



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: April 6, 2017

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Stephen Hohman Parcel Map Subdivision**

Application Number 10109

Case Numbers PMS-16-008

Assessor Parcel Numbers 204-181-031-000, 204-181-032-000

3406 Harville Lane, Hydesville area

Table of Contents	Page
Agenda Item Transmittal Form	2
Recommended Commission Action and Executive Summary	3
Draft Planning Commission Resolution	5

Maps

Location Map	6
Zoning Map	7
Assessor Parcel Map	8
Aerial Photo Map	9
Project Proposal Map	76

Attachments

Attachment 1:	Conditions of Approval	10
	Exhibit A - Public Works Dept. Conditions	16
Attachment 2:	Staff Analysis of Required Findings	20
Attachment 3:	Applicant's Evidence Supporting the Findings	27
Attachment 4:	Initial Study and Draft Mitigated Negative Declaration	38
Attachment 5:	Referral Agency Comments	65

Please contact Trevor Estlow at (707) 268-3740, or by email at testlow@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
April 6, 2017	Parcel Map Subdivision	Trevor Estlow

Project: A Minor Subdivision to divide an approximately 1.74 acre parcel into two parcels of 0.72 acres and 1.02 acres in size. The parcel is currently developed with a single family residence, garage and on-site wastewater treatment system that will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant. An exception request to exceed the maximum length of a dead-end road has been submitted and approved by CalFire. The parcels are or will be served with water by the Hydesville County Water District and on-site wastewater treatment systems.

Project Location: The project site is located in the Hydesville area, on the south side of Harville Lane, approximately 1,000 feet south of the intersection of Harville Lane and State Highway 36, on the property known as 3406 Harville Lane.

Present Plan Designation: Residential Low Density (RL). Carlotta/Hydesville Community Plan (NHGP). Density: one to seven dwelling units per acre. Slope Stability: Low Instability.

Present Zoning: Residential One-Family with a minimum parcel size of 20,000 square feet (R-1-B-3).

Application Number: 10109

Case Numbers: PMS-16-008

Assessor Parcel Numbers: 204-181-031-000, 204-181-032-000

Applicant
Stephen Hohman
PO Box 723
Hydesville, CA 95547

Owner
Stephen and Michelle Hohman

Agent

Environmental Review: Project requires environmental review.

Major Issues: None

State Appeal Status: Project is not appealable to the California Coastal Commission.

HOHMAN PARCEL MAP SUBDIVISION

Case Number PMS-16-008

Assessor Parcel Numbers 204-181-031-000, 204-181-032-000

Recommended Planning Commission Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Adopt the Mitigated Negative Declaration and to make all of the required findings for approval of the Parcel Map Subdivision, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Hohman project subject to the recommended conditions.

Executive Summary: The applicant is proposing a subdivision of a 1.74 acre parcel into two parcels of 0.72 and 1.02 acres in size. The parcel is assessed with two assessor parcel numbers and is developed with a single family residence with an attached garage and an on-site wastewater treatment system. Proposed Parcel 2 will be vacant and suitable for residential development. Water will be provided by the Hydesville County Water District and sewage disposal will require on-site wastewater treatment systems.

Both parcels will be served by Harville Lane (a private road with a 50 foot right of way) off of State Highway 36. The project site is located midway along Harville Lane, a dead end road. An exception request was submitted to Calfire to exceed the dead end road length. This exception was granted by Calfire based on the current condition of the road and subject to the conveyance of second unit rights for the new parcels. The applicant agrees to these terms. The Department of Public Works (DPW) has provided subdivision requirements that are consistent with the Firesafe Ordinance. A preliminary drainage study was not required for the subdivision given the large parcel sizes, however, the Department of Public Works has made the submittal of a complete hydrologic report and drainage plan and the correction of any drainage problems associated with the subdivision a condition of approval.

The site is in an area of parcels ranging in size from one-half of an acre to approximately six acres in size just east of the main town of Hydesville. There are predominantly similarly sized rural residential lots due to the absence of community sewer services. The parcel is relatively flat with a slope to the east and an unnamed creek that crosses the far southwest corner of the parcel. The geologic hazards map for this area indicates a low instability rating and there are no mapped flood hazards on the property.

All responding referral agencies have recommended approval or conditional approval of the project. Project approval is conditioned upon meeting their requirements. The Department has prepared and circulated a draft Mitigated Negative Declaration (MND) and has determined that the project, as proposed, mitigated and conditioned, will not have a significant effect on the environment. The MND was circulated to the State Clearinghouse 30 days prior to the hearing date and a Notice of Intent to adopt the MND was also published 30 days prior to the hearing.

Based on the on-site inspection, a review of Planning Division reference sources, and comments from all responding referral agencies, Planning staff has found that the project will not result in a significant impact on the environment as proposed, and that the applicant has submitted evidence in support of making all of the required findings for approving the proposed subdivision per the Recommended Commission Action.

Alternative: The Planning Commission could elect not to approve the project. This alternative should be implemented if your Commission is unable to make all of the required findings. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 17-**

**Case Numbers PMS-16-008
Assessor Parcel Numbers 204-181-031-000, 204-181-032-000**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Hohman Parcel Map Subdivision

WHEREAS, Stephen Hohman submitted an application and evidence in support of approving the Parcel Map Subdivision; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the Planning Division, the Lead Department pursuant to Section 202 of Resolution No. 77-29, has prepared a draft Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision (Case Number PMS-16-008); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on April 6, 2017.

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission adopts the proposed Mitigated Negative Declaration in Attachment 4, as required by Section 15074 (b) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Number PMS-16-008 based on the submitted evidence; and
3. The Planning Commission approves the proposed project applied for as recommended and conditioned in Attachment 1 for Case Number PMS-16-008.

Adopted after review and consideration of all the evidence on April 6, 2017.

The motion was made by Commissioner and seconded by Commissioner .

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

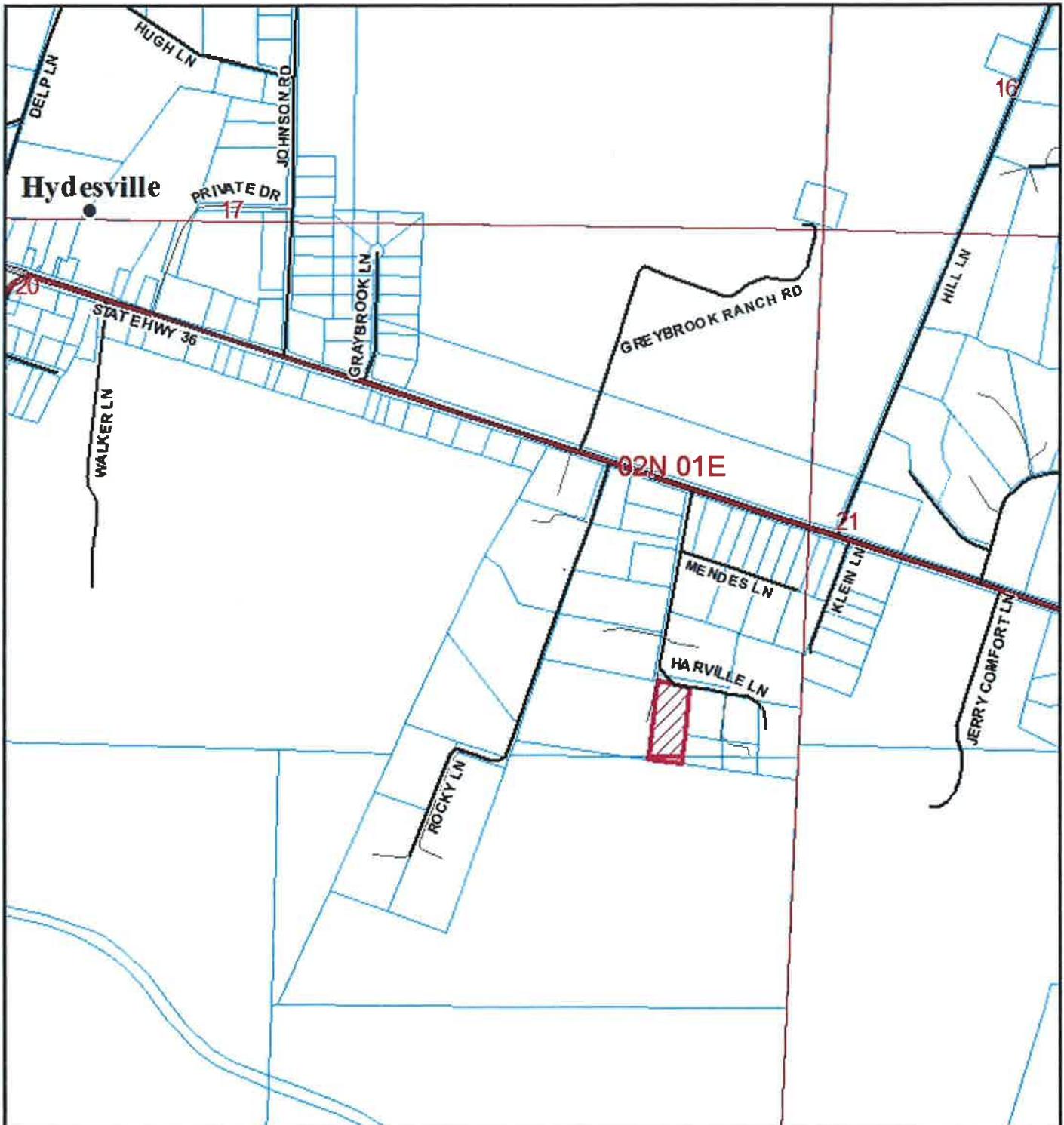
ABSENT: Commissioners:

