

TO: LASSEN COUNTY BOARD OF SUPERVISORS
ADMINISTRATIVE APPEAL PACKET
Use Permit 2026-001 – Blue Water Recycling

PROJECT INFORMATION

Project Location: 472-445 Diamond Crest Road
APNs: 116-140-021 and 116-140-020
Hearing Date: May 12, 2026

APPELLANTS (SUBMITTING PARTIES) *

Tom and Becky Neely
Holly Mueller
Laura Roberts
Eric and Shannon Ewing
Craig Hemphill
Natalie Chrestensen
Sonja Hemphill
Jerry A. Hemphill
Chris and Donna Buffham

SUBMITTED TO

Lassen County Board of Supervisors
221 S. Roop St., Suite 4, Susanville, CA 96130

Lassen County Planning Department
707 Nevada St., Suite 5, Susanville, CA 96130

Lassen County Clerk of the Board
220 S. Lassen St., Suite 5, Susanville, CA 96130

SUBMITTED BY

The Submitting Parties (Appellants) are named above. *

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DECISION SHEET

What You Must Find: Project will NOT be detrimental (§18.112.100)

What the Record Shows: 113 petitioners, traffic concerns, private wells, single access road (about 50 homes)

Risk if Approved: Potential CEQA challenge, abuse of discretion (§21168.5), inconsistency (Verizon)

BOARD OF SUPERVISORS – LEGAL SUMMARY (LEAVE-BEHIND)

Subject: Appeal of Use Permit #2026-001 – Blue Water Recycling Center

Location: 472–445 Diamond Crest Road (APNs 116-140-021 & 116-140-020)

Zoning: C-T (Town Service District)

Purpose of This Summary

This document is respectfully provided to assist the Board in evaluating the required findings under Lassen County Code and applicable CEQA standards prior to the scheduled hearing.

1. The Legal Standard (Key Requirement)

Under Lassen County Code §18.112.100, the Board **must make an affirmative finding** that the project:

" will not be detrimental to the health, safety, peace, comfort, and general welfare of the neighborhood."

This finding must be supported by **substantial evidence** in the record, as required by PRC §21082.2.

2. Important Clarification (Discretionary Approval)

Under LCC §18.102.030(d), recycling centers may be permitted in commercial zones. However, approval is **not automatic**, a Use Permit is discretionary, and the Board retains authority to **deny the project** if it is not compatible. Under PRC §21080, this discretionary project is subject to CEQA review.

3. Evidence in the Record (Substantial Evidence)

The record includes **122 signed petitions** and concerns regarding traffic, school bus stops, noise (~80 dB), private wells, and a **single access road serving about 50 homes**, including emergency services and funeral processions. This constitutes **substantial evidence of potential neighborhood detriment**.

4. Scale, Classification, and Compatibility

The 12,000 sq ft facility includes **industrial-scale processing**. Under LCC §18.14.580, reduction or processing of materials is **industrial activity**, raising compatibility concerns within a C-T zone.

5. CEQA Compliance and Exemption Concerns

Guideline §15061 requires **certainty of no impact**, which is undermined by projected noise levels. Guideline §15300.2 prohibits exemptions under **unusual circumstances** such as industrial-scale activity in a rural setting. Guideline §15063 requires an Initial Study; the Verizon project underwent full review.

6. Procedural Requirements and Legal Risk

Guideline §15004 requires environmental review **before approval**. PRC §21005 states failure to evaluate impacts is a **prejudicial abuse of discretion**. PRC §21168.5 defines **abuse of discretion**. LCC §18.126.010 states conflicting permits are **null and void**.

7. Consistency in Review (Verizon Comparison)

The Verizon Wireless Facility required full environmental review despite lower impacts, raising **consistency concerns**.

