

Delta Citizens Municipal Advisory Council

P.O. Box 189, Walnut Grove, CA 95690, Phone 916-776-1161

Meeting Minutes

Date: November 13, 2019
Call To Order: 7:32 PM
Adjourned: 9:05 PM
Location: Jean Harvie Community Center, 14273 River Road, Walnut Grove, CA 95690
Prepared By: Amelia Wareham, Secretary

1. Call To Order

- Roll Call

Present:	Gil Labrie, Chairman	Bradford Pappalardo
	Amelia Wareham, Secretary	Joseph Salman
	John Baranek	Sally Shanks
	Stan Eddy	Topper van Loben Sels
		Sandra Waterhouse

Excused: Michael Steinbacher
William Schauer

Absent: None

Quorum Present: Yes (9).

- Introductions:

County Representative(s)

Present: None.

Guest Speaker(s): None.

Public Attendees: See Attachment.

- Role of Council

Chairman gave an overview of the advisory role of DCMAC regarding planning items for the County Planning Department. He noted that with the proposed changes before the Board of Supervisors, DCMAC's role would significantly change to the extent that the items on tonight's agenda would not be heard by DCMAC. Under the proposed changes, DCMAC would no longer function as a forum for the community's voice to Planning and the Board of Supervisors.


Gil Labrie, Chairperson


Date

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- Old Business

Approval of Meeting Minutes from 10/24/19.

Motion To: Approve Minutes as written.

Motion By: Topper van Loben Sels

Motion 2nd By: Sandra Waterhouse

Vote: Ayes = 8. Noes = 0. Abstains = 1 - Baranek.

Result: Motion carried.

2. New Business -- No Planning Items.

3. Staff Update – None

4. Other Business

Chairman, Gil Labrie, called the meeting to discuss Zoning Violations and have a CPAC Amendment Report.

1. Zoning Violations -- Council discussed various areas where they believe there are potential zoning violations in the Delta and made a proposal to County Planning and Environmental Review (PER) for action. Council unanimously passed a motion requesting PER's action.

Motion:

- Send to the Planning Department Director, Leighann Moffitt, DCMAC's prioritized list of questionable zoning and land use violations, along with Council's comments. Request that PER research the items and take appropriate action in a timely manner and keep DCMAC informed of their decisions and actions.
- Communicate to County officials DCMAC's support for more consideration of neighbors' concerns about American River Ag's processing operations on Alpha Plant Road.

Motion by Topper van Loben Sels. Motion 2nd by Sally Shanks.

Vote: Ayes = 9. Noes = 0. Abstains = 0.

Result: Motion carried.

Chairman Labrie pointed out that with PER's proposed changes, DCMAC would not have the ability to bring matters like those discussed tonight to the County's attention. Under the proposed changes, DCMAC/CPACs will no longer be a forum for citizen's input to the County.

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Zoning Violations Summary – See Appendix for details and photos.

Below are possible zoning violation matters identified by DCMAC. By the motion (see above) unanimously passed at the above referenced meeting, DCMAC requests that Planning and Environmental Review (PER) research these matters and that PER takes action, in a timely manner. DCMAC also requests that PER keep DCMAC informed of their decisions and actions.

Priority	Location	Issues
1.	American River Ag 875 Alfalfa Plant Road Courtland, CA 95615 Lat/Lon: 38.302267,-121.531404 Mailing Address; PO Box 4452 El Dorado Hills, CA 95762 Phone: 209-275-3002	DCMAC supports the citizens legal efforts to get the County issue a cease and desist order at this location. Known as the “Dog Food Factory”, American River Ag (ARA): <ul style="list-style-type: none">• Violates zoning ordinances.• Uses land for commercial business to make dog food; not agriculture use as it is zoned.• Has failed to respond to Notices of Violations by numerous State and County agencies.• Issues include safety and health hazards to residents, negative impact on air quality, quality of life, livability (bugs, pests, flies, insects), noise pollution (grinders running all night), destruction of local roads, financial impact – negative impact on property values.
2.	Morgan’s Landing Across River Road from 11851 Riverside Road Courtland, CA 95615 Lat/Lon: 38.328497,-121.573202	<ul style="list-style-type: none">• Safety issues.• Cars parking on levee.• Use Permit Violations.• Original use was approved for 3 boat storage. Now being used commercially as a marina with permanent boat residents.• Negative Environmental Impact: Lacks dump station for boats.• See Appendix for photos.

