

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Location
CALFIRE	✓	No comment at this time	On file
CDFW	✓	Conditional approval	Attached
NWIC	✓	Further study and Consult with Tribes	On file
Bear River Band of the Rohnerville Rancheria	✓	Inadvertent discovery protocol	On file
Blue Lake Rancheria	✓	No concerns	On file
Wiyot Tribe			
McKinleyville Union SD			
Arcata FPD			
County Building Inspection Division			
County Public Works, Land Use Division	✓	Conditional approval	Attachment 1B
County Division of Environmental Health	✓	Approval	On file
McKinleyville CSD	✓	Approval	On file
RWQCB			
PG&E	✓	Conditional approval	Attached

From: [Rian, Kathryn\(Katie\)@Wildlife](mailto:Rian,Kathryn(Katie)@Wildlife)
To: [Johnston, Desmond](mailto:Johnston,Desmond)
Subject: RE: Sutter Minor Subdivision 18146
Date: Monday, April 10, 2023 4:30:58 PM
Attachments: [image001.png](#)

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Hi Des,

Thank you for following up. I think this should do the trick:

- When vacant parcels are eventually developed, CDFW strongly recommends that any necessary vegetation removal be done outside of the nesting bird season (generally March 15 – August 15). Alternatively, although discouraged due to the potential for project delays and associated costs, a qualified biologist shall survey for active bird nests no more than seven days prior to the start of any project-related activities with the potential to impact nesting birds. If an active nest is found, the permittee should consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.
- CDFW always encourages the use of locally appropriate native plants in landscaping. At minimum, the planting palette should avoid invasive species listed in the Cal-IPC Inventory.

Thanks,
Katie

From: Johnston, Desmond <djohnston@co.humboldt.ca.us>
Sent: Monday, April 10, 2023 4:24 PM
To: Rian, Kathryn(Katie)@Wildlife <Kathryn.Rian@Wildlife.ca.gov>
Subject: RE: Sutter Minor Subdivision 18146

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Katie,

Please tell me how exactly you would like for the condition to read.

Regards,



Desmond Johnston, Senior Planner
[Planning and Building Department](#)
707.441.2622

From: Rian, Kathryn(Katie)@Wildlife <Kathryn.Rian@Wildlife.ca.gov>
Sent: Friday, April 07, 2023 8:35 AM
To: Johnston, Desmond <djohnston@co.humboldt.ca.us>
Subject: RE: Sutter Minor Subdivision 18146

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Hi Des,

I would agree with your assessment for this project. My only recommendations would be the usual 1) avoidance of nesting bird season for any vegetation removal associated with future development, and 2) landscaping with locally appropriate native species, or at minimum, those not listed on the [Cal-IPC inventory](#).

I know this is super last-minute, but I'm going down to Garberville to visit that quarry on Alderpoint Road this morning, meeting Mike at the Calfire station in Garberville at 1:00 pm. I completely forgot to include you when we had to reschedule, so I apologize. Anyway, if you want to get out, I can swing by your office and pick you up. Not a bad way to spend a Friday!

Katie

From: Johnston, Desmond <djohnston@co.humboldt.ca.us>
Sent: Thursday, April 6, 2023 4:50 PM
To: Rian, Kathryn(Katie)@Wildlife <Kathryn.Rian@Wildlife.ca.gov>
Subject: RE: Sutter Minor Subdivision 18146

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Hi Katie,

I haven't put time into this one yet, so I just took a look now.

There is no biology report in the files.

I would say that the application assistance team did not request an assessment because:

- the GIS natural resources layer does not indicate that a species of concern has been identified on or near the site;
- The site is part of a previous residential subdivision;
- the project site is fully developed with three residential-type buildings and fully landscaped with private gardens;

- the project will result in 4 parcels and a remainder, which is a minor subdivision and eligible for a CEQA exemption.

Katie, I wouldn't think this app needs a biol assessment. If you'd like to make a site visit and give it more thought, let me know. I wouldn't mind going, I need to get out more.

Des

Regards,



Desmond Johnston, Senior Planner
[Planning and Building Department](#)
707.441.2622

From: Rian, Kathryn(Katie)@Wildlife <Kathryn.Rian@Wildlife.ca.gov>
Sent: Thursday, April 06, 2023 2:54 PM
To: Johnston, Desmond <djohnston@co.humboldt.ca.us>
Subject: Sutter Minor Subdivision 18146

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Hi Des,

I'm reviewing the Sutter Minor Subdivision in McKinleyville (PLN-2023-0087; APN 509-321-018) and was wondering whether the applicants were asked to submit a biological assessment for the property.

