

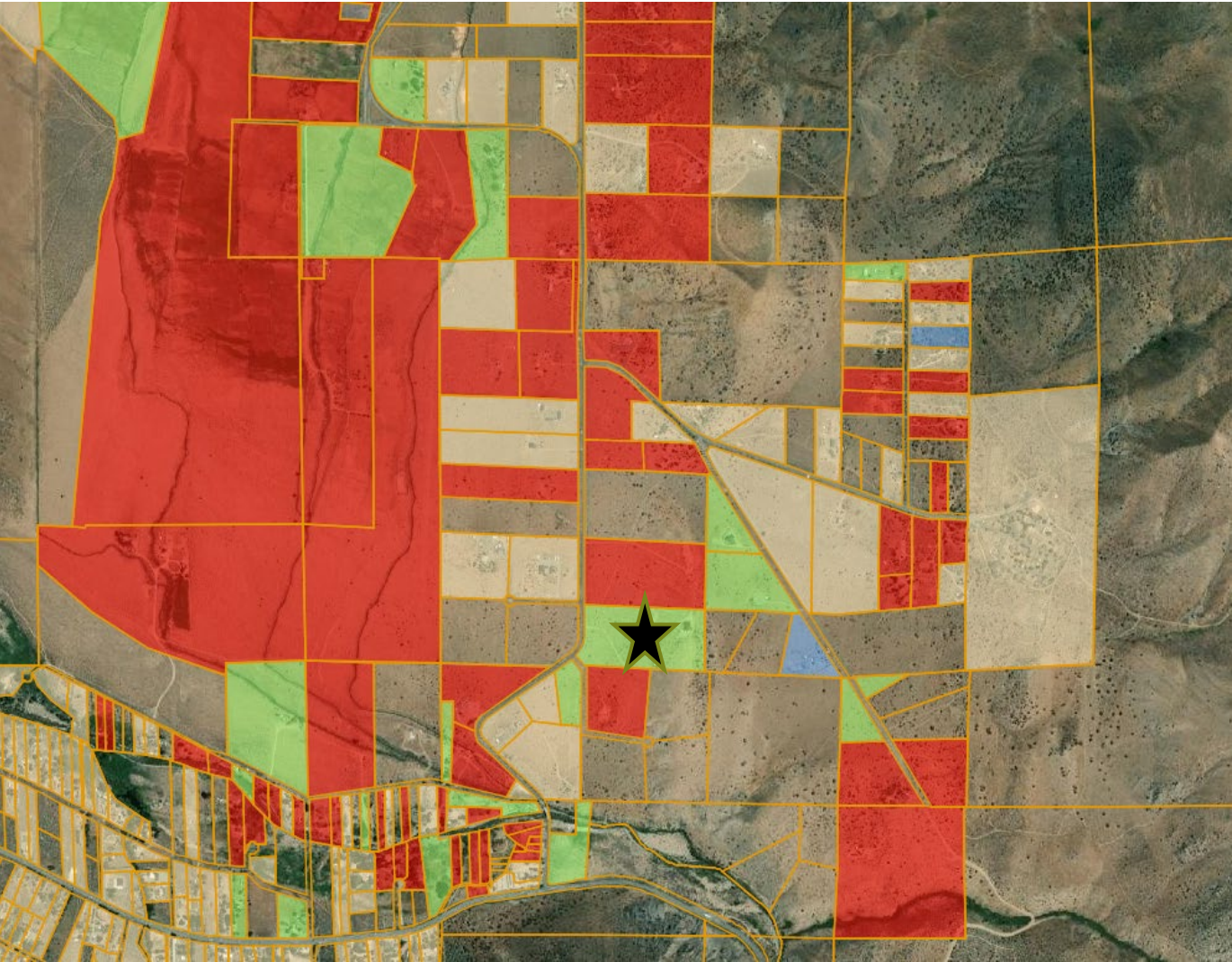
# USE PERMIT 22-007/PAIVA

Mono County  
Planning Commission

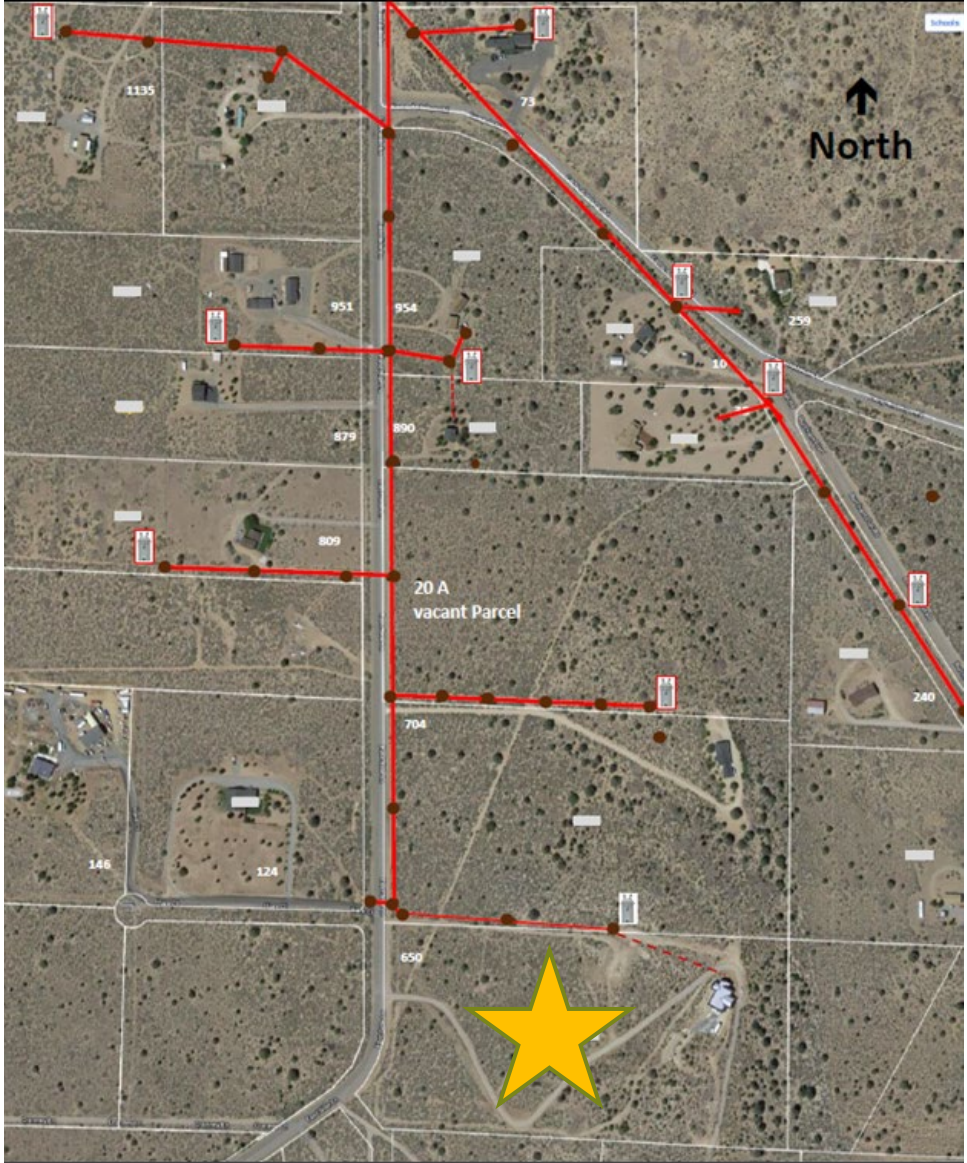
November 17, 2022



# Surrounding parcels

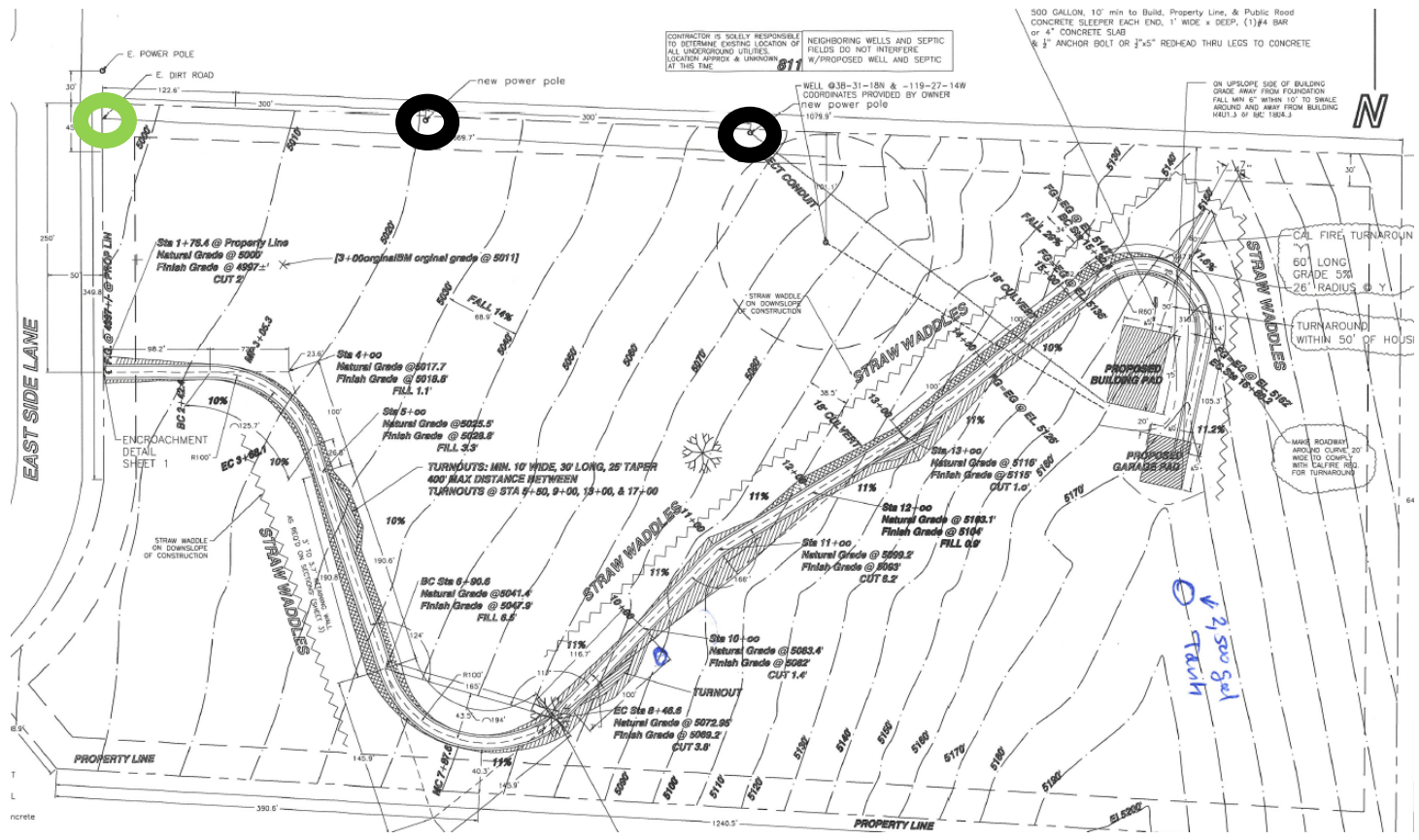


Red = Fully destroyed    Green = affected    Tan = No damage



# Modified Project Alternative

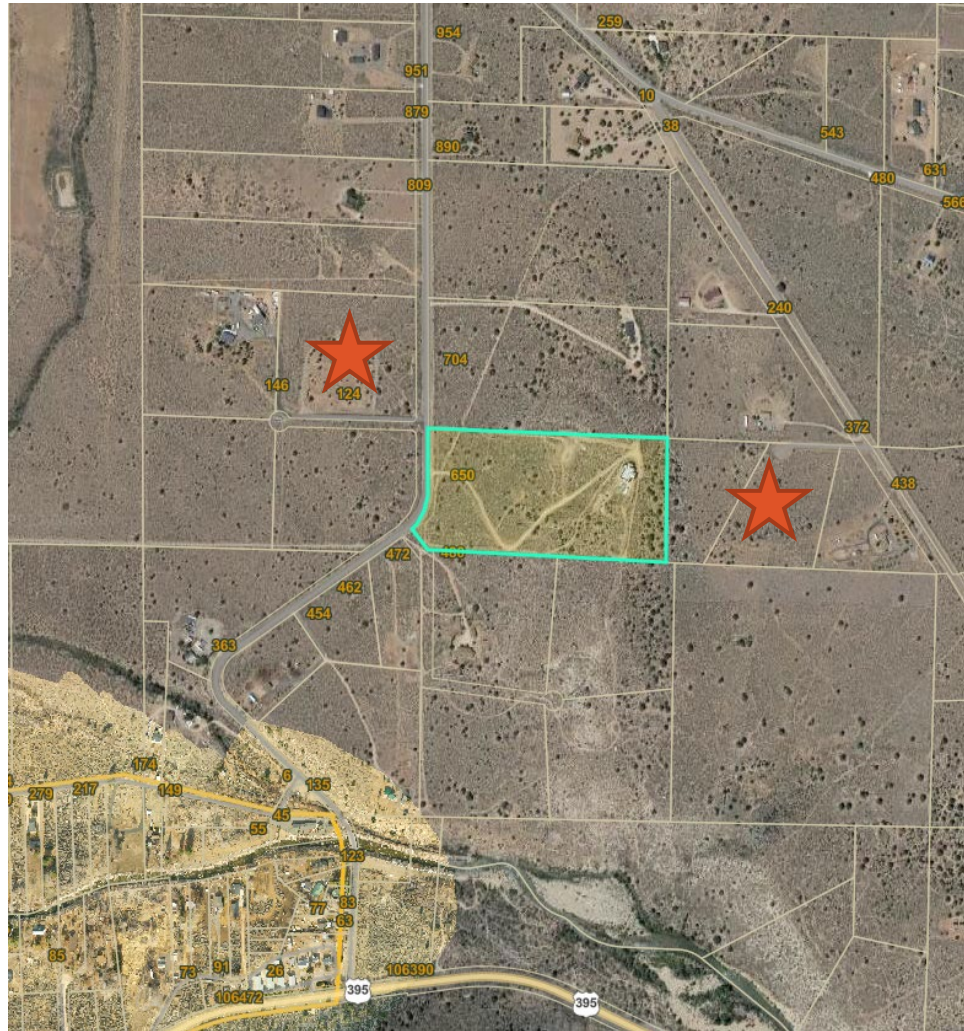
A modified alternative would be to allow the pole with the weather station and located closest to Eastside Lane to remain as overhead power while requiring the two poles closer to the home be removed, requiring undergrounding of power lines for approximately 600 feet.



# Discussion

- Building permit issued in March 2018.
  - Condition of approval to underground the utility.
  - Application for overhead accepted August 2022.
- Approximately 1,000' from Eastside Lane to the house.
- Three poles installed spanning 675'.
- Underground conduit install for final 375'.
- Weather station fixed to first pole by Liberty.





# Public Comment

- Accepted for processing on August 15, 2022. Conditions reviewed on November 7.
- Notice published in The Sheet, November 5.
- Notices mailed to property owners on November 2.
- Support
  - Barnes – west neighbor, no objection.
- Oppose
  - Pennington – east neighbor, unreasonable distance
  - Langner – contributes to wildfire risk, visual impact, not an economic hardship to underground.

# CEQA

- This project is categorically exempt from CEQA because it meets the conditions of CEQA Guideline 15303(d).
- 15303 (d). New Construction or Conversion of Small Structures
  - Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:
    - (d) Water main, sewage, electrical, gas and other utility extensions including street improvements, of reasonable length to serve such construction.