DECISION: _____

Robert Morris, Chair

I, Suzanne Lippre, Clerk to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

Suzanne Lippre, Clerk



LOCATION MAP

PROPOSED HOHMAN PARCEL MAP SUBDIVISION HYDESVILLE AREA

PMS-16-008

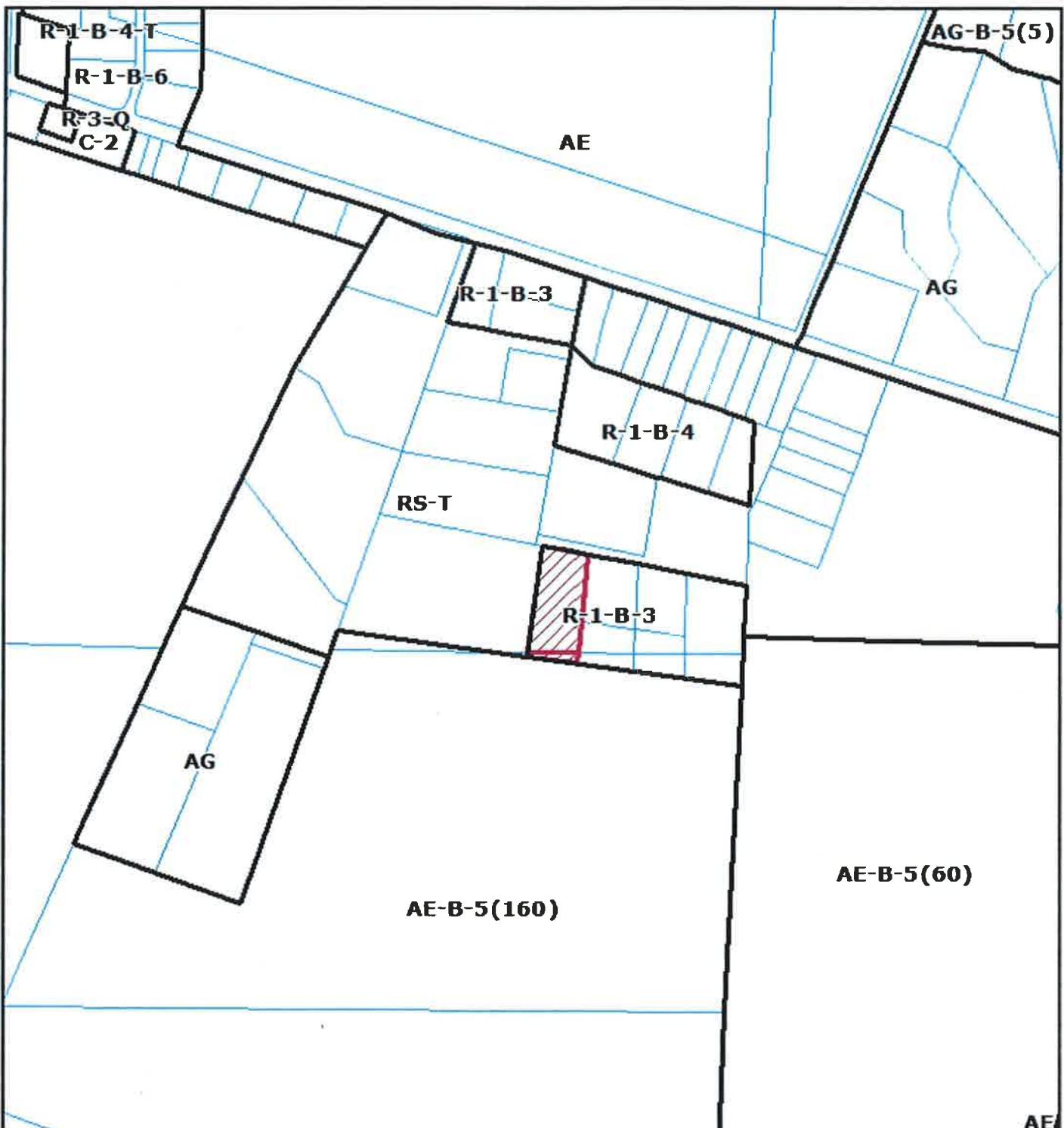
APN: 204-181-031, -032

T02N R01E S20 HB&M (Hydesville)

Project Area =

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

0 250 500 750 Feet



ZONING MAP

PROPOSED HOHMAN PARCEL MAP SUBDIVISION HYDESVILLE AREA PMS-16-008

APN: 204-181-031, -032
T02N R01E S20 HB&M (Hydesville)

Project Area =

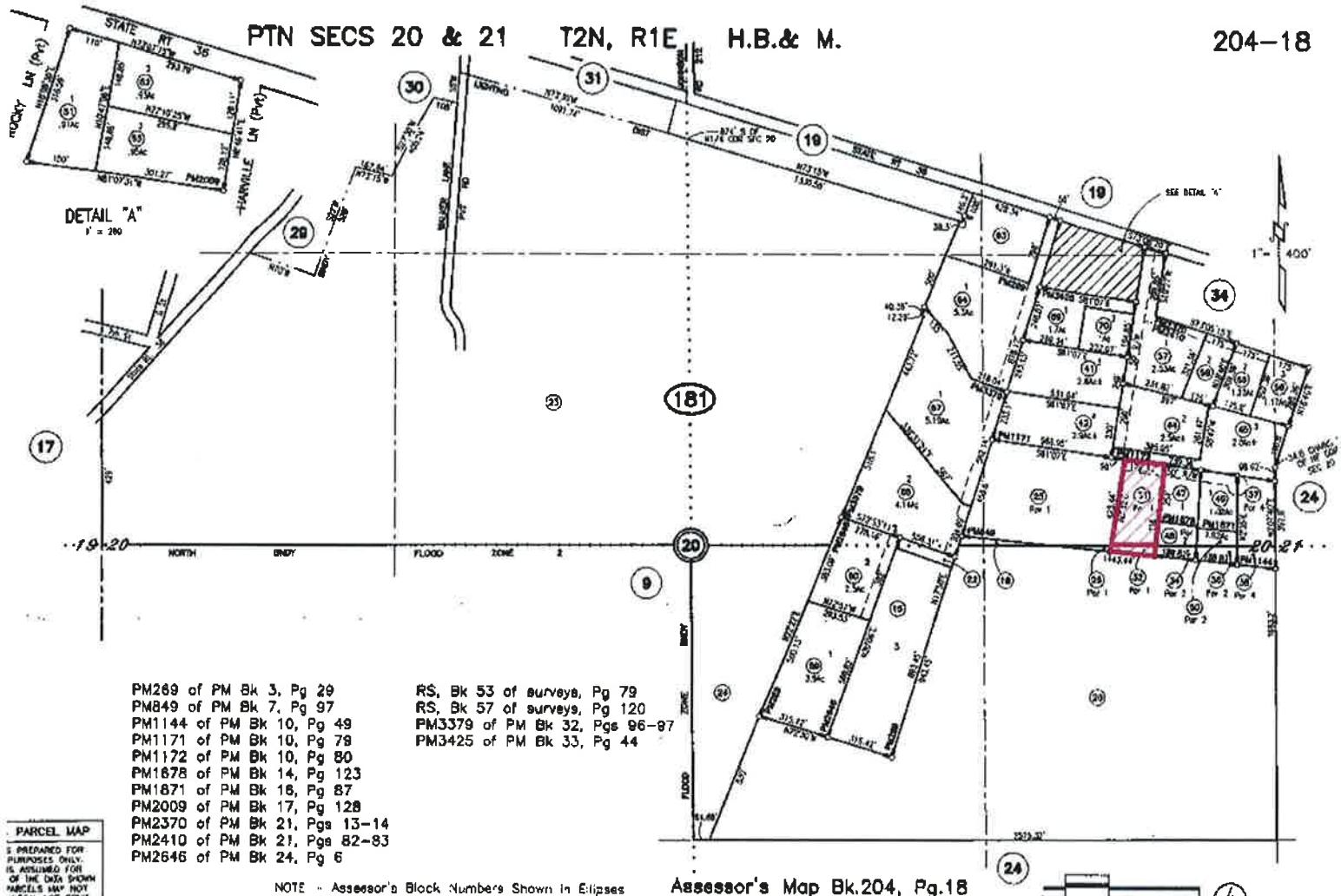
This map is intended for display purposes and
should not be used for precise measurement or
navigation. Data has not been completely checked
for accuracy.



0 250 500 Feet

PTN SECS 20 & 21 T2N, R1E H.B.& M.

204-18



PROJECT SITE =

ASSESSOR PARCEL MAP

**PROPOSED HOHMAN
PARCEL MAP SUBDIVISION
HYDESVILLE AREA
PMS-16-008
APN: 204-181-031, -032
T02N R01E S20 HB&M (Hydesville)**



AERIAL MAP

**PROPOSED HOHMAN
PARCEL MAP SUBDIVISION
HYDESVILLE AREA
PMS-16-008**

**APN: 204-181-031, -032
T02N R01E S20 HB&M (Hydesville)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

0 250 Feet 

Attachment 1

Conditions of Approval for the Hohman Parcel Map Subdivision

Approval of the tentative map is conditioned on the following terms and requirements which must be satisfied before the parcel map may be recorded.

Conditions of Approval:

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the Department of Public Works referral dated **July 22, 2016** included herein as Exhibit A shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. The Planning Division requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel.
4. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$102.00 per parcel) as required by the County Assessor's Office shall be paid to the County Planning Division, 3015 H Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
5. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$125.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note 1. below for suggestions to reduce the cost for this review.
6. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site and the following site development details:
 - A. Mapping
 - (1) Topography of the land in one-foot contour intervals;
 - (2) Details showing conformance with provisions of the County's Fire Safe Regulations (Section 3111-1 et seq. H.C.C.), including but not limited to:

- a. Road and driveway access standards (i.e., fire turnaround on Parcel 2, road width, roadway surface, roadway grades, roadway structures, etc.)
- b. Signing and building numbering standards (i.e., road name signs, building address signs, etc.)
- c. Emergency water standards (i.e., placement of fire hydrants, 2,500 gallon individual emergency water supply, etc.)
- d. Fuel modification standards (i.e., setbacks for structure defensible space of at least 30 feet, greenbelts, etc.).

(3) Four (4) off-street parking spaces on all lots consistent with Section 314-109.1 Humboldt County Code;

(4) Streamside Management Area (SMA) labeled "non-buildable".

(5) Leachfield areas for proposed Parcels 1 and 2.

B. Notes to be placed on the Development Plan:

(1) "The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation measures are required under state and federal law:

- If archaeological resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

The applicant and successors are ultimately responsible for ensuring compliance with this condition."