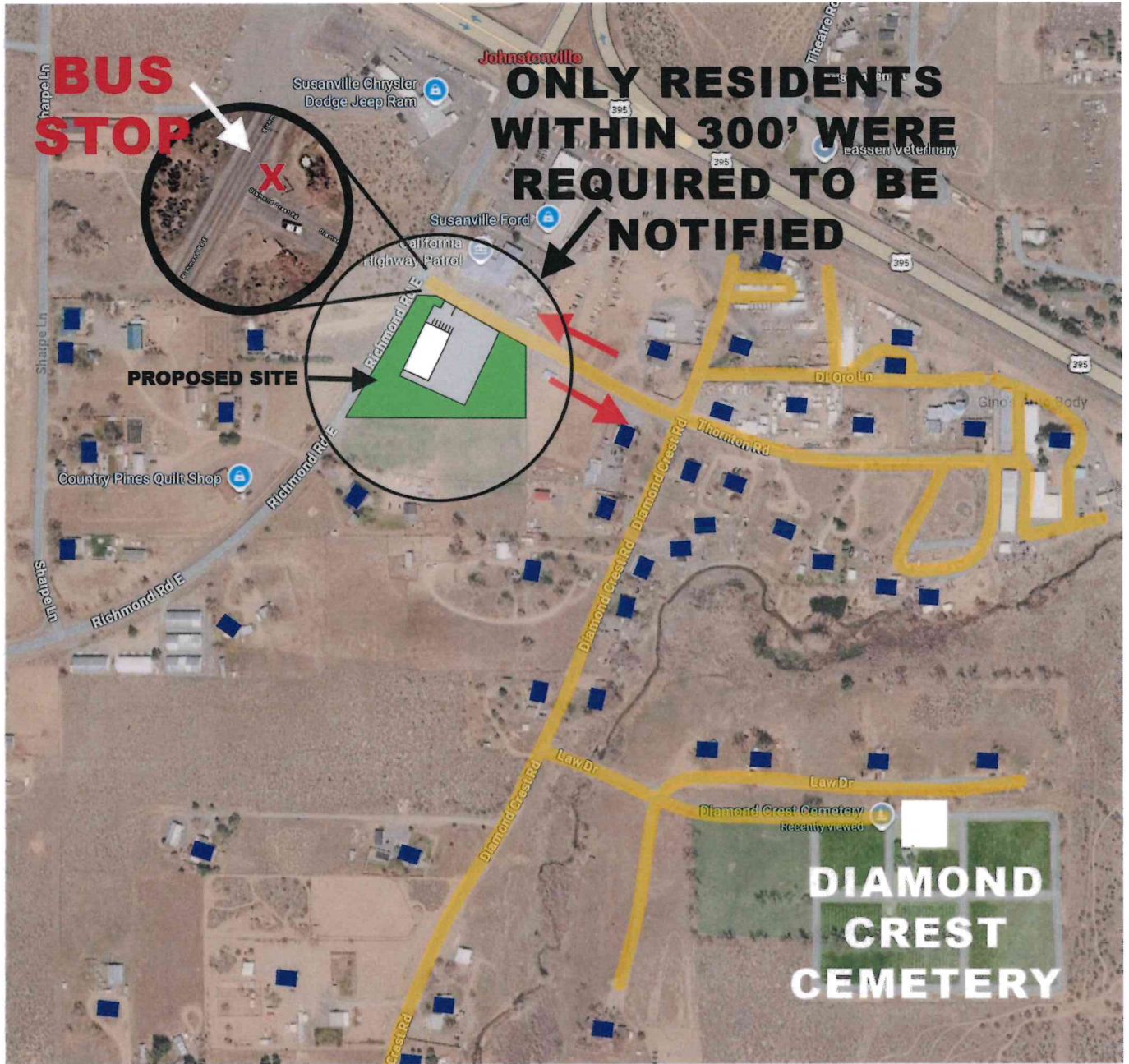
8. Decision Consideration

Can a finding of '**no neighborhood detriment**' be supported by the record?

Closing Statement

We respectfully support recycling and ask that you consider **scale, compatibility, neighborhood impact, water protection, consistency, and legal standards**.