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3.	Jim Arnold Property (Previously the Buckley Trucking Company) 12019 Highway 160 Courtland, CA 95615	<ul style="list-style-type: none">• Use Permit Violation.• Was never approved for storage. Locally known as "Arnold's Junk Yard".• Located at River Road and Paintersville Bridge on east side of river.• Contains "hundreds" of abandoned boats, cars, trucks, cargo containers.• Possible environmental impact due to old vehicles leaking fluids.• See Appendix for photos.
4.	Old Sod Farm Half Mile North of 15151 Isleton Rd. Half mile along Isleton Rd between 14915 Isleton Rd & 14800 Isleton Rd. Isleton, CA 95641	<ul style="list-style-type: none">• Use Permit Violations.• Was originally approved for agricultural use as a sod farm. Has turned into a junk storage site.• Possible environmental impact due to old vehicles leaking fluids.• Abandoned cars, boats, farm equipment, cargo containers.• Storage runs for a half mile long along Isleton Road.• See Appendix for photos.
5.	The Delta Loop & Lower Andrus Island Brannon Island Road, Rio Vista, CA 94571	RV parks are allowing full time RV residents. Not permitted/zoned for that. Only Pirates Lair and Spindrift are approved.
6.	Locke, CA 95690	Possible code violations raised by former business owner.

2. CPAC Amendment Report

Gil Labrie reported the following:

- Supervisor Nottoli has removed the CPAC item from the 11/19/19 Board of Supervisors (BOS) agenda. It is currently rescheduled for 12/10/19, although it could move to sometime after January 1st.
- Supervisor Nottoli has been opposed to changing the DCMAC/CPAC County Code from the beginning of this project. Supervisors Serna, Peters and Frost have issues

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that could be selectively fixed rather than making sweeping changes to the CPACs' charter. Supervisor Nottoli's rural CPACs are all concerned about losing the function of being a community forum and voice to the Planning department. Supervisor Nottoli wants the Planning Staff to return to the CPACs and work individually with them to address their issues.

- DCMAC had a strong presence at the Planning Commission when they heard the CPAC recommendations from PERs. Eleven members attended our workshop and we had a quorum of members attend and speak to the Commission.
- Next CPAC Project Workshop will be 12/4/19, 5:00 – 7:00 PM at Gil Labrie's home.

Next regular meeting is 12/11/19 unless notified otherwise.

Meeting adjourned: 9:05 PM., Attachments: Delta Zoning Violations, Public Attendees

e-copies to: Sacramento County Board of Supervisors, Clerk of the Board, Planning and Environmental Review – Director, Leighann Moffitt

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Appendix: Zoning Violations -- Details

The matters listed below are in order of DCMAC's priority of importance.

- 1. American River Ag, Inc.**
875 Alfalfa Plant Road
Courtland, CA 95615
Mailing Address;
PO Box 4452
El Dorado Hills, CA 95762
Phone: 209-275-3002

Attorney Jackson Arthur Minasian addressed DCMAC representing the community of Courtland. The citizens had been directed by the County to obtain DCMAC's input on this matter. Additionally, eight citizens of Courtland attended the meeting; five citizens addressed the Council.

Legal Concerns:

Land Use Violations:

American River Ag (ARA) is operating without permits. ARA produces dog food on land zoned for agricultural use. It is known, locally, as "the dog food factory."