Thanks,
Katie

Kathryn M. Rian

Environmental Scientist
Coastal Conservation Humboldt/Del Norte
California Department of Fish and Wildlife
619 2nd St, Eureka, CA 95501
Kathryn.Rian@Wildlife.ca.gov

From: [Newell, Justin](#)
To: [Keith Castonguay](#); [Yandell, Rodney](#); "Mike O'Hern"
Cc: [Freed, Ken](#); [Shoemaker, Stanley](#)
Subject: RE: 18146 Sutter Subdivision revised map
Date: Monday, February 26, 2024 12:21:42 PM
Attachments: [image001.png](#)
[image002.png](#)

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Classification: Public

Keith,

Thank you for that response. The opinion of my senior was that the current version offered appurtenant easements and not PUEs based on how they were labelled. Should the easement be labelled a PUE with the language provided then I will have no further comment or issue regarding the map.

Thank you,

Justin Newell | Land Agent | Land Rights Records

Pacific Gas and Electric Company

916-594-4068



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From: Keith Castonguay <kc@marginalimplications.com>

Sent: Monday, February 26, 2024 12:19 PM

To: Newell, Justin <justin.newell@pge.com>; 'Yandell, Rodney' <RYandell@co.humboldt.ca.us>;

'Mike O'Hern' <kellyohern@sbcglobal.net>

Cc: 'Freed, Ken' <KFreed@co.humboldt.ca.us>; Shoemaker, Stanley <SWSK@pge.com>

Subject: RE: 18146 Sutter Subdivision revised map

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Hey gang:

Thanks very much for the timely responses. Mr. O'hern has not had a chance to read the latest from Justin.

We were heading down the path of PUE's from onset. This Tentative Map is closer to a Final Map than most.

I will follow up as needed.

Keith Castonguay
(707) 496-4194

From: Newell, Justin <justin.newell@pge.com>
Sent: Monday, February 26, 2024 11:25 AM
To: Yandell, Rodney <RYandell@co.humboldt.ca.us>; Keith Castonguay <kc@marginalimplications.com>; 'Mike O'Hern' <kellyohern@sbcglobal.net>
Cc: Freed, Ken <KFreed@co.humboldt.ca.us>; Shoemaker, Stanley <SWSK@pge.com>
Subject: RE: 18146 Sutter Subdivision revised map

Classification: Public

Hell Rodney & Keith,

I spoke with my senior and gas department regarding the map and deck over the gas line. I have a few modifications to the map for the land rights to be considered acceptable for the existing services.

The proposed easements and rights of way must be dedicated as Public Utility Easements on the map with the following language: *I/We the undersigned, as Owner(s) of the land shown hereon, do hereby state that I/we am/are the only person(s) whose consent is necessary to pass clear title to said land and do hereby consent to the preparation and recordation of this map and offer for dedication and do hereby dedicate for public uses the Public Utility Easements (PUEs) shown on this map for public utility purposes including electric, gas, communication facilities and all other public utility purposes; together with any and all appurtenances thereto, including the right from time to time to trim and to cut down and clear away or otherwise control any trees or brush. The PUEs hereby offered for dedication are to be kept open and free of buildings, structures and wells of any kind.*

The final map must contain a statement setting forth dedications and offers to dedicate interests in real property for public utility purposes. If the offer of dedication has terminated, or the local agency declines to accept it, you may be required to provide PG&E an easement in gross instead. Currently, the rights of way read as appurtenant easements and are not considered adequate for our operation and maintenance of the services.

Lastly, we have no further comments regarding the deck and garage and will not be pursuing any modification, removal, or abatement of them at this time. If I can be provided with these map changes I can update my final comments to the county.

Thank you,

Justin Newell | Land Agent | Land Rights Records
Pacific Gas and Electric Company
916-594-4068



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From: Yandell, Rodney <RYandell@co.humboldt.ca.us>
Sent: Thursday, February 22, 2024 8:25 AM
To: Keith Castonguay <kc@marginalimplications.com>; Newell, Justin <justin.newell@pge.com>; 'Mike O'Hern' <kellyohern@sbcglobal.net>
Cc: Freed, Ken <KFreed@co.humboldt.ca.us>; Shoemaker, Stanley <SWSK@pge.com>
Subject: RE: 18146 Sutter Subdivision revised map

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Justin,

This project is scheduled to go in front of the Planning Commission for decision on April 4, 2024. I am hoping to have your final comment on record by March 7th if possible.