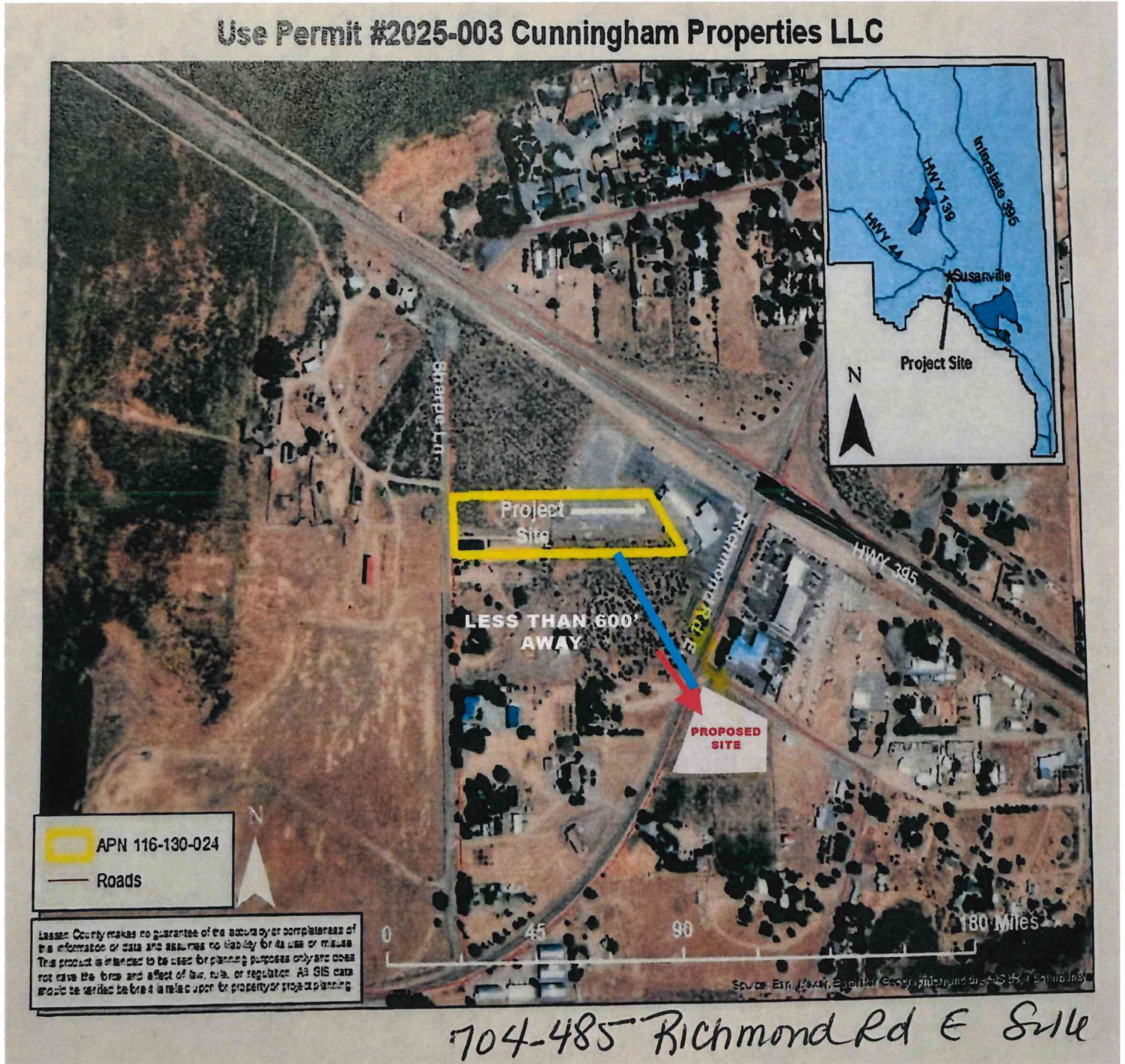
EXHIBIT A – NEIGHBORHOOD CONTEXT



Map showing proximity of homes, bus stop, and limited access road serving the neighborhood. Only the residents within 300' require notification demonstrated by the lighter.

EXHIBIT B – VERIZON COMPARISON

Use Permit #2025-003 Cunningham Properties LLC



704-485 Richmond Rd E Site

Comparison exhibit illustrating prior project subject to full environmental review.

Petition Of Opposition

Petition Title: Opposition to Proposed Recycling Center at 472-445 Diamond Crest Road, Susanville, CA 96130

Statement: We, the undersigned residents and concerned neighbors, oppose the proposed recycling center at 472-445 Diamond Crest Road in Susanville, CA 96130. We believe this project may negatively impact our neighborhood through increased traffic, noise, environmental concerns, and potential effects on public health and safety. We respectfully request that Lassen County Planning Commission reconsider or deny approval of this proposed use permit #2026-001.

Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	Dena Eastwood		195-820 Gold Ranch Rd	4/1/26
2	COPY EASTWOOD		472-340 SHARPE LN.	4-2-26
3	Rebecca Fink		405-005 County Rd. A3	4/4/26
4	Jessica Hagan		535 N. Fairfield Ave	4-4-26
5	Megan Griffith		700 Mill St. Susanville	4/5/26
6	Reece Ewing		472-150 Sharpe Lane Susanville	4/5/26
7	Karen Crowther		460-095 Ponderosa Blvd Jonesville	4/6/26
8	MIKE SEANAN		473-000 JESSIE WAY, SUS CA	4/6/26
9	LAWELL POWERS, PIERCE		P.O. B. 393 Westwood CA	4/6/26
10	ROBERT C MOORE		449-505 MILFORD GRADE	4/6-26
11	RICHARD A MOORE		449-505 Millford Grade rd	4/6/26
12	JAY RICE		875 Plumas St 96130	4/6/26
13	JAY RICE		875 Plumas St 96130	4/6/26
14	Brynn Ewing		472-150 Sharpe Lane Susanville	4/6/26

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Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	HELEN FINKS	<i>Helen Finks</i>	711-800 Leavitt Rd Susanville, CA	3/27/26
2	LAURA J. ROBERTS	<i>Laura Roberts</i>	704-395 Richmond Rd E, Susanville, CA	3/27/26
3	MATHIE F. GARVIER	<i>Mathie F. Garvier</i>	540 WOOD CREEK CT, SUSANVILLE, CA	3/27/26
4	CARDOLYN KENNEX	<i>Carolyn Kenney</i>	1318 Chandler Rd Quincy CA 95971	3/31/26
5	Katherine Kaine	<i>Katherine Kaine</i>	P.O. Box 1927 Quincy CA 95971	3/31/26
6	Virginia L Hicks	<i>Virginia L. Hicks</i>	723-150 Alexander Ln Standish, CA	3/31/26
7	Marybeth Laguna	<i>Marybeth Laguna</i>	463-485 Main St. Janesville	4/1/26
8	Beverly Howe	<i>Beverly Howe</i>	PO Box 765 Janesville	4-1-26
9	Christopher Gantable	<i>Christopher Gantable</i>	711-220 Wagon Rd Susanville	4-1-26
10	Delores Callagher	<i>Delores Callagher</i>	471-220 Wagon Rd Susanville	4-1-26
11	Cecil Asbury	<i>Cecil Asbury</i>	816-0737 Wagon Rd. Chester	4-2-26
12	Cecil Bunch	<i>Cecil Bunch</i>	191 Johnson, Chester	4-2-26
13	GINGER OLSON	<i>Ginger Olson</i>	466-885 HOLMES RD. WENDEN, CA	4-2-26
14	RODNEY J O'HERN	<i>Rodney O'Hern</i>	466-035 ELYSIAN VALLEY RD. JANESVILLE, CA	4-2-26
15	Joan M. Berndt	<i>Joan M. Berndt</i>	466-035 Elysian Valley Rd, Janesville, CA	4-2-26

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Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	Vern Michel	<i>[Signature]</i>	704-990 Di Crest Susanville Ca.	3-30-26
2	Art Lawrence	<i>[Signature]</i>	471-615 Diamond Crest Susanville	3-30-2024
3	Kim Michel	<i>[Signature]</i>	704-990 Di Crest Susanville	3-30-2026
4	Brandi Boyd	<i>[Signature]</i>	#B Susanville	3-31-26
5	Joe Villanueva	<i>[Signature]</i>	472-040 Diamond Crest Rd Susanville	3-30-26
6	Vicki Miller	<i>[Signature]</i>	471-980 Diamond Crest Rd	3-30-26
7	Mike Miller	<i>[Signature]</i>	471-980 Diamond Crest rd	3-30-26
8	Doreen Horsley	<i>[Signature]</i>	471-660 DIAMOND CREST RD	3-30-26
9	Heather Horsley	<i>[Signature]</i>	471-660 Diamond Crest Rd Susanville	3-30-26
10	CHRIS BUFFHAM	<i>[Signature]</i>	472-255 DIAMOND CREST RD SUSANVILLE	4-2-26
11	Donna Buffham	<i>[Signature]</i>	472-255 Diamond Crest Rd Susanville	4-2-26
12	Rebecca Carroll	<i>[Signature]</i>	472-145 Diamond Crest Rd Susanville	4-2-26
13	Alicia W. Wesson	<i>[Signature]</i>	472-145 Diamond Crest Rd Susanville	4-2-26
14	Cody Gilines	<i>[Signature]</i>	704-790 Thornton Rd Susanville	4/2/26

