

**SONOMA VALLEY CITIZENS ADVISORY COMMISSION  
MINUTES OF MEETING APRIL 22, 2015  
SONOMA POLICE DEPARTMENT, COMMUNITY ROOM  
175 FIRST STREET WEST, SONOMA  
6:30 p.m.**

**COMMISSIONERS PRESENT:** Cynthia Wood, Jack Ding, Greg Carr, Dick Fogg, Tom Martin, Gay Johann, Margaret Spaulding, Pat Stevens, Ryan Lely, Angela White

**EXCUSED:** Ditty Vella, Pat Pulvirenti, Bruce Green, Sean Bellach

1. **Call To Order: 6:30 p.m.**
2. **Minutes Approved of March 25, 2015 Meeting**
3. **Public Comment (Limited to items not appearing on the agenda):** None
4. **Applicant Name: Josh Frasier Resolution  
Owner Name: Fly Fishing Outfitters LLC  
Site Address: 24120 Arnold Drive, Sonoma**

**Request for a new Use Permit modifying the previously approved Use Permit (PLP09-0098) to allow for: 1) outdoor demonstration of fly fishing equipment for customers to occur during normal hours of retail operations from 8:00am to 6:00pm 7 days/week; 2) outdoor fly fishing instruction in small groups of seven customers and one instructor at the pond areas (up to a maximum of 21 customers per day and three instructors outdoors at a time) and lasting up to a maximum of two hours; 3) unscheduled, drop-in fly fishing, available to the general public for a fee; 4) restocking the ponds with fish during normal hours of operations from 8:00am to 6:00pm, 7 days/week and supervised by Leland staff; 5) up to a maximum of 90 low-density special events per year to occur during the weekday and on weekends with a maximum of 50 guests at a time and with no more than one event to occur within a 24-hour period; 6) expand the permitted hours of operation to 10:00pm to accommodate special events; and 7) convert the existing caretaker's unit to a permanent storage building.**

Mr Fogg: Speaking as person who sat on this case 2 years ago, I am providing some background although not a comprehensive review. There is a long history involving the Airport, Board of Supervisors, CALUP and PRMD. There were 2 main issues: safety zones and the take-off area, and bird collisions, some large birds such as Canadian Geese that fly into ponds adjacent to the safety zones. Karin Theriault's staff report provides general background issues but not for special events and did not allow for fly fishing. Our job is only for the new proposal and not the history. I believe there are 4 or 5 key issues: aside from the WTrans traffic study, is additional traffic appropriate, considering turn lanes, turn shoulders, peak and non-peak hours; special event coordination with food trucks and serving beer and wine; the number and size of events and special events with amplified music up to 10 pm; fly fishing in the pool requested for potential customers and the general public; and restocking of the pond when the original permit said no fish and only sterile fish was granted.

**Applicant presentation:**

Josh Frasier, owner: We started the permit process 11 years ago. As of this afternoon, we have final degrading for pond, buildings, ADA, fire, septic, outdoor bathroom. We've had BZA meetings. Our business is selling fly fishing equipment and it took 10 years to learn what customers want which is learning to fly cast in preparation for mountain trips. We're asking for 90 special events: We'll close the shop to accommodate a group of 10-16 people who rent the premises constituting an event with a 4:1 ratio (5 employees). There will be 4 large events (that's less than 100 a year); 16 events of 31 to 50 people, and the rest are less than 30 people (9-18 customers/5 staff). Bluegill and bass come to our pond from other ponds and we'll replace, not restock the fish population with trout. A traffic study has been conducted.

Charles Bauman, project manager: 1<sup>st</sup> use permit included an 8 ft shoulder to increase safety. 2<sup>nd</sup> use permit will maintain threshold under what would trigger impact; off key traffic management plan, Monday to Friday, and use shuttles for weekends and 4 large events.

**Commissioner questions:**

Mr. Lely: Re: 2 acre pond, originally used for fire suppression – if used for fly fishing, what takes its place? Is it all fed by wells and what's the status of the wells within the region?

Josh Frasier: Pond is still available for fire suppression. It's primarily fed by rainwater. We're mandated in 1<sup>st</sup> use permit to 5.27 ft per acre water per year. It's monitored by EBA so water use is under control - groundwater levels and saltwater intrusion haven't changed.

Mr. Stevens: The pond – County Fire requires use? Stocking of fish doesn't conflict with fire use?

Mr. Carr: I don't know but County Fire will respond to this application.

Mr. Stevens: Native species migrate to this pond. What about stocking fish?

Josh Frasier: Fish and Wildlife permits for native trout.

Mr. Stevens: Cal Trans issues – highway frontage, no left turn lane for southbound traffic in application.

Josh Frasier: We don't but will.

