

SUPPLEMENTAL INFORMATION #1

For Planning Commission Agenda of:
May 18, 2023

- Consent Agenda Item
- Continued Hearing Item
- Public Hearing Item No. G-1
- Department Report
- Old Business

Project Title: **Cooks Valley Events**

Record Numbers: PLN-2023-18107 Northern Nights Music Group, LLC
 PLN-2023-18108 Mateel Community Center, Inc.

Assessor Parcel Numbers: 033-271-007, 033-271-009, 033-271-008, 033-271-004, 033-271-005, and
 033-271-015

Address: 83950 Road 442E and 240 Cooks Valley Road, Cooks Valley Area

Attached for the Planning Commission's record and review is the following supplementary information:

1. Corrections and Additions to the Conditions of Approval

- PLN-2023-18108 & PLN-2023-18107 - correcting Condition A19

Revising Condition A19 to reference the correct permit applicant(s)

- PLN-2023-18108 - correcting Condition B1

Revising Condition B2 to specify that review of the annual report shall be performed by the Planning Commission unless otherwise delegated.

- PLN-2023-18108 - adding Condition B2

Adding Condition #23 to clarify the applicant's responsibility for ensuring annual compliance with Mitigation Measure BIO-2 (draining of the Arthur Pond prior to September 1st of each year)

<p>Deletions shown in strikeout text Additions <u>underlined</u></p>

PLN-2023-18108 & PLN-2023-18107 – Proposed correction to Condition #19:

PLN-2023-18108 - from Attachment 3A – Mateel Conditions of Approval

19. If the ~~Northern Nights Music Group, LLC~~Mateel Community Center ceases to be the organization with primary responsibility for the event, the conditional use permit shall expire automatically, unless the new partner or party is operating in conjunction with and under the express written consent of the ~~Northern Nights Music Group, LLC~~Mateel Community Center, the entity that holds the festival permit and is party to the site lease. The Planning Director shall have the authority to determine if the use permit has expired by operation of this paragraph. The Planning Director's determination shall be appealable to the Board of Supervisors.

PLN-2023-18107 - from Attachment 4A – Northern Nights Music Group Conditions of Approval

19. If the ~~Mateel Community Center~~Northern Nights Music Group, LLC ceases to be the organization with primary responsibility for the event, the conditional use permit shall expire automatically, unless the new partner or party is operating in conjunction with and under the express written consent of the ~~Mateel Community Center~~Northern Nights Music Group, LLC, the entity that holds the festival permit and is party to the site lease. The Planning Director shall have the authority to determine if the use permit has expired by operation of this paragraph. The Planning Director's determination shall be appealable to the Board of Supervisors.

PLN-2023-18108 - from Attachment 3A – Mateel Conditions of Approval

PLN-2023-18108 – Proposed Conditions to be revised and added:

B. Operational Restrictions/Ongoing Requirements Which Must Be Satisfied for The Life Of The Project:

1. The project is subject to the following annual reporting and review requirements:
 - a. By December 31st of each year, the applicant shall prepare and submit a post-event annual report discussing that year's events. The annual report shall be reviewed by the ~~Director~~Planning Commission or their Designee, and shall include comment letters from the CHP, CalTrans, California State Parks, and other relevant agencies commenting or reporting on the efficacy of the mitigation measures, identifying any refinements to the mitigation needed for the event the following year, and setting the attendance levels approved under the permit. All costs to the County for the review of the annual report shall be paid by the applicant prior to May 1st of each year.
 - b. Within 120 days of its receipt, the Planning Division shall complete review of the annual report. Requests for increases to the attendance levels from the previous year shall require explicit Planning Commission approval.
 - c. To address area concerns that may arise, the applicant shall hold a minimum of one (1) community meeting in the Garberville, Redway, Cooks Valley, or Piercy area within 90 days

of the last event. This meeting may be waived by the Planning Director if no significant community issues have been reported.

2. The Applicant (Mateel Community Center) is exclusively responsible for ensuring annual compliance with Mitigation Measure BIO-2, included in the most recent environmental document prepared for the project (SCH #2023040570). Compliance can occur in a number of ways including but not limited to: use of the stored water in the pond for irrigation and dust control by the property owner, use of stored water in the pond for irrigation and dust control associated with future concert events or similar temporary uses, or draining of the pond by the Applicant into an authorized area with the consent of the property owner and CDFW.

Mitigation Measure BIO-2 (Bullfrog Management – Arthur Pond): The pond located on the Arthur Property (French's Camp) shall be completely drained annually. Draining of the pond must be completed by September 1st of each year. Before draining may occur, a plan for discharge of stored water from the pond shall be submitted to the California Department of Fish & Wildlife (CDFW) for review and approval. The plan shall identify the timing, volume, and areas where release of water is proposed. Water from the pond shall not be discharged directly into the South Fork of the Eel River, or its tributaries.