

GE ban returns to board; appeal of ski lake to be considered

Contributed by Elizabeth Larson
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LAKEPORT – Three draft versions of an ordinance to ban genetically engineered crops in Lake County and an appeal by neighbors of a proposed ski lake in Middletown will be on the Board of Supervisors agenda this week.

The meeting will be held beginning at 9 a.m. Tuesday at the board chambers in the Lake County Courthouse, 255 N. Forbes St. TV 8, the PEG Channel, will broadcast the meeting live.

The GE ban discussion is scheduled for 1:30 p.m.

The board approved a version of the ban in a 3-2 vote on Oct. 21. However, when the ordinance came up for a second reading on Nov. 4, issues were raised by the Lake County Farm Bureau with a perceived conflict between the ban's wording and the state right to farm ordinance.

On Tuesday, the board will look at three proposed options crafted by County Counsel Anita Grant.

The first option will be the version of the ordinance accepted Oct. 21. In the second option, any pre-existing agricultural operation that has been growing a GE crop for one year or more will be exempted, but the crop cannot be expanded or altered, and the grower must apply to the county agricultural commissioner within 30 days of the ordinance's effective date.

The third option includes the same language as option two, but adds a limited exemption for a GE crop already being grown, allowing it to continue being produced for a period of time that has not yet been specified. Continued operation beyond that cessation date will be considered a violation of the ordinance, and could be subject to fines, abatement and other enforcement.

During the morning session, at 10:30 a.m., the board will hear an appeal by Milton and Ellen Heath of the Planning Commission's approval of Kurt Steil and Gary Johnson's Bonavita Estates, which includes an 11-acre ski lake at 16756 and 17350 Butts Canyon Road, Middletown.

The plan proposes merging and resubdividing two parcels totaling 534 acres into five parcels, a deviation to construct a dead-end road longer than 1,000 feet and use permit for construction of an 11-acre ski lake and hosting special events, and adopting a mitigated negative declaration based on initial study.

A letter from the Heaths appealing the Planning Commission's Sept. 11 decision said their appeal is “entirely based” on inaccuracies in hydrologist Matt O'Connor's report, which included data that is “insufficient and is half a century old.”

The Heaths also assert in their letter that the Planning Commission's decision “completely ignores” more than one potentially significant impact – “from gas emissions, and contaminants from the ski boats that could potentially percolate down into the aquifer and consequently impact drinking water for thousands of residents.”

They also cite concerns about the Colloymoi Fault, which they say could cause a disaster if it was disturbed by stresses from the ski lake; concern about groundwater and dry wells in the area; and vector control.

Other items on the Tuesday agenda include the following.

Timed items:

9:15 a.m. Request for update on status of request for proposals for the implementation of quagga/zebra mussel inspection sites at key entry points to Lake County and other efforts to prevent the quagga/zebra mussel from invading Lake County waters.

10 a.m. Presentation by Lakeside Wellness Foundation on the Mobile Foundation Health Services Unit Project and consideration of board direction relative to pursuit of potential funding sources to support project.

Untimed items:

Consideration of proposed agreement between the county of Lake and the Lakeport Regional Chamber of Commerce for marketing, economic development and visitor information services.

Proposed resolution accepting and confirming ballot tabulation for the establishment of Zone “P” (Clear Lake Keys) of County Service Area No. 23, approving formation of Zone “P” and assessments for Zone “P” road maintenance.

Following the public portion of the meeting, the board will go into closed session to discuss labor negotiations with employee unions representing county employees and In-Home Supportive Services workers; a performance evaluation of County Counsel Anita Grant; and conference with legal counsel regarding existing litigation, Woll v. County of Lake.

E-mail Elizabeth Larson at el Larson@lakeconews.com.

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