Ms. White: Re: events, you have a membership, all repeat business? Numbers and size based on what? How did you pull numbers?

Josh Frasier: We were doing events at property without the right permits. We try to get people hooked on fly fishing, so it's small groups - 12 friends learning to fly fish before going on a trip.

Mr. Martin: Who established the 5.7 ft rule?

Josh Frasier: EBA, an engineering firm. County asked for report and agreed on it.

Mr. Martin: That's more than 1.7 million gallons a year. Who does the monitoring?

Josh Frasier: EBA does monitoring and report goes to County and Water Board.

Mr. Martin: Re: special events, why till 10 pm and beyond 6 pm or even 8 pm?

Josh Frasier: We want to catch the magic hour: summer till 9 or 9:30, winter till 5 or 5:30.

Chair Ding: Left hand turn, Carneros Storage and the Airport can't. Did you apply or request?

Josh Frasier: They probably haven't asked yet. Cal Trans looks at the number of people making left hand turns and makes a determination. We're presently drawing plans for a left hand turn lane.

Charles Bauman: Cal Trans favors our side.

Mr. Carr: Left hand turn lane has to do with the 1<sup>st</sup> permit? What's in the current application?

Charles Bauman: We have a better solution than 8 ft shoulder.

Mr. Carr: You need to clarify where you are in respect to the 1<sup>st</sup> permit.

Ms. Spaulding: There's an 8 ft spin to the right as you're heading south. There's a problem because people are slowing down to turn in to Fruit Basket, maybe not an optimal solution.

Josh Frasier: More people are going in to Fruit Basket. We don't have adequate....

Mr. Carr: Your proposal for non-peak events during the week - what's peak on weekends?

Josh Frasier: Mid-day.

Charles Bauman: Mitigation necessary for 6:30 pm is off-peak.

Mr. Carr: Morning is peak? You're looking to avoid peak.

Charles Bauman: We don't have individual cars coming in for large events - changes for Saturday and Sunday - shuttle.

Mr. Lely: Current use permit is for 24 a day max? Will number increase due to events?

Josh Frasier: Fishing, retail – same under 24, for special events – if number is bigger, will add to 24.

Mr. Lely: If permit specifies 24, how does that work?

Josh Frasier: If special event, rest of business will not be open. If more than 24, business will close.

Mr. Lely: Will you have previous knowledge events will happen? How will you work with drop-in people?

Josh Frasier: If we have tours, people showing up to fish, location is not retail, mostly by appointment.

Mr. Lely: Any precedent with the County with permit saying 24, then with special events, usurping occupancy?

Mr. Carr: If approval is granted, language would be crafted by staff to specify that should be part of the motion. It's a good concern: 1 limit for fishing and 1 for events.

**Public questions and comments:**

Helmut Emke, E Napa St: 1) water issue – pond to draw water from is great benefit for fire suppression, 2) birds – will have to deal with/can't control, 3) ranch is open to public for fishing.

Steve Kyle, Lomita St: There's great fly casting interest. I support this because it's nowhere else in Bay Area – only 2 or 3 fly shops left. Great addition to the Valley.

Chris Pevos, Arnold Dr: I represent the Sonoma Valley Airport (handed out letter to Commissioners): Please review it and someone will discuss it.

Chair Ding: We can't read it now – it's too time consuming. We need to continue with public comments.

Jonathan Kathrein, Airport: We're in a drought. They've exceeded their water allotment. For 3 years in a row, they've broken that condition. They're allowed to fill water May and June. As for special events and alcohol consumption and later hours, the area is not zoned for event/alcohol use. With regard to Cal Trans, they have not met 1<sup>st</sup> use permit to widen lane. Wait for them to finish before approving this new request.

Kathy Pons, VOM Alliance: Primarily retail for first 4 requests on application which are reasonable. The issues are 5, 6 and 7 – events, later hours and conversion of caretaker's unit for storage to accommodate septic for events. The area is already over-concentrated with events and will result in 3600 more people a year. We request denial or postponement until guidelines on over-concentration are defined. If groundwater is being monitored, please share with the Sonoma Valley Groundwater Management Plan database since use is critical for the area.

Cheryl Carlucci, Airport: 1<sup>st</sup> permit in 2004 was denied by PRMD because it's too close to the runway but he built the pond anyway. He had applied for a non-commercial use ag pond even though he was told it was incompatible land use, now he's trying to get commercial use. With fresh water stocked with trout, it's a wildlife attractant. There has been an uptick in birds at the airport and they did stock the pond with fertile trout. It's not about fly fishing vs aviation – I'm here about safety. I urge you to deny the application until the current application has vested.

Carl Dyks, Educator: Safety should be the first concern. It's a contradiction if more people and events, and putting more people near a runway.