- The site was originally permitted as a pellet mill. Now it is being used for commercial manufacturing of dog food. What started as 5 acres of production space has expanded to 18 acres.
- ARA is not growing agricultural products. They are importing soy, sweet potatoes and white potatoes to make into dog food.

Citizens' reported the following concerns:

- **The County has failed to take action** to resolve the problem. Citizens have been working for over two years to get a resolution. Various agencies have documented violations but none will act to shut down the facility. See Attached documents.

3/20/17 Air Quality Management District Notice of Violation No. 11249 – Failure to obtain permit to operate soybean roaster.

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6/26/17 Air Quality Management District Notice of Violation No. 11331 --
Creating Public nuisance.

7/5/19 Office of Planning and Environmental Review Letter – Williamson Act
Contract, other matters.

3/20/19 Air Quality Management District Notice of Ongoing unresolved
violations.

- **Health Hazards Highlights**

- Stench from facility so strong that it makes people vomit.
- Contract workers leaving job sites because the stench made them vomit.
- Need for special procedures for a parent to put their child into their car to take to school in such a way that child doesn't vomit due to smelling the stench.
- Entire family has developed asthma. Their doctor has advised them to leave the area before poor air quality kills them.

- **Noise Pollution Highlights**

ARA runs their grinders all night. Noise is heard far away in town of Courtland. Prohibits close by neighbors from sleeping. Citizens content that ARA is trying to avoid inspectors by night time processing.

- **Transportation Issue Highlights:**

Citizens reported destruction to already narrow, damaged farm roads by heavy hauling trucks that bring raw materials to ARA's site.

Summary:

DCMAC supports the Courtland citizens' efforts to resolve this matter. DCMAC encourages all agencies involved in this matter to act promptly to issue a cease and desist order and take legal action to shut down American River Ag's commercial activity at this facility.

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American River Ag (ARA): Photo 1: 18 acre site. Source: Google Maps



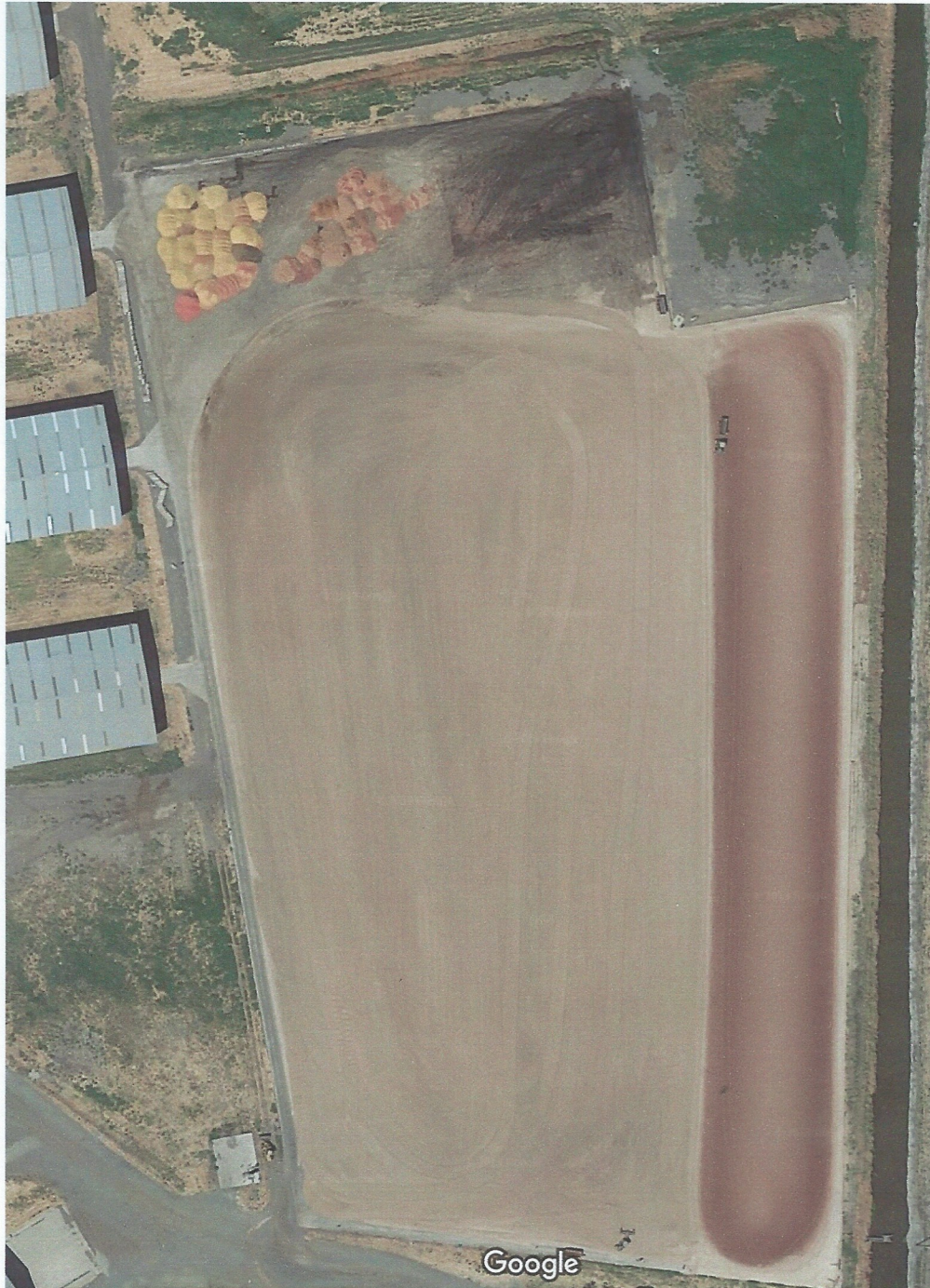
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ARA Photo 2: Raw materials, waste, equipment along edge. Source: Google Maps



