONE
Director Comments:	NONE
Adjournment:	Meeting adjourned at 9:38 a.m



Submitted by Rudy Schaffner;
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission

Michelle Garcia PC Recording Clerk