(2) "To ensure continued compliance, property owners are responsible for annual maintenance of the parcels to Firesafe and wildfire protection standards as required for those items listed under A(2) of the Development Plan Details, above. Compliance with these provisions is subject to inspection by the California Department of Forestry and Fire Protection."

(3) "The project is located in a designated non-attainment area for the state's health-based particulate matter (PM10) air quality standard. As such, additional emission from the project could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:

- Prohibition of open fireplaces.
- Heating should be provided using clean fuels (electricity or natural gas), when feasible.
- If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction."

(4) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 9:00 a.m. and 5:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."

(5) "Development within Streamside Management Areas shall be limited to the following uses:

- a. Development permitted within stream channels pursuant to Section 3432.6 of the General Plan (Volume I, Framework).
- b. Timber management and harvests not otherwise excluded by Applicability Section as well as noncommercial cutting of firewood and clearing for pasturage, provided that cottonwoods are retained and remaining willows and alders, as well as other unmerchantable hardwoods or shrubs should be protected from unreasonable damage.
- c. Road and bridge replacement or construction, when it can be demonstrated that it would not degrade fish and wildlife resources or water quality, and that vegetative clearing is kept to a minimum.
- d. Removal of vegetation for disease control or public safety purposes.

Note: A Special Permit is required for all new development in Streamside Management Areas not exempt per Section 314-61.1(d)(1-7) of the Humboldt County Zoning Regulations."

(6) "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be March 1 – August 15) in order to avoid 'take' as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et

seq). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid take."

- (7) "Development rights for subdivision and/or secondary dwelling units have been conveyed by the subdivider to the County of Humboldt as required by CalFire as a condition for granting the exception to the length of dead end road standard. The terms and conditions of the Conveyance and Agreement must be satisfied in order for the County to accept an application for subdivision and/or a secondary dwelling unit on any of the involved parcels. Please refer to the recorded Conveyance and Agreement for the specific requirements. Questions regarding this note should be directed to the Humboldt County Planning Division."
- (8) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."

7. The applicant shall cause to be recorded a "Notice of Development Plan" for all parcels on forms provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$322.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.
8. **Within five (5) days of the effective date of the approval of this permit**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,266.25. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2017 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at www.wildlife.ca.gov for a determination stating the project will have no effect on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,216.25 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.
9. The owners of the subject parcel shall execute and file the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by Section 314-43.2 of the Humboldt County Code. A copy of the required form will be provided in the final approval packet.
10. The applicant shall convey future development rights to the County of Humboldt for subdivision and/or a secondary dwelling unit on both parcels. Release from this conveyance may be pursued upon the dead end road issue being resolved with Calfire

and the road is improved to a Category 4 road standard. The applicant shall initiate action on a "Conveyance and Agreement" on forms provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$322.00) will be required.

11. The applicant shall demonstrate adequate fire flow test results on the water line along Harville Lane to the satisfaction of the Hydesville County Water District.
12. This project is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. Any and all outstanding Planning fees to cover the processing of the subdivision shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. The Department will provide a bill to the applicant upon file close out after the Planning Commission decision.

Informational Notes:

1. To reduce costs the applicant is encouraged to bring in written evidence* of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division (Namely: Condition(s) 3-11). The applicant should submit the listed item(s) for review as a package as soon as possible before the desired date for final map checking and recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment, will be subject to a review fee for Conformance with Conditions billed at the County's current burdened hourly rate with an initial deposit as set forth in the Planning Division's schedule of fees and charges (currently \$125.00). Copies of all required forms and written instructions are included in the final approval packet.

* Each item evidencing compliance should note in the upper right hand corner:

Assessor's Parcel No. _____ Exhibit "A", Condition _____.

2. The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources might be encountered during construction activities, the following mitigation measures are required under state and federal law:

If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).

Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."

3. Under state planning and zoning law (CGC §66000 et seq.), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.

4. The term of the approved Tentative Map shall be 24 months from the effective date of the action except where otherwise provided by law. An extension may be requested prior to the date in accordance with Section 326-21 and 326-31 of the Humboldt County Code.



EXHIBIT A

DEPARTMENT OF PUBLIC WORKS

C O U N T Y O F H U M B O L D T

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388

AVIATION 839-5401

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Deputy Director *BR*

RE: **SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE APPLICATION OF HOHMAN, APN 204-181-031, PMS16-008 FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 1.74 ACRES INTO 2 LOTS**

DATE: 07/22/2016

The following requirements and standards are applicable to this project and must be completed to the specifications and satisfaction of the Department of Public Works (Department) before the subdivision map may be filed with the County Recorder. If there has been a substantial change in the project since the last date shown above, an amended report must be obtained and used in lieu of this report. Prior to commencing the improvements indicated below, please contact the Subdivision Inspector at 445-7205 to schedule a pre-construction conference.

These recommendations are based on the tentative map prepared by Kelly-O'Hern Associates dated May 2016, and dated as received by the Humboldt County Planning Division on June 14, 2016.

NOTE: All correspondence (letters, memos, faxes, construction drawings, reports, studies, etc.) with this Department must include the Assessor Parcel Number (APN) shown above.

READ THE ENTIRE REPORT BEFORE COMMENCING WORK ON THE PROJECT

1.0 MAPPING

1.1 **EXPIRATION OF TENTATIVE MAP:** Applicant is advised to contact the Planning & Building Department to determine the expiration date of the tentative map and what time extension(s), if any, are applicable to the project. Applicant is responsible for the timely filing of time extension requests to the Planning & Building Department.

Applicant is responsible for completing all of the subdivision requirements prior to expiration of the tentative map. Applicant is advised to promptly address all of the subdivision requirements in order to avoid the tentative map expiring prior to completion of the subdivision requirements. Applicants are encouraged to contact a land development professional for advice on developing a realistic schedule for the processing of the project.

1.2 MAP TYPE: Applicant must cause to be filed a parcel map showing monumentation of all property corners to the satisfaction of this Department in compliance with Humboldt County Code Section 326-15. Subdivision map checking fees shall be paid in full at the time the subdivision map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County Recorder for filing. The subdivision map must be prepared by a Land Surveyor licensed by the State of California -or- by a Civil Engineer registered by the State of California who is authorized to practice land surveying.

All Department charges associated with this project must be paid in full prior to the subdivision map being submitted to the County Recorder for filing.

Applicant shall submit to this Department four (4) full-size copies of the subdivision map as filed by the County Recorder.

Prior to submitting the subdivision map to the County Surveyor for map check, applicant shall submit the subdivision map to the utility providers to provide input on necessary public utility easements. Copies of the responses from the utility providers shall be included with the first submittal of the subdivision map to the County Surveyor.

1.3 DEPOSIT: Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Humboldt County Code Section 326-13 prior to review of the improvement plans, review of the subdivision map, or the construction of improvements, whichever occurs first.

1.4 EASEMENTS: All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.

1.5 FURTHER SUBDIVISION: At least some of the parcels may be further divided; therefore, the applicant shall conform to Humboldt County Code Section 323-6(a)(5), Statements to Accompany a Tentative Subdivision Map.

1.6 PRIVATE ROADS: Pursuant to County Code Section 323-2(c)(3), the subdivision map shall show the lanes clearly labeled "Non-County Maintained Lane" or "Non-County Maintained Road". Pursuant to County Code Section 323-2(c)(5), the following note shall appear on the map or instrument of waiver, which shall read substantially as follows:

"If the private lane or lanes shown on this plan of subdivision, or any part thereof, are to be accepted by the County for the benefit of the lot owners on such lane rather than the benefits of the County generally, such private lane or lanes or parts thereof shall first be improved at the sole cost of the affected lot owner or owners, so as to comply with the specification as contained in the then applicable subdivision regulations relating to public streets."

1.7 DEDICATIONS

<NONE>

1.8 **DEDICATIONS:** The following shall be dedicated on the subdivision map, or other document as approved by this Department:

(a) **PRIVATE ROAD (HARVILLE LANE):**

Access: Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels/lots within the subdivision in a manner approved by this Department. The easement shall be 50 feet in width.

(b) **DEVELOPMENT RIGHTS:** Applicant shall cause to be conveyed to the County of Humboldt the rights to construct a secondary dwelling unit(s) on Parcels 1 and 2 until such time as Harville Lane is improved to a minimum Category 4 road standard. This shall be noted on the development plan to be filed with the Planning & Building Department. A notice of the development plan must be recorded. The content of the notice must be in a manner approved by this Department.

(c) **SUBDIVISION RIGHTS:** Applicant shall cause to be conveyed to the County of Humboldt the rights to further subdivide the parcels created by this subdivision until such time as Harville Lane is improved to a minimum standards outlined in the fire safe regulations. Per Fire Safe Regulations, a category 3 road is required for roads serving 3 to 8 parcels; a category 4 road is required for roads serving 9 or more parcels. This shall be noted on the development plan to be filed with the Planning & Building Department. A notice of the development plan must be recorded. The content of the notice must be in a manner approved by this Department.

2.0 IMPROVEMENTS

<NONE>

2.1 CONSTRUCTION PLANS

<NONE>

3.0 DRAINAGE

3.1 **DRAINAGE ISSUES:** Applicant shall be responsible to correct any involved drainage problems associated with the subdivision to the satisfaction of this Department.

3.2 **DRAINAGE REPORT:** Applicant must submit a complete hydraulic report and drainage plan regarding the subdivision for review and approval by this Department. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department

4.0 GRADING

<NONE>

5.0 MAINTENANCE

5.1 MAINTENANCE OF IMPROVEMENTS: The improvements to be constructed as part of this subdivision will not be maintained by the County. Pursuant to Humboldt County Code Section 323-2* (b) regarding Private Lanes, the Applicant must provide a permanent maintenance plan acceptable to this Department for all improvements including, but not limited to, the following: roads, drainage systems (pipes, drainage inlets, detention basins), pedestrian facilities, and landscape areas. An engineer's estimate for the cost of yearly maintenance must be approved by this Department. Maintenance shall be provided by a maintenance association, district, or other means as approved by this Department. More than one maintenance plan may be required. [*Section 323-2 is listed in County Code after Section 324-1]

Based upon the tentative map, it appears that the following will need to be maintained by a maintenance plan:

- A maintenance plan for the non-county maintained road known as Harville Lane.