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ARA Photo 3: Raw materials, waste, equipment along edge. Source: Google Maps



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2. Morgan's Landing, Courtland, CA

- Safety issues -- Cars and trailers parking on levee causing hazards.
- Violating Use Permit -- Original use was approved for 3 boat storage. Now being used commercially as a marina with permanent boat residents.

Source: Google Maps:



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**3. The Jim Arnold Property , Courtland, CA
12019 River Road (Highway 160)**

- Use Permit Violation – was never approved for storage.
- Contains numerous abandoned boats, inoperable cars, trucks, cargo containers, other vehicles.

Source: Google Maps



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The Jim Arnold Property , Courtland, CA.12019 River Road (Highway 160)
Source: Google Maps



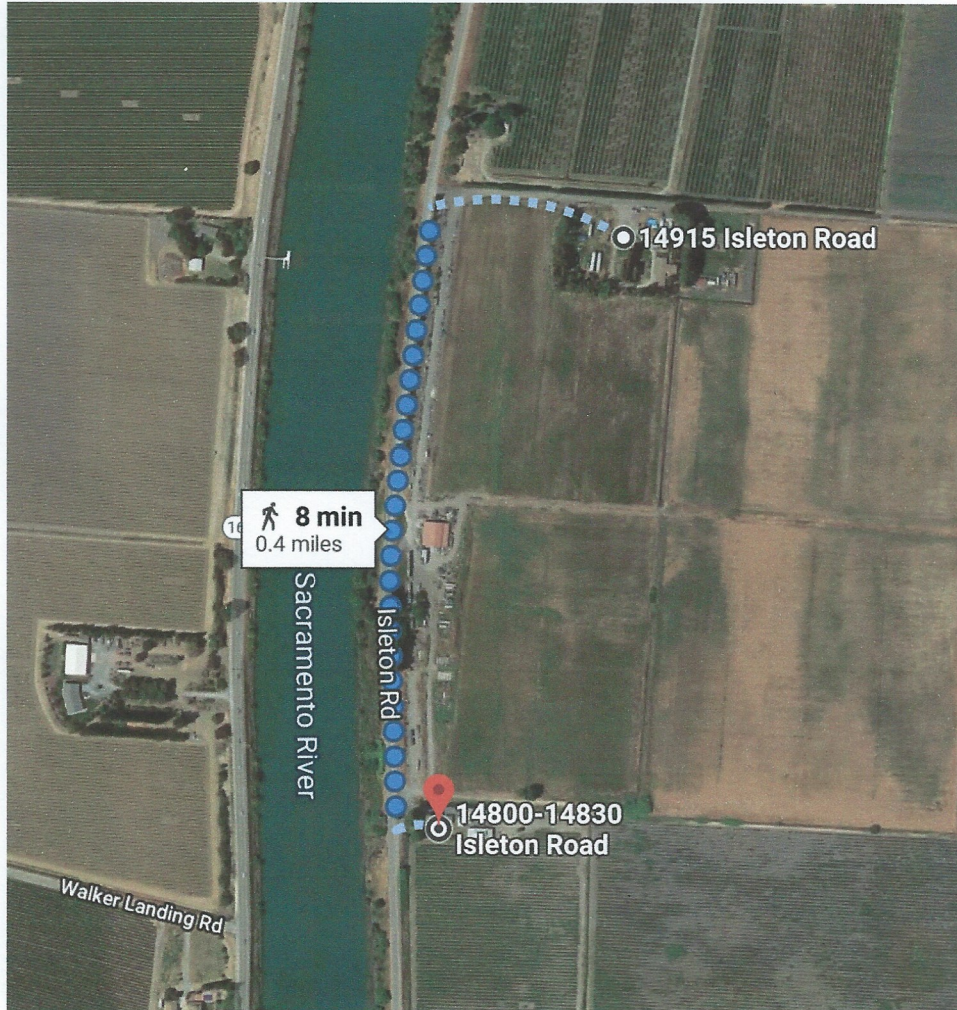
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4. Old Sod Farm

Half Mile North of 15151 Isleton Rd.
Isleton, CA 95641

- Use Permit Violation – was originally approved for agricultural use as a sod farm.
Has turned into a junk storage site.

Source: Google Maps



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Old Sod Farm - Half Mile North of 15151 Isleton Rd.