# 11.010 Findings

1. The overhead line placement will not significantly disrupt the visual character of the area. In making this determination, the Director or the Commission shall consider the following:
  - a. In areas without a number of existing overhead lines in the immediate vicinity, would overhead lines create the potential for a significant cumulative visual impact; i.e., would allowing an overhead line be likely to result in future requests for additional overhead lines in the area? If so, it may be determined that an overhead line will have a significant impact on the visual character of the area.
  - b. Does the topography or vegetation in the area effectively screen the proposed lines? If so, then an additional line may not significantly disrupt the visual character of the area.
  - c. Are there other potential alignments that would have less visual impact?
  - d. Does the project reduce the overall number of overhead lines and poles in the area; are the lines co-located with existing facilities; and/or do design features such as height of lines, size, color, reflectivity, tension in line, or other features reduce visual impacts? If so, it may be determined that an overhead line will not have a significant impact on the visual character of the area.





### 704 & 650 Eastside Lane: Liberty Power Poles



Six Power Poles at 704 Eastside are very Visible.

Two Power Poles at 650 Eastside are barely visible, against the hillside. None extend beyond the Horizon

# Finding 2 (11.010)

The placement of utility lines above ground is environmentally preferable to underground placement and does not create public health and safety impacts. In making this determination, the Director or the Commission shall consider the following:

- a. Will underground placement disturb an environmentally sensitive area, including but not limited to the following: cultural resource sites, significant wildlife habitat or use areas, riparian or wetland areas, or shallow groundwater? If so, above-ground placement may be preferable;
- b. Will overhead placement cause impacts to sensitive species, such as the Bi-State Distinct Population Segment of Greater Sage-Grouse, or other environmental impacts? If so, aboveground placement may not be preferable, or perch deterrents and other mitigations may be required (see policies in the Conservation/Open Space Element);
- c. Will underground placement require disturbance of a waterway, including perennial, intermittent and seasonal streams? If so, above-ground placement may be preferable;
- d. Will underground placement increase the utility line's exposure to environmental hazards, such as flood hazards, fault hazards or liquefaction? If so, above-ground placement may be preferable;
- e. Are there other potential alignments that would avoid potential environmental impacts?; and
- f. Are there adequate provisions for long-term maintenance and fire-hazard mitigation? If so, above-ground placement may be acceptable.

# Finding 3 (11.010)

3. The installation of underground utilities would create an unreasonable financial hardship on the applicant due to the unique physical characteristics of the property. In making this determination, the Director or the Commission shall consider the following:

- a. Is the cost of the line to be installed excessive?
- b. Will the installation of underground utilities require trenching under a stream bed?
- c. Will the installation of underground utilities require unreasonable trenching or blasting through rock?
- d. Are there alternate alignments that would eliminate or significantly lessen the financial hardship? The Director or the Commission may consider other site specific financial hardships deemed relevant to the application.

# Finding 4 (11.010)

4. The exclusive purpose of the overhead line is to serve an agricultural operation.

For the purposes of this section, agricultural operations are defined as use of the land for the production of food and fiber, including the growing of crops and grazing of livestock. Above-ground utility lines may be permitted for agricultural uses such as pumps and similar uses.

a. Impacts to sensitive species, such as the Bi-State Distinct Population Segment of Greater SageGrouse shall be avoided, minimized, or mitigated consistent with policies in the Conservation/Open Space Element.

# Use Permit Findings

1. All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:
2. The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:
3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area on which the property is located because:
4. The proposed use is consistent with the map and text of the Mono County General Plan because:

## Pole Clearing

Liberty owns approximately 24,000 wood poles to support distribution and transmission power lines. These poles are located throughout the Liberty service territory on land that falls under the jurisdiction of the State of California or the federal government for fire protection services.

California Public Resources Code Section 4292 requires Liberty to remove flammable debris and vegetation near poles. Liberty and its contractors regularly perform pole clearing activities throughout its service territory in compliance with Section 4292.

Liberty follows these minimum clearances:

- At the ground line, a minimum of a 10-foot radius area, measured horizontally from the outer circumference of the pole, shall be consistent with a firebreak and be cleared by removing all flammable materials, including but not limited to, ground litter and debris, duff, and dead or desiccated vegetation that could propagate fire.
- From the ground line to eight feet above the ground line, a minimum of a 10-foot radius area, measured horizontally from the outer circumference of the pole, shall be cleared by removing flammable materials including trees, herbaceous and brush vegetation, grass, trash, debris or other materials.

Limbs and foliage of living or dead trees that are smaller than four inches in diameter shall be removed up to a height of eight feet.