If a maintenance association currently exists for the access road, applicant shall attempt to the satisfaction of this Department to annex the subdivision into the existing road maintenance association. That portion of this condition regarding road maintenance may be waived if the applicant provides evidence satisfactory to this Department that the subject property already belongs to a maintenance association for the access road(s).

A maintenance plan is not required for driveways; as driveways serve only one parcel. A maintenance plan is *optional* for roads that serve only two parcels. A maintenance plan is required for roads serving three or more parcels.

6.0 DEVELOPMENT PLAN: The following are required for all development plans:

<NONE>

7.0 LANDSCAPING

<NONE>

// END //

ATTACHMENT 2
Staff Analysis of the Evidence Supporting the Required Findings

To approve this project, the Planning Commission must determine that the applicants have submitted evidence in support of making **all** of the following required findings.

A. Subdivision Required Findings:

1. That the proposed subdivision together with the provisions for its design and improvements, is consistent with the County's General Plan.
2. That the tentative subdivision map conforms with the requirements and standards of the County's subdivision regulations.
3. That the proposed subdivision conforms to all requirements of the County's zoning regulations.
4. The proposed subdivision is not likely to cause substantial environmental damage.
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

Furthermore, the California Environmental Quality Act requires that the required CEQA findings be made for any development that is subject to the regulations of CEQA.

Staff Analysis:

A1. General Plan Consistency: The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in Chapters 2-4 of the Framework Plan (FP) and the Northern Humboldt General Plan (NHGP).

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use: §2725 (FP)	Residential Low Density (RL) Primary and compatible uses include single family residential use. Density: 1 -7 dwelling units per acre.	The existing parcel is developed with a single family residence with an attached garage and an on-site wastewater treatment system. Water is provided by the Hydesville County Water District. The single family residence will remain on proposed Parcel 1. Proposed Parcel 2 will be available for residential development and served by the Hydesville County Water District and an on-site wastewater treatment system.
Urban Limits: §2600 (FP)	New development shall be located within existing developed areas or in areas with adequate public services.	All proposed parcels are outside the Urban Limit line and are served by a community water system and on-site sewage disposal systems. The parcels will be served by Harville Lane which is privately maintained.
Housing: §2400 (FP)	Housing shall be developed in conformity with the goals, policies and standards of the Humboldt County Housing Element.	The project will divide an approximately 1.74 acre parcel into two lots. Two units on approximately 1.74 acres results in a density of 1.1 dwelling units per acre consistent with the RL plan designation, thereby meeting the Housing Element goals.
Hazards: §3200 (FP)	New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards. Geologic Fire Flood Hazards	The project site is in an area with a Geologic Hazard Rating 1 - "Low Instability" and not within the Alquist-Priolo Fault Hazard Area. The proposed subdivision site is in an area of low fire hazard and served by the Fortuna Fire Protection District. According to FIRM Map #1140, the parcel is within Flood Zone C, areas of minimal flood hazards.
Noise: §3240 (FP)	New development shall maintain McKinleyville's low exposure levels to noise.	The parcel is not located within a noise combining zone and is outside the area of concern for the Rohnerville Airport.

Sensitive and Critical Habitats: §3420 (FP)	To protect designated sensitive and critical resource habitats.	An unnamed creek crosses the far southwest corner of the parcel and a 100 foot setback will be maintained as shown on the Tentative Map. According to the California Natural Diversity Database, the site is potential habitat for the bank swallow. Although California Department of Fish and Wildlife did not respond with any concerns, a condition requiring that any tree removal be done outside of the bird breeding season in order to avoid any potential impacts to nesting birds. These requirements will be memorialized on the Development Plan.
Cultural Resource Protection: §3500 (FP)	New development shall protect cultural, archeological and paleontological resources.	Referral comments received from the Northwest Information Center indicated that the site may be culturally sensitive. Further consultation with the Tribal Historic Preservation Officer (THPO) of the Bear River Band of the Rohnerville Rancheria indicated a study was not warranted provided the standard inadvertent discovery condition is included. This is included as a mitigation measure in the Mitigated Negative Declaration and on the Development Plan.

A2. Subdivision Regulations: The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code (H.C.C.).

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Lot Suitability 322-3	All lots shall be suitable for their intended uses.	For the subdivision, one single family residence will remain on proposed Parcel 1. Evidence submitted by the applicant, staff site inspections and referral agency comments indicate that the proposed lots will be suitable for residential use. The minimum parcel size is 20,000 square feet. One parcel will be 0.72 acres in size and the other will be 1.02 acres in size.
Access and Drainage 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	<p>The parcel is served by Harville Lane (a private road with a 50 foot right of way) off of State Highway 36. Harville Lane is developed as a paved 16 foot wide road within a 20+ foot wide roadway prism. The project site is located midway along Harville Lane, a dead end road. An exception request was submitted to Calfire to exceed the dead end road length. This exception was granted by Calfire based on the current condition of the road and subject to the conveyance of second unit rights for the new parcels. The Department of Public Works (DPW) has provided subdivision requirements that are consistent with the Firesafe Ordinance and the road improvement plan.</p> <p>No drainage study was required due to the large parcel size, however, DPW has made a condition of approval that requires the submittal of a complete hydrologic report and drainage plan, and that the applicant correct any involved drainage problems associated with the subdivision</p>
Sewer & Water 324-1 (d)	Sewer and water systems shall be constructed to appropriate standards.	The parcels will be served by a community water system and on-site sewage disposal systems. The Division of Environmental Health has reviewed and approved the proposed septic tank and leach field locations.
Access Road Appendix 4-1	Roadway design must incorporate a 40-foot right of way unless an exception is granted.	Harville Lane is developed within a 50-foot right of way. See discussion above.

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
	<p>322-3.1 Housing Element Densities</p> <p>The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the Regional Housing Needs Allocation), except where:</p> <p>1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.</p>	<p>The project will divide approximately 1.74 acre parcel into two lots. Two units on approximately 1.74 acres results in a density of 1.1 dwelling unit per acre. Under the Carlotta/Hydesville Community Plan, an RL land use designation has a density of 1 - 7 units per acre which this project complies with. Although the parcel was not utilized by the Department of Housing and Community Development, the project meets the Housing Element density standard for the RL designation.</p>

A3. Zoning Compliance and Development Standards: The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Residential One-Family (R-1) §314-6.2	One family dwellings are principally permitted uses.	The proposed subdivision divides one parcel already developed with a single family residence and provides one new additional parcel for residential development.
Development Standards		
Minimum Parcel Size:	20,000 square feet	Parcel 1: 0.72 acres Parcel 2: 1.02 acres
Minimum Yard Setbacks per Zoning: SRA Setbacks apply	Front: 30' Side: 30' Rear: 30'	Parcel 1: (Developed) Front: 55 feet Side: 8 feet (legal nonconforming) Rear: 93 feet Setbacks for development on proposed Parcel 2 will be required to meet standards at time of Building Permit. Future development will be required to meet current standards.
Maximum Ground Coverage	35%	Proposed Parcel 1 will be developed at less than 10%. Future development will be required to meet current standards.
Maximum Structure Height	35 ft.	The existing structures do not exceed the 35' height limit. Future development will be required to meet current standards.

A5. Impact on Residential Density Target: See discussion under Section 2 above.

A4. Environmental Impact:

Please see the attached draft Mitigated Negative Declaration.

As required by the California Environmental Quality Act, the initial study conducted by the Planning and Building Department, Planning Division (Attachment 4) evaluated the project for any adverse effects on the environment. Based on a site inspection, information in the application, and a review of relevant references in the Department, staff has determined that there is no evidence before the Department that the project will have any potential adverse effect, either individually or cumulatively, on the environment. The environmental document on file in the Department includes a detailed discussion of all relevant environmental issues.

Because the project was found subject to CEQA and a Mitigated Negative Declaration was prepared, the provisions of Section 711.4 of the California Fish and Game Code apply to this project. Within five (5) days of the effective date of the approval of this tentative map, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,266.25. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus the \$50 document handling fee. This fee is effective through December 31, 2017 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at www.wildlife.ca.gov for a determination stating the project will have no effect on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,216.25 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required. This requirement appears as Condition #8 of Attachment 1.

ATTACHMENT 3
Applicants' Evidence In Support of the Required Findings

Document	Date Received by Planning	Location
Tentative Subdivision Map	June 14, 2016	Attached
Application Form	June 14, 2016	On file with Planning
Preliminary Title Report	June 14, 2016	On file with Planning
Sewage disposal testing	June 14, 2016	On file with Planning
Calfire Exception Request	June 14, 2016	Attached



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501 Fax: (707) 268-3792 Phone: (707) 445-7541
<http://www.co.humboldt.ca.us/planning/>

Date: 1-15-2016

To: CALFIRE
Attn: Shawna Powell, 118 S. Fortuna Blvd., Fortuna CA 95540

From: Trevor Estlow, estlow@co.humboldt.ca.us

Subject: Exception Request from Humboldt County Fire Safe Regulation

Section(s): 3111-8
APN: 204-181-031

Property Owners Name: Stephen & Michelle Hohman
Situs Address: 3406 Harville Lane, Hydesville, CA 95547

Building Permit Application Number: (if applicable) _____

Enclosed please find a request for an exception to the Humboldt County Fire Safe Regulations. Please review this request and contact Trevor Estlow of this office with your agency's decision.

ATTACHMENTS:

Exception Request Form
 SRA Standard Exception for Small Parcels with Fuel Modification Mitigations Checklist
 January 1, 2004 letter from CDF Re: Project Review Input Basic to All Development Projects
 Plot Plan
 Other: _____

APPS: 10109 *Staff Use Only*

Receipt # C3682 (\$75.00 fee) Date Accepted: 1-20-16 By: TE Date Mailed to CDF: 1-20-16

Zoning: R-1-B-3 Standard Setbacks: 30 Front; 30 Rear; 30 Side

Date Parcel Created: 1977 Approximate Size of Parcel in Acres: 1.74

Packet MUST contain all 10 pages to be considered complete



PROPERTY OWNER: Stephen & Michelle Hohman APN: 204-181-031

EXCEPTION REQUEST FORM

Humboldt County Fire Safe Regulations

Exceptions to standards within the Humboldt County Fire Safe Regulations and mitigated practices will be allowed by the County where it can be shown that the exception provides the same overall practical effect as these regulations towards providing defensible space ¹ (Section 3111-8 Humboldt County Code).