Burke White, Ranch staff: Impact is on outdoor activity. Birds in discussion are water fowl – geese and ducks eat grass and don't eat fish. Ranch is safe.

David Mace, Airport: I'm a volunteer and I keep people informed of airplane safety and the dangers of airplanes. I have escorted Leland's people with their dogs off the runway. Their area is not completely fenced off.

**Commissioner comments and discussion:**

Mr. Stevens: Current application with Cal Trans includes increased use?

Mr. Carr: Mr. Chairman, please give the applicant a chance to rebut public comments.

Josh Frasier: All points have been presented to County and BZA. We have mandated safety zones and locked gates.

Ms. White: How did fly fishing get next to the airport? How long have you been neighbors?

Josh Frasier: 2004-2010. Pond was built in 2008. We've been good neighbors for a long time.

Ms. White: You seem like a wild child, doing things your way. If you weren't operating appropriately, we would hear of issues so you've gone through all of the points brought up by the Airport.

Josh Frasier: We brought up the land use in front of BZA.

Ms. White: Water is always an issue. My main concern is with the safety piece and not with events or turn lane. Fruit Basket is very busy - customers and airport customers need to be kept safe.

Mr. Stevens: Pond is a fire pond?

Josh Frasier: It's what it's permitted as.

Mr. Lely: Part of permit is changing to a fly fishing pond? It seems you've been doing things outside of original use permit. Are there components you're still working on?

Josh Frasier: Just the Cal Trans part.

Mr. Carr: There is a precedence – if can't do or needs to change 1<sup>st</sup> permit, sometimes applicants come forward if haven't been following own rules.

Ms. White: From fire to fishing pond? Still available for emergencies?

Josh Frasier: Allowed to be touched.

Ms. Spaulding: Compliance still an issue. Please explain.

Josh Frasier: I thought I could do without lawyers, expeditors, consultants. In 2007, I found out I didn't have the right permits and have been trying to fix that.

Chair Ding: Compliance is a priority

Mr. Martin: I'm concerned with 90 events – traffic on Arnold Drive would be increased with 50 max people.

Josh Frasier: I've been compliant since 2007. 70 events are below 30 people

Charles Bauman: Compliance is our #1 goal. Going forward, will have no issues, trying to be responsible people.

Ms. White: You're projecting 3300 people annually – how many right now?

Charles Bauman: We're not changing uses of pond, we're under the typical retail scenario, not more than what everyone else has.

Mr. Stevens: To County: they've been in compliance since 2007?

Mr. Carr: As far as we know, yes.

Mr. Martin: Item 7 – caretaker's unit to permanent storage building?

Josh Frasier: (brought poster up to Commissioners – discussion inaudible)

Chair Ding: Very tough for small business. We can only use our common sense, not understand legal jargon.

Mr. Stevens: Expansion of existing use, pond is required for fire suppression. County will look at traffic – left hand and right turn required for increased attendance. I'm in favor.

Ms. Johann: 1 to 4 and 7 are OK – they're expansion of existing business. I'm not in favor of 5 and 6 – adds too much use to property.

Mr. Lely: I'm in support – adds diversity – but request County clarifies between standard operation and events, and if water is available to public.

Ms. Wood: Good presentation.

Ms. Spaulding: I generally approve but have serious reservations about the past for failure to comply. If approved, what happens next – does the County have the capacity to monitor?

Chair Ding: I agree with Ms. Johann, remove 5 and 6.

Mr. Martin: I second.

Ms. White: I don't agree. I make a motion to approve as presented.

Mr. Stevens: I second. In addition to the motion, let's have a discussion and look at the concerns: special events and the number of people, water use made public, traffic study.

Mr. Stevens: In addition to the motion, let's have discussion and look at the concerns – special events, water, water use made public, traffic study

Mr. Martin: State the motion again, please.

Chair Ding: Improve people protection and to be made fully compliant with the County.

**Motion: Ms. White. Approve project as presented but for County to pay close attention to the number of people at events, water use to be made public, pay close attention to traffic study, and to be compliant. Mr. Stevens seconded. 7 in favor, 1 opposed (Ms. Johann). Motion passed.**

## **5. Consideration of items for Future Agenda**

Pat Gilardi: We have one on May 27, couple of projects still in the wings. VJB not ready yet. We get referrals all the time, sometimes we'll get something 4 days before the deadline.

Kathy Pons, VOM Alliance: In 2004, we did a study on event facilities. There is an updated study for 2014, and I'd like to present the changes in the 10 years.

Chair Ding: Sonoma Land Trust has dedicated a bench on top of Sonoma Regional Park in honor of Kirsten Lindquist for her contribution and dedication to local land conservation.

**6. Adjourn 8:30 pm**