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Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	Bill Sobal	<i>Bill Sobal</i>	471-620 Buckhorn Road Susanville CA	4/5/26
2	Rechie	<i>Rechie Sanchez</i>	471-600 Diamond Rd	4/5/26
3	Lorina Nundy	<i>Lorina Nundy</i>	471-500 Buckhorn Rd Susanville CA	4/6/26
4	Brendon Spivey	<i>Brendon Spivey</i>	471-300 Buckhorn Rd Susanville CA	4-5-26
5	Levi Prater	<i>Levi Prater</i>	471-108 Buckhorn Rd Susanville CA	4-5-26
6	Jordan Prater	<i>Jordan Prater</i>	471-105 Buckhorn Rd Susanville CA	4/5/26
7	Heber Camp	<i>Heber Camp</i>	471-445 Buckhorn Rd Susanville	4/5/26
8	Fay A Castro	<i>Fay A Castro</i>	471-025 Buckhorn Rd Susanville CA	4/5/26
9	Deborah Castro	<i>Deborah Castro</i>	471-025 Buckhorn Rd Susanville	4/5/26
10	Carla Hilland	<i>Carla Hilland</i>	470-950 Buckhorn Rd Susanville	4/5/26
11	Garratt Prater	<i>Garratt Prater</i>	471-625 Diamond Crest Rd Susanville	4/5/26
12	Savanna Prater	<i>Savanna Prater</i>	471-625 Diamond Crest Rd Susanville	4/5/26
13	Ernie Swine	<i>Ernie Swine</i>	472-150 Sharpe Ln Susanville CA	4/6/26
14	SHANNON EBBING	<i>Shannon Ebbing</i>	472-150 SHARPE LN SUSANVILLE CA	4/6/26

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Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	Ed Phillips	<i>[Signature]</i>	370 PARKER, SUSANVILLE CA 96130	3-27-26
2	Darin Neely	<i>[Signature]</i>	698-935 Gold Ln Rd	3-27-26
3	CT Neely	<i>[Signature]</i>	705-360 Travis Lane	3-27-26
4	Ann Eastley	<i>[Signature]</i>	705-640 Travis Lane	3/27/26
5	Becky Neely	<i>[Signature]</i>	704-420 Richmond Rd	3/28/26
6	Travis Neely	<i>[Signature]</i>	704-420 Richmond Rd	3/29/26
7	Linda Perez	<i>[Signature]</i>	470-260 Circle Dr Susanville CA	3-4-1-26
8	Dave Parque	<i>[Signature]</i>	709-875 Rio Dosa Dr Susanville CA	4-2-26
9	Nancy Parque	<i>[Signature]</i>	709-875 Rio Dosa Dr Susanville CA	4-2-26
10	Austin McHesat	<i>[Signature]</i>	710-100 Rio Dosa Dr Susanville CA	4-2-26
11	John Malloy	<i>[Signature]</i>	471-380 State Trce Susanville CA	4-7-26
12	Carmelita Chiosari	<i>[Signature]</i>	698-510 Bowler Rd Susanville CA	4-2-26
13	Laura Stafford	<i>[Signature]</i>	840 Cherry Terrace Susanville CA	4-2-26
14	Kevin STAFFORD	<i>[Signature]</i>	840 cherry Terrace	4-2-26

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Please sign below to show your support:







#	Printed Name	Signature	Address (City, State)	Date
1	Chelsea Lee	<i>Chelsea Lee</i>	478-300 Diamond Crest	3/28/26
2	Robert Lee	<i>Robert Lee</i>	SAME	3/28/26
3	Tom Miller	<i>Tom Miller</i>	472-370 Diamond Crest	3/28/26
4	Mike Goff	<i>Mike Goff</i>	704-905 Thornton Rd	3/28/26
5	Chick Swinney	<i>Chick Swinney</i>	704-975 Thornton Rd	3-28-2026
6	Justin Sells	<i>Justin Sells</i>	472-105 Diamond Crest Rd	3-28-2026
7	Jeffrey Lima	<i>Jeffrey Lima</i>	471-985 Diamond Crest Rd	3-28-2026
8	Garrett Hanna	<i>Garrett Hanna</i>	471-875 Diamond Crest Rd	3-28-26
9	Courtney Werner	<i>Courtney Werner</i>	471-875 Diamond Crest Rd	3-28-26
10	GENE PARKER	<i>Gene Parker</i>	471-735 DIAMOND CREST RD	3-28-26
11	Jo Neely	<i>Jo Neely</i>	701-790 Richmond Rd	3-28-26
12	Tom Neely	<i>Tom Neely</i>	704-420 Richmond Rd	3-28-26
13	Juan Jimenez	<i>Juan Jimenez</i>	472-250 Diamond Crest Rd.	4-1-26
14	Dante Callegari	<i>Dante Callegari</i>	698-510 Bauer Road Susanville Ca	4-2-26