1. *This request is for an exception from Section(s) 3112-11 of the Humboldt County Fire Safe Regulations which requires (briefly describe standard or practice (e.g. 30 foot building setback)).*

Applicant wishes to split APN 204-181-131 into two parcels. The northern parcel maintains an existing residence. It is proposed to construct an additional residence on the southern parcel. The proposed subdivision would place the second parcel to the south further than 800 feet on a dead end road. Applicant wishes an exception to 3112-11.

2. *This request will provide the same overall practical effect as the Fire Safe Regulations towards defensible space because (specify the material facts that support the granting of the exception)*

Applicant proposes to convey their rights to construct a second dwelling on both at time of subdivision (No mother-In Law). This would result in no overall impact as they currently have the right to construct a second dwelling unit on the existing parcel.

(Attach additional sheet(s) if necessary)

3. *The following specific mitigation measures are proposed as part of this exception request (list any measure(s) to be used to meet the intent of the fire safe standard or practice (e.g. use of fire resistive building construction (Class A Roof, etc.) to achieve equivalent of a 30 foot building setback))*

NA

4. *Attached is a plot plan showing the proposed location and siting of the exception and / or mitigation measures described above.*

¹ Defensible Space is defined as the area within the perimeter of the parcel where basic wild land fire protection practices are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter used is the area encompassing the parcel excluding the physical structure itself. The establishment and maintenance of emergency vehicle access, emergency water reserves, street names and building identification and fuel modification measures characterize the area.

SRA Standard Exception for Small Parcels

PROPERTY OWNER: _____ APN: _____

CHECKLIST FOR PROVIDING FUEL MODIFICATION MITIGATION ON SMALL PARCELS EXISTING PRIOR TO JANUARY 1, 1992, TITLE III, DIV. II, CHAPTER 5 SECTION 115-2(B)(3)

Note: If you cannot meet the Fire safe 30' setback requirement and your parcel is less than one (1) acre in size (and created prior to January 1, 1992), then you can agree to meet the following fuel modification and building construction standard. Your compliance with these standards will achieve the same practical effect as a 30' setback.

Parcel is conditioned to initially provide, and annually maintain the following Fuel Modification and Building Construction Mitigations.

FUEL MODIFICATION:

1. Remove flammable vegetation: See page 4 of this exemption for list.
2. Mow grasses to less than six inches tall within 30 feet of any structure.
3. Cut off limbs of remaining large trees up from ground level at least six feet; and cut those within 10 feet of a structure.
4. Thin small trees so that outer branches are no closer than 10 feet from the next tree's branches.
5. Plant or cultivate only lawns and / or succulents and / or herbaceous perennials and / or plants not on the very flammable vegetation list.
6. Irrigate to maintain the parcel's allowed vegetation green and healthy; or remove them.
7. Remove dead vegetation accumulations; and flammable natural debris; and flammable man-made storage items and debris.

BUILDING CONSTRUCTION:

1. Class A Roofing
2. Firebrand resistant siding: no shakes, shingles or other material that provides cracks for capturing burning embers or that will produce firebrands. Use of at least Class B roof assemblies as siding is suggested where this style is demanded. Chapter 43 UBC CA Amended Volume 1 - one hour rated wall standard meets the intent fully, but is not specifically required.
3. Eves, balconies, unenclosed roofs and floors, exposed support members used in stilt / cantilevered designs, and other similar structures are either one-hour rated (Chapter 43 UBC CA Amended Volume 1) on the exposed undersides and support members; or skirt protected from firebrand exposure and capture; or heavier timber construction. No flammable material storage (firewood, etc.) is to be allowed under or within 30 feet.

Exception:

- a. Cantilevered Decks or balconies not exceeding six (6) feet in depth.
- b. Decks less than five (5) feet off the ground and built over slopes of less than ten (10) percent and less than 400 square feet in area.

Framing members for Heavier Timber Construction shall comply with the following dimensions:

Columns or posts shall not be less than six (6) inches in any dimension. Beams and girders shall be not less than six (6) inches in width and not less than eight (8) inches in depth. Joists shall be not less than four (4) inches in width. Flooring shall be not less than three (3) inches in thickness.

Exception:

Width of joist and thickness of flooring can be reduced to two (2) inches in dimension, provided joists are spaced no further than sixteen (16) inches on center.

I agree to meet all of the above FUEL MODIFICATION and BUILDING CONSTRUCTION STANDARDS:

Please sign here: _____

Date: _____

FUEL MODIFICATION MITIGATIONS CHECKLIST

HIGHLY FLAMMABLE PLANTS:

P = A Pyrophyte Plant: The worst possible plant to allow in and around subdivisions.

GENUS SPECIES	COMMON NAME
TREES:	
Abies spp.	Fir
Acacia spp.	Acacia
Cedrus spp.	Cedar
Chamaecyparis spp. Except dwarf	Cypress, Cedar
Cupressocyparis spp.	Cypress
Cupressocyparis	Cypress
P Eucalyptus Cladocalyx	Sugar Gum
P Eucalyptus globules	Blue Gum
P Eucalyptus viminalis	Manna Gum
Larix spp.	Larch
Palms (if fronds left untrimmed)	Plum
Picea spp.	Spruce
P Pinus spp. (including Dwarf mugo)	Pine
Schinus spp.	Pepper Tree
Tamarix spp.	Tamarisk
Taxodium spp.	Bald Cypress
Taxus spp. Except dwarf	Yew
Thuja spp.	Arbor-Vitae
Tsuga spp.	Hemlock
SHRUBS:	
P Adenostoma fascisulatum	Chamis, Greasewood
P Adenostoma sparsifolium	Red Schank
Artemesia californica	California Sagebrush
P Baccharis pilularis consanguinea	Coyote Brush
Cytisus, Genista, Spartium	Brooms
Dodonaea Viscosa	Hopseed Bush
Erigonum spp.	Buckwheat
P Juniperus spp.	Juniper (bush/tree)
GROUND COVERS:	
P Baccharis spp. (when overgrown)	Coyote Bush
Hedera canariensis	Algerian Ivy
P Juniperus spp.	Juniper
PERENNIALS:	
Bamboo spp.	Bamboo
Coraderia selloana	Pampas Grass
Miscanthus spp.	Grasses
Muehlenbergia spp.	Deer Grasses
Pennisetum setaceum	Fountain Grasses
Salvia mellifera	Black Sage

State of California
Agency
DEPARTMENT of FORESTRY and FIRE PROTECTION

Humboldt – Del Norte Unit
118 South Fortuna Boulevard
Fortuna California 95540
(707) 725-4413

The Resources

Date: January 1, 2004

**PROJECT REVIEW INPUT
BASIC TO ALL DEVELOPMENT PROJECTS
AS REQUIRED BY THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
AND
CALIFORNIA FIRE SAFE REGULATION**

INTENT

A fundamental intent of the California Environmental Quality Act (CEQA) is to provide project applicants with agency input at the earliest time possible. This allows intelligent planning by incorporating Fire Safe mitigation early into the project plan, avoiding many costly delays and revisions. Applicants are also advised of potential resource management issues.

The California Department of Forestry and Fire Protection, Humboldt – Del Norte Unit (CDF) provides this document to outline this agency's standard comments for development projects. CDF also requests that this document be provided to each applicant at the earliest contact possible. The statements given here should cover most of CDF's contributing agency CEQA and Fire Safe input for project reviews and applications for any new development. The remainder of this document is separated into Fire Safe and Resource Management sections.

FIRE SAFE

General

CDF has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code 4290 (PRC 4290). However CDF is not the lead agency in planning development and project permitting. Each county's Board of Supervisors retains lead agency status and usually delegates this function to their planning departments. CDF cannot provide individual project map reviews and redesign orders as done by county planning department's staff professionals. By state law, only the county planning departments may provide professional planning services and charge fees for this function. CDF may not. CDF provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas

CDF has no fire safe input on projects wholly contained upon Local Responsibility Lands (LRA). However, CDF is concerned with LRA land adjacent to State Responsibility Area (SRA) land, where an uncontrolled fire may threaten SRA lands. In those areas, CDF recommends that local standards are enforced equal to, or more restrictive than, those CDF makes for SRA lands.

State Responsibility Areas

The following six statements are presented as CDF's Fire Safe input and recommendation for any and all development in State Responsibility Areas. They are presented as minimum input. The development and enforcement of more restrictive local ordinances and standards is encouraged by CDF.

1. In Humboldt County, developments must meet minimum fire safe standards by constructing the project in conformance with County Fire Safe Ordinance 1952, which the California Board of Forestry and Fire Protection has accepted as functionally equivalent to PRC 4290.
2. All new roofing must be fire resistant and conform to Section 13108.5 of the Health and Safety Code. Use of Class A roof assemblies is encouraged.
3. All development, especially commercial or industrial development, should be designed to more strict standards contained in the most current versions of the following standards:
 - a) Uniform Fire Code (UFC) – for overall design standards
 - b) Public Utilities Commission (PUC) General Order 103 – for water systems design
 - c) National Fire Protection Association Standards (NFPA) for fire flow minimums and other design questions not specifically covered by UFC and PUC
 - d) Housing and Community Development Codes and Standards – for mobile home parks and recreational camps
4. For Department of Real Estate reporting purposes, fire protection coverage in SRA is generally described as follows:

During the declared fire season (usually June through October) CDF responds to all types of fires and emergencies in SRA.

During the remainder – of the year (winter period), CDF responds to emergency requests with the closest available fire engine and operator. This assistance is not provided on a planned 24 hour, 7-day schedule. During normal working hours, Monday through Friday, a fire engine with operator is usually available somewhere in the Unit. If the request occurs during nighttime, weekends, or holidays, an immediate attempt will be made to call an operator if a response can reasonably be expected to arrive in time to be effective.

There are many hazards confronting fire protection agencies in most subdivisions on SRA lands. Steep terrain and heavy wildland fuels contribute to fire intensity and spread. The distances from fire stations and road grades

Encountered usually create an excessive response time for effective structure fire suppression purposes.

Subdividing increases fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements. These hazards and risks can be mitigated by awareness of the problems, and by conforming to Fire Safe recommendations and appropriate local ordinances.