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Old Sod Farm - Half Mile North of 15151 Isleton Rd.



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5. The Delta Loop & Lower Andrus Island

- Use Permit Violations -- RV parks are allowing full time RV residents. Not permitted for that. Only Pirates Lair and Spindrift are approved for permanent residents.

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Attachment – Attendees.

DELTA CITIZENS MUNICIPAL ADVISORY COUNCIL

MEETING Date: 11-13-19

Public Attendees

(Completion of the Attendance Form is Optional.)

Please Print Clearly

Name	Address	Email
Randy J. Beranek (Speaker)	12300 Herzog Rd Courtland, CA 95615	Randyberanek@gmail.com
(Speaker) SCOTT HERINGER	800 RUSSELL RD COURTLAND, CA 95615	sheringer@gmail.com
CHRIS WAKEMAN (Speaker)	12397 HERZOG RD COURTLAND CA, 95615	CHRIS@WAKEMAN-CONSTRUCTION.COM
Amy Jonson	12797 Herzog Rd Courtland, CA 95615	Jonsonka@citlink.net
Cassidy Jonson	370 Lambert Rd Courtland CA 95615	cassidyjonson1@gmail.com
Ian Jonson (Speaker)	370 Lambert Rd Courtland, CA 95615	ikjonson25@gmail.com
Kurt Jonson (Speaker)	12297 Herzog Rd. Courtland, Ca. 95615	jhjonson@citlink.net
Jackson MINWIZEN	1681 Bird Street ORVILLE CA 95965	Jminwizen@minwizenlaw.com ?
Martha Esch (Speaker)	P.O. BOX 402 COURTLAND CA 95615	aeroplane88@hotmail.com

DCMAC Public Attendances Form.docx