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Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	Clayton Gunderson		698-355 Gold Run Rd	3-30-26
2	Shannon Williams		7600 Plummas St.	3-30-26
3	Harvey Malloy		471-810 Richmond Rd	3-30-26
4	WARREN GUESS		471-055 Back Horn	4-2-26
5	Jordan Guess		471-000 Back Horn	4-2-26
6	Amanda Bixementa		420-890 Back Horn Rd	4-6-26
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Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	JESSICA BAUGHMAN	<i>[Signature]</i>	704-790 Mountain Rd	4-2-26
2	BILLY SHANKLETON	<i>[Signature]</i>	472-500 Diamond Crest	4-2-26
3	LINDA SWANKLAND	<i>[Signature]</i>	472-300 Diamond Crest	4-2-26
4	GARY TAYLOR	<i>[Signature]</i>	709-330 Johnville Rd	4-2-26
5	MATT DAVENPORT	<i>[Signature]</i>	473-815 Susanville Rd	4/8/26
6	Michelle Davenport	<i>[Signature]</i>	473-815 Susanville Rd	4/2/26
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Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	Terric Berry	<i>Terric Berry</i>	471-575 Beechey Dr.	4/9/26
2	Judy Dewar	<i>Judy Dewar</i>	698-695 Cold Crest Ln.	4/9/26
3	Patricia Deutsch	<i>Patricia Deutsch</i>	704-425 Johnstonville Rd	4/9/26
4	Cynthia Joanne Darlington	<i>Cynthia Joanne Darlington</i>	476-260 Cramer Lane	4/9/26
5	Kristine Mahan	<i>Kristine Mahan</i>	500 N. Mesa St	4/9/26
6	Sheryl H Reager	<i>Sheryl Reager</i>	694-800 Ridgeway Dr. Sus, CA	4/9/26
7	Deirdra Baston	<i>Deirdra Baston</i>	463-835 Bronson, Rd. Janesville	4/9/26
8	Bettina Bianchini	<i>Bettina Bianchini</i>	459-960 Lakeview Dr. Susanville	4/9/26
9	Candice Vandeker	<i>Candice Vandeker</i>	714-980 Locke Leavitt, Susanville	4-15-26
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Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	Michelle Latta	<i>[Signature]</i>	477-225 Diane Dr	4-13-26
2	Toni Gillis P.O	<i>[Signature]</i>	697-905 Hill Creek Rd.	4/13/2026
3	Connie Hutman	<i>[Signature]</i>	464-945 Main St Susanville	4/13-26
4	PAM DUSENBERRY	<i>[Signature]</i>	471-480 LINCOLN LANE SUSANVILLE	4/13/26
5	Tammy Albersdorf	<i>[Signature]</i>	710-990 Sunnyside Rd. Susanville, CA	4/14/26
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Please sign below to show your support:

#	Printed Name	Signature	Address (City, State)	Date
1	Sandy Tassi	<i>Sandy Tassi</i>	471-115 Circle Dr.	4-9-26
2	Annie Thun	<i>Annie Thun</i>	471-115 Circle Dr.	4-9-26
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Closing Statement

We respectfully:

- Support recycling as a community benefit
- Understand that this use may be allowed
- Ask that the Board carefully consider:
 - **Scale**
 - **Compatibility**
 - **Neighborhood impact**
 - **Consistency in review**

Thank you for your time, consideration, and service to our community.

SLIDES

Speaker 1 – Legal Standard

§18.112.100

Must find NO neighborhood detriment

Compatibility is key

Speaker 1 – Use Permit

§18.102.030(d)

Allowed but discretionary

Must meet 'no detriment'

Speaker 2 – Verizon

Full CEQA review

Low impact

Speaker 2 – Recycling

12,000 sq ft

Higher impact

Exemption used

Speaker 3 – Scale

Industrial-scale intensity

Not neighborhood scale

Speaker 3 – Impacts

Traffic

Noise

Operations

Speaker 4 – Community

112 signatures

Substantial evidence

Speaker 4 – Location

Homes + wells nearby

Bus stop - EMS Access

Speaker 5 – Industrial

§18.14.580

Material reduction = industrial

Speaker 5 – Conflict

C-T vs industrial mismatch

Speaker 6 – Decision

Must support finding

Risk if unsupported

Speaker 6 – Ask

Support recycling

Concern: scale & compatibility