5. If the densities allowed by a proposed rezone will open a path for a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high - density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.
6. CDF does not endorse development in area where there is no local agency fire service for structure fires or emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

RESOURCE MANAGEMENT

CDF has enforcement responsibility for requirements of the Z'berg -- Nejedly Forest Practice Act of 1973. CDF is also the lead agency for those parts of project involving the scope of the Forest Practice Act. Each project sent for review will have a specific review with additional input sent at a later date, if needed. The following basic input will cover the majority of projects. The applicant should contact the closest CDF Area Forester for any permitting, conversion, or harvest planning questions (see page 9 of this document).

The following thirteen comments reflect the basic Resource Management policies of the Board of Forestry and Fire Protection and CDF on CEQA review requests. These policies apply to both Local and State Responsibility Areas.

1. By policy, the Board of Forestry and Fire Protection, and CDF, cannot support any project that will reduce the timberland base of California. Public Resources Code (PRC) Section 4526, defines what timberland is. It is the Department's responsibility to maintain, protect and enhance long-term timber production and the associated preservation of the timberland base. However, CDF recognizes that if current zoning and the intended use are consistent with the county's general plan; and if after review, no land other than timberland can be identified to site the project; then, CDF may choose not to oppose the project.
2. If any timber operations (as defined by PRC Section 4527) are involved with a project, they must be approved by CDF prior to undertaking operations. A Timber Harvesting Plan (THP) may be required. A Timberland Conversion Permit may also be required.
3. If a subdivision has previously been approved by the local agency and all required documentation is complete, an application may be made to CDF for an "Exemption for Conversion for Subdivision" as prescribed under California Code of Regulations (CCR) Section 1104.2. After the Exemption for Conversion is approved, a THP may then be submitted if timber operations are planned. No timber operations may occur until the appropriate plans and permits are approved.
4. If land zoned Timberland Production Zone (TPZ) is divided into parcels of less than 160 acres, a Joint Timber Management Plan may be required, per Government Code Section 51119.5.
5. If the "Ten Year Phase Out" rezoning option is used to rezone Timberland Production Zone land, a Timberland Conversion Permit is not required.

6. If timberland is in the view shed of a project, the current and future owners should be overtly notified that changes would occur to their views due to timber management activities. The growing and harvesting of timber involves many management activities that alter view sheds. Owners must understand that timberland I for the growing and harvesting of timber.
7. If a proposed project will result in the conversion of less than three acres of timberland to non-timber use, a one-time "Exempt Conversion" may be applied for as prescribed by California Code of Regulations (CCR) 1104.1(a). Application may be made through CDF by submission of an Exemption form. Government Code Section 51134 then applies to immediate rezoning from Timberland Production Zone. The lead agency (the appropriate county board of supervisors or city council) must address the required findings in Sections 51134 (1) through 51134 (4) (e).
8. If a proposed project will result in the conversion of greater than three acres of timberland to non-timber use, a Timberland Conversion Permit (TCP) is required prior to undertaking any conversion operations. However, neither the Board of Forestry and Fire Protection nor CDF can support any project that will erode the timberland base of California, by policy. Provision and procedures for filing an application for a TCP are found in Article 9, Division 4, Chapter 8 of the Public Resources Code. The criteria for approval of a TCP include:
 - A. The Board of Forestry and Fire Protection will approve a TCP only if the following written findings can be made:
 1. Conversion would be in the public interest; and
 2. Conversion would not have substantial and unmitigated adverse effect upon the continued timber growing use or open space use of other land zoned for timber production within one mile of the exterior boundary of the land upon which immediate rezoning is proposed; and
 3. Soils, slopes and watershed conditions would be suitable for the uses proposed if the conversion were approved.
 - B. The existence of an opportunity for an alternative use of the land shall not alone be sufficient reason for conditionally approving an application for conversion. Conversion shall be considered only if there is no proximate and suitable land that is not zoned for timberland purposes.
 - C. The uneconomic character of the existing use shall not be sufficient reason for the conditional approval of conversion. The uneconomic character of the existing use may be considered only if there is no other reasonable or comparable timber-growing use to which the land may be put.
 - D. The Board of Forestry and Fire Protection has established a fee schedule to be paid by the landowner for the cost of processing the application and recording the necessary documentation. The fees re approximately \$600 - \$700 (as of 2003).
 - E. Approval of an application for a TCP shall be conditioned upon the granting of the necessary rezoning.
 - F. Any timber harvesting necessary for the development shall not occur until the TCP has been approved and a subsequent Timber Harvesting Plan has been submitted and approved.

9. No project should be allowed to negatively affect access to timberland for timber management purposes: neither on the project parcel(s) nor any other timberland parcels.
10. If post-harvest restocking obligations have not been met on a parcel, future owners should be overtly notified. The owner of a parcel is responsible for the restocking requirements when due: whether or not they were involved in the actual harvest plan.
11. Cancellations of Williamson Act contracts can have serious environmental effects. Any cancellations are (intended) not to result in a discontinuous pattern of urban development. Most areas currently involved are of a rural development pattern. Cancellations would only further the advancement of urban development, thus canceling out the timber and grazing lands that the act was designed to protect.
12. If commercial timber operations will occur in connection with a project to subdivide non-TPZ timberland into ownerships of less than 3 acres, this project is a conversion of timberland, per CCR Section 1100(g). No timber operations may be conducted until a Timberland Conversion Permit or Exemption for Conversion for Subdivision is obtained, per CCR Section 1104.2. A Timber Harvesting Plan or Exemption from THP will also be required prior to harvest operations.
13. A landowner may implement a Fire Hazard Exemption as long as "only trees within one hundred fifty feet from any point of an approved and legally permitted structure that complies with the California Building Code" are harvested, per CCR Section 1038 (c)(1).

PHONE NUMBERS AND ADDRESS FOR ASSISTANCE FROM CDF

Written inquiries or inputs should be addressed to "Environmental Coordinator" at the address given at the top of page five. For Fire Safe Questions, call Fire Prevention at (707) 725-4413.

For Resource Management questions, call the closest Area Forester office listed below.

Crescent City	(707) 464-4369	Trinidad	(707) 677-0761
Willow Creek	(530) 629-3242	Fortuna	(707) 725-1261
Bridgeville	(707) 777-3220	Weott	(707) 946-2260
Garberville	(707) 923-3446		
Thomas Osipowich	Unit Chief, Humboldt – Del Norte Unit		



Plot Plan
Stephen and Michelle Hohman
APN 204-181-031
3406 Harville Ln. Hydesville, CA

ATTACHMENT 4

Draft Initial Study and Mitigated Negative Declaration

Project Information

Project Title: Hohman Minor Subdivision

Lead Agency

Humboldt County Planning and Building Department – Planning Division
3015 H Street
Eureka, CA 95501
(707) 445-7541

Property Owners

Stephen and Michelle Hohman
PO Box 723
Hydesville, CA 95547

Project Applicant

Same as owner

Project Location

The project site is located in the Hydesville area, on the south side of Harville Lane, approximately 1,000 feet south of the intersection of Harville Lane and State Highway 36, on the property known as 3406 Harville Lane.

General Plan Designation

Residential Low Density (RL). Carlotta/Hydesville Community Plan (NHGP). Density: one to seven dwelling units per acre.

Zoning

Residential One-Family with a minimum parcel size of 20,000 square feet (R-1-B-3).

Project Description

A Minor Subdivision to divide an approximately 1.74 acre parcel into two parcels of 0.72 acres and 1.02 acres in size. The parcel is currently developed with a single family residence, garage and on-site wastewater treatment system that will remain on proposed Parcel 1. Proposed Parcel 2 will be vacant. An exception request to exceed the maximum length of a dead-end road has been submitted and approved by Calfire. The parcels are or will be served with water by the Hydesville County Water District and on-site wastewater treatment systems.

Baseline Conditions: Surrounding Land Uses and Setting

The project site is located in the rural area just outside the main town of Hydesville, on Harville Lane. The parcel is surrounded by similar rural residential parcels with the Van Duzen River located approximately three quarters of a mile to the south.

Other Public Agencies Whose Approval Is or May Be Required (permits, financing approval, or participation agreement): Humboldt County Public Works Department, Division of Environmental Health, Building Division, California Department of Forestry and Fire Protection.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? No. If so, has consultation begun? n/a

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

Environmental Factors Potentially Affected: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agricultural and Forestry Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Hydrology/Water
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	Quality
<input type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Tribal Cultural Resources	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities/Service	<input type="checkbox"/> Mandatory Findings of Significance	

Determination: On the basis of this initial evaluation:

- I find that the proposed project **could not** have a significant effect on the environment, and a **Negative Declaration** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **Mitigated Negative Declaration** will be prepared.
- I find that the proposed project **may** have a significant effect on the environment, and an **Environmental Impact Report** (EIR) is required.
- I find that the proposed project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only those effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR or Negative Declaration** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR or Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

2-23-17
Date

Trevor Estlow, Senior Planner
Printed Name

Humboldt County Planning
and Building Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each questions. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify:
 - a) the significance criteria or threshold used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

a, b) The project site is located in a rural residential area just east of the main town of Hydesville along Harville Lane. Harville Lane a private road that takes access off of State Highway 36. The project site is currently developed with a single family residence that will remain on proposed Parcel 1. The building site for the proposed parcel will be minimally visible from the private road. The site is not located within a Coastal Scenic area and not within the Coastal Zone. The proposed project would have a **less than significant impact** on a scenic vista or scenic highway.

c) The existing visual character of the project vicinity consists of rural residential development within a mixture of wooded areas and open agriculture lands. The project site consists of one parcel currently developed. The proposed subdivision would not substantially degrade the existing visual character or quality of the site or surrounding area. Therefore, a **less than significant impact** would occur.

d) The subdivision would create one new lot for residential development. Any future residential lighting would be consistent with the surrounding residential community. Therefore there would be no new sources of substantial light or glare and a **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURE AND FOREST RESOURCES: Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide			X	

Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X	
d) Result in the loss of forest land or conversion of forest land to non-forest use?			X	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?			X	