Please give me a call if you have any questions.

Thank you,



Rodney Yandell
Senior Planner
[Planning and Building Department](#)
707.268.3732

From: Keith Castonguay <kc@marginalimplications.com>
Sent: Friday, February 16, 2024 7:41 AM
To: 'Newell, Justin' <justin.newell@pge.com>; 'Mike O'Hern' <kellyohern@sbcglobal.net>

Cc: Freed, Ken <KFreed@co.humboldt.ca.us>; 'Shoemaker, Stanley' <SWSK@pge.com>; Yandell, Rodney <RYandell@co.humboldt.ca.us>

Subject: RE: 18146 Sutter Subdivision revised map

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Hi Justin, everyone:

Yes, Ok thanks. Hopefully we won't have to remove the deck if at all possible and/or relocate the gas line.

I have done projects where an easement actually was part of a wall of a structure that served other parcels. In that instance, the gas is right up against the structure almost.

Appreciate your help of course. Look forward to your decision.

Keith

From: Newell, Justin <justin.newell@pge.com>

Sent: Friday, February 16, 2024 6:50 AM

To: Keith Castonguay <kc@marginalimplications.com>; 'Mike O'Hern' <kellyohern@sbcglobal.net>

Cc: 'Freed, Ken' <KFreed@co.humboldt.ca.us>; 'Shoemaker, Stanley' <SWSK@pge.com>; 'Yandell, Rodney' <RYandell@co.humboldt.ca.us>

Subject: RE: 18146 Sutter Subdivision revised map

Classification: Public

Keith,

That is exactly my concern. The gas service was already established, and if shown accurately, running directly under the deck and in close proximity to the garage and its foundation. When going over the map revisions with my senior we both expressed concern about this. Typically we need to maintain 5' of separation from services to structures and foundations at a minimum.

I'll pursue this more today to understand if we can accept any easement via the map that is already encumbered by these structures.

Thank you,

Justin Newell | Land Agent | Land Rights Records
Pacific Gas and Electric Company
916-594-4068



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From: Keith Castonguay <kc@marginalimplications.com>

Sent: Thursday, February 15, 2024 4:37 PM

To: Newell, Justin <justin.newell@pge.com>; 'Mike O'Hern' <kellyohern@sbcglobal.net>

Cc: 'Freed, Ken' <KFreed@co.humboldt.ca.us>; Shoemaker, Stanley <SWSK@pge.com>; 'Yandell, Rodney' <RYandell@co.humboldt.ca.us>

Subject: RE: 18146 Sutter Subdivision revised map

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Hi Rodney:

The deck referenced was built at the same time as the detached garage/shop.

Garage permit 12-388-GD-7.

The gas servicing the house branches off to also service the secondary dwelling. The gas line passes by the garage/shop, at the approximate location shown on the Tentative Map. The proposed utility 10-foot easement roughly centers that gas line. The gas line was identified, and already in place, prior to the construction of the detached garage/shop.

The Development Plan will go into more detail (especially pertaining to the necessary easements), as you are aware.

If you require any additional information I can ask Mr. O'hern to weigh in?

Thanks again,
Keith Castonguay
(707) 496-4194

From: Newell, Justin <justin.newell@pge.com>

Sent: Thursday, February 15, 2024 3:13 PM

To: Keith Castonguay <kc@marginalimplications.com>; Mike O'Hern <kellyohern@sbcglobal.net>

Cc: Freed, Ken <KFreed@co.humboldt.ca.us>; Shoemaker, Stanley <SWSK@pge.com>; Yandell, Rodney <RYandell@co.humboldt.ca.us>

Subject: RE: 18146 Sutter Subdivision revised map

Classification: Public

Hello Keith & Mike,

I spoke with my senior and have a question regarding the deck and garage shown over the existing gas service. Is the position of the gas service accurate? How was the position of this gas service determined? Was the gas service exposed or discovered when constructing the deck and garage?

We are reviewing the proposed rights of way to ensure they are satisfactory for our operation and maintenance, but would like to understand if the existing deck and garage are in fact directly over the existing service.

