

City wants more info on impacts; chemical concerns cited

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CHICO -- Seeking further clarity on the proposed construction of a Butte County Mosquito and Vector Control District building, the Chico City Council overturned the Architectural Review Board's previous approval of the project, requesting city staff investigate the environmental impacts of the building.

The ARB approved the design of the proposed 10,000-square-foot warehouse and office space at 444 Otterson Drive at its July 15 meeting, and the issue was heard by the council Tuesday, following an appeal filed by John Merz and Sheldon Praiser.

Merz and Praiser contended in their appeal that significant environmental impacts were overlooked in the approval process of the project, especially in regard to the building's location near Comanche Creek or Edgar Slough.

The pair called for a thorough environmental review, with specific consideration given to the proximity of the agency's chemicals to the riparian watershed.

City Assistant Planner Jake Morley, who prepared and presented the staff report, asserted that the project did not need an environmental review, based on exemptions for infill development within the California Environmental Quality Act.

Morley said city planning staff determine if a project meets the CEQA exemption, and based on the nature of the building, he concluded the project did meet the exemption standards.

But a few City Council members took issue with the exemption, with Andy Holcombe particularly concerned about the lack of an

environmental study.

Holcombe, along with Mayor Ann Schwab and Councilor Scott Gruendl, said there were environmental impacts that they would like to see addressed, with Gruendl also concerned with the chemicals being housed near the water.

"If we can't spray chemicals within 100 feet of the creek, I just can't reconcile why we would agree to store, mix or transfer chemicals within 100 feet of the creek," Gruendl said.

Les Heringer, manager of M&T Ranch, a farming operation that irrigates with water from the creek, said despite Gruendl's assertion, he had no misgivings about the chemicals housed in the

proposed concrete building or their proximity to the water. "I know, being a farmer, the use of chemicals is highly regulated in the state," he said.

Councilor Larry Wahl and Vice Mayor Tom Nickell agreed with Heringer's arguments, with Wahl initially moving to deny the appeal and uphold the project. Nickell seconded the motion, but it died with a 2-4 vote. Councilor Mary Flynn was absent from the meeting.

Following the failed attempt to deny the appeal, Holcombe moved to uphold the appeal, in addition to directing city staff to conduct an environmental study of the project, with the results presented back to the council, rather than the ARB.

Holcombe argued that the project failed to meet the CEQA exemption and said he needed more information to ensure the project would not harm the environment, a notion that Schwab, Gruendl and Councilor Jim Walker agreed with. "I was hoping a lot of questions would be answered, but more were raised," Schwab said.

Additionally, Gruendl said with the project funded by \$2.2 million of Chico Redevelopment Agency funding, it was of even more importance to ensure the proposed building site was fully investigated.

"If we're going to spend public money on a public project, we better get it right," Gruendl said.

The appeal was upheld by a 5-1 decision, with Wahl dissenting.

With the matter going back to city staff, Principal Planner Mark Wolfe said the project could be delayed by an additional two to three months.

Bill Brouhard, business partner to project developer Doug Guillon of Guillon, Inc., said the project delay has already cost thousands of dollars, and pushing back construction even further could cost "tens of thousands of dollars."

Brouhard said several construction workers slated to work on the project have been laid off due to the appeal.

"This delay has kept guys who want to work and need to work out of a job," Brouhard said.