Discussion

a, b, e) The project site is not designated Unique Farmland or Farmland of Statewide Importance and is not within a Williamson Act contract. The parcel is zoned Single Family Residential with a 20,000 square foot minimum parcel size (R-1-B-3) and is not intended to support large agricultural endeavors. The subject property is bordered by similar rural residential lots. The proposed subdivision would allow additional residential development which is compatible with existing adjacent uses. Single family residential is a primary and compatible use in the Residential Low Density land use designation and is principally permitted in the R-1 zone. The proposed subdivision would not change the land use or zoning designations and therefore would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agriculture use or conflict with existing zoning for agriculture use; and would not involve changes in the existing environment which, due to its location or nature, could result in conversion of Farmland to non-agricultural use. The project may result in conversion of forestland through "Less than 3-Acre Conversion Exemptions," however, this is not considered significant in an area planned for this level of residential density. A **less than significant** impact would occur.

c, d) The project may require an individual "Less than 3-Acre Conversion Exemptions" from Calfire when the vacant parcel is developed. The loss of timberland is not considered significant as the area was reviewed for this level of development under the Carlotta/Hydesville Community Plan. Therefore, the proposed project will have a **less than significant** impact.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Discussion

a,b,d,e) The project site is located within the North Coast Air Basin and the jurisdiction of the North Coast Unified Air Quality Management District (NCUAQMD). The North Coast Air Basin generally enjoys good air quality, but has been designated non-attainment (does not meet federal minimum ambient air quality standards) for particulate matter less than ten microns in size (PM₁₀). To address this, the NCUAQMD adopted a Particulate Matter Attainment Plan in 1995. This plan presents available information about the nature and causes of PM₁₀ standard exceedance, and identifies cost-effective control measures to reduce PM₁₀ emissions, to levels necessary to meet California Ambient Air Quality Standards. These include transportation measures (e.g., public transit, ridesharing, vehicle buy-back programs, traffic flow improvements, bicycle incentives, etc.), land use measures (infill development, concentration of higher density adjacent to highways, etc.), and combustion measures (open burning limitations, hearth/wood burning stove limitations; NCUAQMD 1995).

The proposed subdivision results in one new parcel suitable for residential development and would not: (1) obstruct implementation of the applicable air quality plan; (2) violate air quality standards; (3) contribute substantially to an existing or projected air quality violation; (4) expose sensitive receptors to substantial pollutant concentrations; or (5) create objectionable odors. A **less than significant impact** would occur.

c) The proposed subdivision would create one new parcel for residential development and allow one additional residence to be constructed. The proposed development, when constructed, would generate limited construction and operational emissions that would contribute to cumulative emissions of pollutants within the North Coast Air Basin. As indicated above, the North Coast Air Basin is in non-attainment for PM₁₀. Because future development is consistent with planned uses the proposed project would not contribute

to this non-attainment for PM₁₀ beyond levels considered in approved land use plans, and thus would result in a **less than significant impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		X		

Discussion

a - c, e - f) The project site is currently developed with a single family residence that will remain on proposed Parcel 1. An unnamed creek crosses the far southwest corner of the parcel and a 100 foot setback will be maintained as shown on the Tentative Map. This measure is included in Mitigation Measure No. 1. No sensitive species were found on site. The project was referred to the Eureka office of the California Department of Fish and Wildlife and they did not respond with any concerns. The proposed subdivision would not have a substantial adverse effect, either directly or through habitat modifications, on

any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The proposed project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means. The proposed subdivision would not conflict with local policies protecting biological resources. These impacts would be **less than significant with mitigation incorporated.**

d) The project area is located in a mixture of open agricultural lands and some small wooded areas. According to the California Natural Diversity Database, the site is potential habitat for the bank swallow. It may be necessary to remove trees for road improvements or other site improvements. In order to comply with the Migratory Bird Treaty Act and Fish and Game Code, tree removal and brush clearing must be conducted outside of the nesting season. This measure is included in Mitigation Measure No. 2. This impact would be **less than significant with mitigation incorporated.**

Mitigation Measure No.1. The Development Plan shall map the 100-foot setback from the unnamed creek and label it 'unbuildable'."

Mitigation Measure No.2. The Development Plan shall include the following language: "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be March 1 – August 15) in order to avoid 'take' as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid take."

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion

a-d) The project proposal was referred to the Northwest Information Center, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. NWIC recommended further study, however, further discussion with the Bear River Band of the Rohnerville Rancheria indicated that a study was not warranted and only recommended adding the condition of inadvertent discovery. If, at any time, archaeological resources are encountered during any construction activities, the contractor will execute Mitigation Measure No. 1. by halting construction and coordinating with a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines and appropriate tribes so resources can be evaluated so that there is not a substantial adverse change in the significance of an archaeological resource. Therefore impacts would be **less than significant with mitigation incorporated.**

Mitigation Measure No.3. The following note shall be placed on the Development Plan: "If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition."

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			X	

Discussion

a) i-ii) The project site is not located within an Alquist-Priolo (A-P) Earthquake Fault Zone. The nearest A-P zone is located approximately 200 feet to the south. Northwestern California is the most seismically active region in the continental United States, making the probability of strong seismic ground shaking at some time in the future high. While the proposed project could potentially be subject to ground shaking from these or other Northern California faults, it would be comparable to all other development in this seismically active region. Compliance with standard state and local building codes would provide foundation and structural strengthening applicable to this zone.

iii, iv) Liquefaction is described as the sudden loss of soil shear strength due to a rapid increase of soil pore water pressures caused by cyclic loading from a seismic event. According to the County geologic hazard maps, the project site is not located in a potential liquefaction area. There is no evidence of recent active landslides and the potential for slope stability hazard associated with the proposed project is considered negligible. According to the Framework Plan Geologic Hazards Map, the project site has a rating of low instability.

Therefore, the proposed project would not expose people or structures to potential substantial adverse effect involving: the rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Fault Zoning Map; strong-seismic ground shaking, seismic related ground failure including liquefaction and landslides; **a less than significant impact** would occur.

b,c,d) The newly created parcel that will be suitable for residential development has shown that it would not result in soil erosion, landslide, lateral spreading, or liquefaction. There are no significant on-site slopes and no major grading proposed for the development of future homesite. The project is not located on expansive soils. Therefore, a **less than significant impact** would occur.

e) Any future development would require on-site wastewater disposal systems. A soils evaluation was conducted by SHN Consulting Engineers and Geologists and a series of percolation test pits were dug to determine appropriate locations for on-site wastewater systems. The parcel map shows the test pit locations where the soils are capable of adequately supporting wastewater disposal systems. Future development of wastewater disposal systems would be in accordance with the soils evaluation. A permit from the Humboldt County Department of Environmental Health will be required for all new on-site septic systems. A **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

Discussion

a, b) In 2002 the California legislature declared that global climate change was a matter of increasing concern for the state's public health and environment, and enacted law requiring the California Air Resources Board (CARB) to control GHG emissions from motor vehicles (Health & Safety Code §32018.5 et seq.). In 2006, the California Global Warming Solutions Act (Assembly Bill 32) definitively established the state's climate change policy and set GHG reduction targets (Health & Safety Code §38500 et seq.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions. While methodologies to inventory and quantify local GHG emissions are still being developed, recommendations to reduce residential GHG emissions include promoting energy efficiency in new development.

The proposed project involves creation of one new residential lot. Future residential use would emit limited greenhouse gases. The proposed project is consistent with planned densities and land use in the area and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases; a **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS: Would the project:				

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Discussion

a) The project does not propose any change in the transport, use, or disposal of hazardous materials. These activities are controlled by County code provisions and state regulations. New owners would be subject to these same provisions and regulations and

thus the subdivision itself would not create a significant hazard to the public associated with these activities. **No impact** would occur.

- b) The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **No impact** would occur.
- c) The proposed project would not emit hazardous emissions or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (e.g., the project would not emit such materials, and there is no school located within one-quarter (0.25) mile of the project site). **No impact** would occur.
- d) The project site is not located on a site that is included on any list compiled pursuant to Government Code Section 65962.5 (Cortese List <http://www.calepa.ca.gov/sitecleanup/corteselist/>). Hence, the proposed project would not create a significant hazard to the public or the environment. **No impact** would occur.
- e-f) The project is approximately two miles from the Rohnerville Airport and is not located within the airport land use plan associated with the airport. The project would not result in a safety hazard for people residing or working in the project area. **No impact** would occur.
- g) Emergency response and evacuation in the project area is the responsibility of the Humboldt County Sheriff's Office of Emergency Services. The proposed project would not impair implementation of or physically interfere with the County's Emergency Response Plan, including the evacuation aspects of the plan, because the project : (1) would not alter or block existing streets; (2) would not increase the number of people exposed to potential emergencies; (3) would not generate significant traffic congestion during an emergency; and (4) would not include uses that would require amendment of the County's emergency planning (such as a chemical storage facility or large industrial plant). **No impact** would occur.
- h) The project site served by Fortuna Fire Protection District for structural fire protection. According to the County's Fire Hazard Map, the site is located in a high fire hazard area. Both parcels would have access from Harville Lane, a dead end road. An exception request was submitted to Calfire to exceed the dead end road length. This exception was granted by Calfire based on the current condition of the road and subject to the conveyance of second unit rights for the new parcels. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. **No impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater				

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through stream or river course alteration, in a manner which would result in substantial erosion or siltation onsite or offsite?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard Area 1 as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	

Discussion

a,c-f) The proposed project would create one new rural residential parcel. A majority of the project site is undeveloped. The parcels accommodate stormwater runoff onsite and there is no proposed change in direction of stormwater runoff. Therefore, the proposed project would not violate water quality standards, alter the existing drainage pattern of the parcel, alter the course of a stream or river, substantially increase the rate or amount of surface runoff, result in flooding on- or off-site, provide substantial additional sources of

polluted runoff, or otherwise substantially degrade water quality. **A less than significant impact** would occur.