Thank you,

Justin Newell | Land Agent | Land Rights Records
Pacific Gas and Electric Company
916-594-4068



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From: Yandell, Rodney <RYandell@co.humboldt.ca.us>

Sent: Thursday, February 15, 2024 12:18 PM

To: Newell, Justin <justin.newell@pge.com>; Keith Castonguay <kc@marginalimplications.com>

Cc: Freed, Ken <KFreed@co.humboldt.ca.us>; Shoemaker, Stanley <SWSK@pge.com>

Subject: RE: 18146 Sutter Subdivision revised map

Classification: Public

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Justin,

I am super close to wrapping up the staff report and hope to be finished today.

Thank you,



Rodney Yandell
Senior Planner
[Planning and Building Department](#)
707.268.3732

From: Newell, Justin <justin.newell@pge.com>
Sent: Thursday, February 15, 2024 11:12 AM
To: Keith Castonguay <kc@marginalimplications.com>; Yandell, Rodney <RYandell@co.humboldt.ca.us>
Cc: Freed, Ken <KFreed@co.humboldt.ca.us>; Shoemaker, Stanley <SWSK@pge.com>
Subject: RE: 18146 Sutter Subdivision revised map

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Classification: Public

Thank you Keith! I can confirm receipt of the map. I will review and provide comments or an updated letter as soon as possible.

Best,

Justin Newell | Land Agent | Land Rights Records
Pacific Gas and Electric Company
916-594-4068



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From: Keith Castonguay <kc@marginalimplications.com>
Sent: Wednesday, February 14, 2024 12:14 PM
To: 'Yandell, Rodney' <RYandell@co.humboldt.ca.us>
Cc: 'Ken Freed Humboldt County Public Works' <KFreed@co.humboldt.ca.us>; Shoemaker, Stanley <SWSK@pge.com>; Newell, Justin <justin.newell@pge.com>
Subject: RE: 18146 Sutter Subdivision revised map

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Hello Rodney:

Attached you will find the revised Tentative Map (TM) for Mr. Sutter's Azalea Ranch Minor Subdivision. Per staff's request we have added the gross and net acreage areas for each parcel, as well as added the gas service easement reference per PG&E Service Planning (Justin Newell & Stan Shoemaker - PG&E).

I will drop off a hard copy of the TM to you soon. Let me know if you need anything else.

Thanks very much.

Keith Castonguay
(707) 496-4194

From: Yandell, Rodney <RYandell@co.humboldt.ca.us>

Sent: Monday, January 29, 2024 4:47 PM

To: Keith Castonguay <kc@marginalimplications.com>

Subject: RE: 18146 Sutter Subdivision revised map

Thank you,



Rodney Yandell

Senior Planner

[Planning and Building Department](#)

707.268.3732

From: Keith Castonguay <kc@marginalimplications.com>

Sent: Monday, January 29, 2024 3:49 PM

To: Yandell, Rodney <RYandell@co.humboldt.ca.us>

Subject: RE: 18146 Sutter Subdivision revised map

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Rodney, I asked Mr. O'hern to show NET acreage after subtracting the easements/ROWs and to

show GROSS acreage per lot.

Plus, Mr. O’hern will address the gas line easement issue as needed.

Thanks so much!

Keith

From: Yandell, Rodney <RYandell@co.humboldt.ca.us>
Sent: Monday, January 29, 2024 2:37 PM
To: Keith Castonguay <kc@marginalimplications.com>; 'Newell, Justin' <justin.newell@pge.com>
Cc: 'Mike O'Hern' <kellyohern@sbcglobal.net>; 'Shoemaker, Stanley' <SWSK@pge.com>
Subject: RE: 18146 Sutter Subdivision revised map

Keith,

When Mr. O’Hern updates the TM, please make sure that the “NET” acres are updated accordingly.

Thank you,



Rodney Yandell
Senior Planner
[Planning and Building Department](#)
707.268.3732

From: Keith Castonguay <kc@marginalimplications.com>
Sent: Monday, January 29, 2024 1:48 PM
To: 'Newell, Justin' <justin.newell@pge.com>; Yandell, Rodney <RYandell@co.humboldt.ca.us>
Cc: 'Mike O'Hern' <kellyohern@sbcglobal.net>; 'Shoemaker, Stanley' <SWSK@pge.com>
Subject: RE: 18146 Sutter Subdivision revised map

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Ok got it. Mr. O’hern will advise and update as needed.

Thanks very much,

Keith

From: Newell, Justin <justin.newell@pge.com>
Sent: Monday, January 29, 2024 1:43 PM
To: Keith Castonguay <kc@marginalimplications.com>; 'Yandell, Rodney'

<RYandell@co.humboldt.ca.us>

Cc: 'Mike O'Hern' <kellyohern@sbcglobal.net>; Shoemaker, Stanley <SWSK@pge.com>

Subject: RE: 18146 Sutter Subdivision revised map

Classification: Public

Keith,

The revised map does not address the issue of the gas right of way. The revision only addressed a portion of the gas service and not all of them.

My comments to the county have not been addressed and remain the same.

Thank you,

Justin Newell | Land Agent | Land Rights Records

Pacific Gas and Electric Company

916-594-4068



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From: Keith Castonguay <kc@marginalimplications.com>

Sent: Monday, January 29, 2024 1:41 PM

To: Newell, Justin <justin.newell@pge.com>; 'Yandell, Rodney' <RYandell@co.humboldt.ca.us>

Cc: 'Mike O'Hern' <kellyohern@sbcglobal.net>; Shoemaker, Stanley <SWSK@pge.com>

Subject: RE: 18146 Sutter Subdivision revised map

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Justin:

Yes that gas ROW is needed from Parcel 1 to Parcel 2, as you indicated.

The project does not include any new or upgraded natural gas services or facilities.

Thank you,

Keith

From: Newell, Justin <justin.newell@pge.com>

Sent: Monday, January 29, 2024 1:21 PM

To: Keith Castonguay <kc@marginalimplications.com>; 'Yandell, Rodney' <RYandell@co.humboldt.ca.us>
Cc: 'Mike O'Hern' <kellyohern@sbcglobal.net>; Shoemaker, Stanley <SWSK@pge.com>
Subject: RE: 18146 Sutter Subdivision revised map

Classification: Public

Hello Keith and Rodney,

I have taken a look at what was revised per the attached and Rodney's email. There is still one issue that remains, the revised map does not provide rights of way for all identified gas services over Parcel 1. The revised map now provides the needed right of way for the services running east/west to the remainder parcel, but it does not provide any rights of way for the service running north/south to Parcel 2. A right of way is required because this existing gas service is crossing the proposed Parcel 1 for the benefit of Parcel 2. In short, all gas services crossing Parcel 1 to another parcel require a right of way. These rights of way do not exist now since they are installed on one parcel. The proposed map is the reason these rights of way are now required for the existing services.

I am unaware of the status of the project referenced. Is it possible it may have only been for electric services and not gas? Any additional information on the applicant project would be greatly appreciated and may assist in any additional responses.

Thank you,

Justin Newell | Land Agent | Land Rights Records
Pacific Gas and Electric Company
916-594-4068



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From: Keith Castonguay <kc@marginalimplications.com>
Sent: Monday, January 29, 2024 12:54 PM
To: 'Yandell, Rodney' <RYandell@co.humboldt.ca.us>; Newell, Justin <justin.newell@pge.com>
Cc: 'Mike O'Hern' <kellyohern@sbcglobal.net>; Shoemaker, Stanley <SWSK@pge.com>
Subject: RE: 18146 Sutter Subdivision revised map

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Hello Justin and Rodney:

I am not sure if everyone knows this, but the Azalea Ranch Minor Subdivision has already been engineered by PG&E in February or March of 2022, and Mr. Sutter (Applicant) has paid PG&E as well. Mr. Stan Shoemaker is the representative we have been working with locally at PG&E. Construction should already be on PG&E's schedule, pending County of Humboldt approval. The original PG&E calculations should still apply as well.

Here is Stan's contact information:

Stan Shoemaker
New Business Representative
Pacific Gas and Electric Company
Eureka Ca 95501
707-445-5542/ swsk@pge.com

If I can provide any additional information let me know. Thank you for your attention to this matter.

Keith Castonguay
(707) 496-4194

From: Yandell, Rodney <RYandell@co.humboldt.ca.us>
Sent: Monday, January 29, 2024 11:42 AM
To: justin.newell@pge.com
Cc: Keith Castonguay <kc@marginalimplications.com>; Mike O'Hern <kellyohern@sbcglobal.net>
Subject: 18146 Sutter Subdivision revised map

Justin,

The Tentative Map for the project has been revised since you sent us a comment back in April (attached). If you could please review the attached revised map and re-respond accordingly it would be much appreciated.

Please call me if you have any questions.

Thank you,



Rodney Yandell
Senior Planner
[Planning and Building Department](#)
707.268.3732

You can read about PG&E's data privacy practices at [PGE.com/privacy](https://www.pge.com/privacy).