- b) Under the proposed project there would be minimal increase in impervious surfaces so the change in potential groundwater recharge on the parcel will be minimal. Water is provided by the Hydesville County Water District. Therefore, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. **A less than significant impact** would occur.
- g-j) The parcel is located entirely outside the 100-year FEMA mapped floodplain and at approximately 300 feet in elevation. The project is well outside of any tsunami inundation area. Therefore, the proposed project would not impede or redirect flood flows, and would not expose people or structures to a significant risk involving flooding. **A less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion

- a) The proposed subdivision would not physically divide an established community, because the project: (1) site is located in a rural residential area; (2) involves the subdivision of one parcel into two parcels consistent with the prescribed density; (3) would not block or remove any existing streets; and (4) would not change the use of the site. Therefore, **no impact** would occur.
- b) The project site is located in an unincorporated area just east of the main town of Hydesville and is subject to the Humboldt County Framework General Plan, Carlotta/Hydesville Community Plan (CHCP), and County zoning regulations. The project site totals approximately 1.74 acres. The property is planned and zoned for rural residential development with a density of one to seven units per acre.

The proposed subdivision would result in two parcels of 0.72 acres and 1.02 acres.

The proposed project is consistent with the comprehensive view of the CHCP and

Framework General Plan as it concerns land use, hazards, biological resources, hydrology and water quality, circulation, and public facilities. The proposed project would not conflict with applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. A **less than significant** impact would occur.

c) The project site is not subject to an existing habitat conservation plan or natural community conservation plan. **No impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES: Would the project:				
MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion:

a-b) No mineral resources are known to be located within the project site. Therefore, the proposed project would not affect the availability of a known mineral resource that would be of value to the region, nor would the project result in the loss of availability of a locally important mineral resource, recovery site delineated on a specific, general plan or other land use plan. **No impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE: Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X	

Discussion

a-d) The proposed project would be subject to the noise standards contained in the Framework General Plan for residential areas. The project site is located adjacent to Harville Lane, a privately maintained road. The site is approximately two miles from the Rohnerville Airport and is outside of the area affected by the Airport Land Use Compatibility Plan.

The proposed project would create one new lot for residential development and planned residential use. The proposed subdivision would not expose persons to or generate noise levels in excess of general plan standards, would not involve blasting, or other activities that could create excessive ground born noise levels or vibration, and would not create a substantial permanent, temporary or periodic increase in ambient noise levels in the project vicinity. **A less than significant impact** would occur.

e, f) The site is approximately two miles from the Rohnerville Airport and is outside of the area affected by the Airport Land Use Compatibility Plan. The site would not expose people working or residing in the area due to excessive noise levels. **A less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING: Would the project:				
a) Induce substantial population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement				X

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
housing elsewhere?				

Discussion

- a) The proposed subdivision would create one new lot for a total of two, with the eventual construction of a residence on the newly created parcel consistent with the existing land use and zoning designations. The subdivision is consistent with the planned density of the area and would not directly or indirectly induce substantial population growth. Therefore, a **less than significant impact** would occur.
- b, c) The proposed project would not displace existing housing or people, and would not necessitate the construction of replacement housing elsewhere. **No impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

Discussion

- a- e) Emergency response in the project area is the responsibility of the Fortuna Fire Protection District, Calfire and the Humboldt County Sheriff's Office. The proposed project will create one new parcel. Both parcels will have access from Harville Lane. The proposed project would not impair fire or police protection services, because the project would not: alter or block existing streets, result in development, or include uses that would require amendment of the County's emergency planning (such as a chemical storage facility or large industrial plant).

No new or physically altered government facilities are required as a result of the project. The project would not result substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities. Therefore, a **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Discussion

a-b) The project does not include recreational facilities. The Department finds no evidence that the project will require construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, **a less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION/TRAFFIC: Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation systems, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

Discussion

- a, b) The project site is accessed from Harville Lane off of State Highway 36. Harville Lane is developed as a paved 16 foot wide road within a 20+ foot wide roadway prism. The proposed project would create one new lot for rural residential development. Traffic trips to/from the site are not expected to change significantly as a result of the proposed project. Therefore, the circulation system of the area would not be affected. The subdivision would not conflict with applicable plans, policies, or ordinances establishing measures of effectiveness for the performance of the circulation system and would not conflict with a level of service standard established by the county congestion management agency for designated roads or highways. **A less than significant impact** would occur.
- c) The proposed project is approximately two miles from the Rohnerville Airport and would have no impact on air traffic patterns, would not substantially increase air traffic levels, and would not result in substantial safety risks. **A less than significant impact** would occur.
- d) The project would allow continued rural residential use of the site and is compatible with the existing adjacent similar uses. The two parcels would have access off of Harville Lane. Access to the new parcels would not substantially increase hazards due to a design feature or incompatible uses. **A less than significant impact** would occur.
- e) The project site is located adjacent to Harville Lane, and is already served by an existing street system. Both lots would have access to Harville Lane. Adequate emergency access to the project site already exists from this street, and would continue to exist under the proposed project. Therefore, **a less than significant impact** would occur.
- f) The proposed project would not conflict with policies, plans, or programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. **A less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resource Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resource Code section 5020.1(k), or			X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?			X	

Discussion

a- b) The project was referred to both the Northwest Information Center at Sonoma State University and the Bear River Band of the Rohnerville Rancheria. There was no evidence of the site containing a tribal cultural resource. Nonetheless, the standard condition of inadvertent discovery has been included as Mitigation Measure No. 3. Therefore, **a less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or			X	

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
expanded entitlements needed?				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Discussion

- a) The parcel is currently developed with a single family residence that will remain on proposed Parcel 1. Existing and future development will be served by on-site wastewater treatment systems that have been approved by the Environmental Health Division. Therefore, the proposed project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. **A less than significant impact** would occur.
- b, e) The proposed subdivision would be served with community water provided by the Hydesville County Water District. The site will be served by on-site wastewater treatment systems and the Division of Environmental Health has approved the designs of these systems. Therefore, the project would not result in the need for the construction of new water or wastewater treatment facilities or the expansion of existing facilities. **A less than significant impact** would occur.
- c) The proposed project would not require the construction of new storm water drainage facilities or the expansion of existing such facilities, the construction of which could cause significant environmental effects (see Response c-d under the "Hydrology and Water Quality" for analysis). **A less than significant impact** would occur.
- d) The project site receives water service from the Hydesville County Water District. The proposed project is consistent with existing land use and zoning designations and any incremental increase in demand would not be significant. Therefore, the water system would have sufficient water supplies available to serve the project from existing entitlements and resources. **A less than significant impact** would occur.
- f, g) The proposed subdivision would create one new residential parcel which would generate minimal solid waste. The residential use of the site would not change and any potential future development would be required to comply with federal, state, and local solid waste regulations. Therefore, **a less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion:

Certain mandatory findings of significance must be made to comply with CEQA Guidelines §15065. The proposed project has been analyzed, and it has been determined that it would not:

- Substantially degrade environmental quality;
- Substantially reduce fish or wildlife habitat;
- Cause a fish or wildlife population to fall below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Reduce the numbers or range of a rare, threatened, or endangered species;
- Eliminate important examples of the major periods of California history or pre-history;
- Achieve short term goals to the disadvantage of long term goals;
- Have environmental effects that will directly or indirectly cause substantial adverse effects on human beings; or

- Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.

a) The project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. See Biological Resources Section for a specific discussion of biological resources supporting this finding.

The proposed project would not have the potential to eliminate important examples of the major periods of California history or prehistory because no significant impacts to historic and cultural resources would occur. See Cultural Resources Section for a specific discussion of historic resources supporting this finding.

b) The project would not have impacts that are individually limited, but cumulatively considerable, because: (1) Given the nature of the project site, the project would not contribute to the cumulative loss of prime farmland, special-status species or their habitat, wetlands or other natural community, mineral resources, or other cumulative impacts to natural resources; (2) Given the relative small size of the proposed project, it would not add appreciably to cumulative utilities or service demand, park demand, water demand, energy consumption, or other growth-related cumulative impacts; (3) The project site is already designated for rural residential use under the County's General Plan and Zoning Ordinance. Hence, some degree of growth at the site has already been assumed in County planning; and (4) The project would not interfere with the ability of the region to attain the PM₁₀ reduction goals set forth in the NCUAQMD's PM₁₀ Attain Plan.

c) The proposed project has been designed to be consistent with General Plan policies and zoning requirements, and measures to reduce project related impacts to the environment have been incorporated into the project design wherever possible to ensure compliance. Based on the project as described in this Initial Study and a review of applicable regulations there is no evidence that the proposed project as mitigated will cause substantial adverse effects on human beings, either directly or indirectly.

Proposed Mitigation Measures, Monitoring, and Reporting Program

Biological Resources

Mitigation Measure No.1.

The Development Plan shall map the 100-foot setback from the unnamed creek and label it "unbuildable".

Mitigation Measure No. 2.

The Development Plan shall include the following language: "any brush clearing or tree removal must be conducted outside of the bird breeding season (March 1 – August 15) in order to avoid a "take" as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 *et seq.*). If any brush or trees must be removed within the breeding season, the Project proponent shall consult with CDFW prior to removal in order to assess the potential for take of active bird nests."

Timing for Implementation/Compliance: Noted on Development Plan and required throughout project construction.

Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction

Evidence of Compliance: Prior to filing Parcel Map.

Cultural Resources

Mitigation Measure No. 3. The following note shall be place on the Development Plan: "If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition."

Timing for Implementation/Compliance: Noted on Development Plan and required throughout project construction.

Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction

Evidence of Compliance: Prior to filing Parcel Map.

ATTACHMENT 5**Referral Agency Comments and Recommendation**

All referral agencies that the proposed project was sent to for review and comment are listed below. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection	X	Approval		X
County Public Works, Land Use Division Memorandum dated October 21, 2016	X	Conditional approval	X	
County Public Works, Land Use Division Subdivision Requirements	X	Conditional Approval	Exhibit A of Attachment 1	
County Division of Environmental Health	X	Approval	X	
Hydesville County Water District	X	Conditional Approval	X	
NWIC	X	Recommend study	X	
Fortuna Fire Protection District	X	Conditional Approval	X	
Calfire	X	Conditional Approval	X	
California Department of Fish and Wildlife				
Wiyot Tribe				
Bear River Band of the Rohnerville Rancheria	X	Conditional Approval	X	
PG&E				



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

POSTED

RECEIVED
JUL 22 2016
Humboldt County
Planning Division

AVIATION	839-5401	PUBLIC WORKS BUILDING SECOND & L ST., EUREKA FAX 445-7409	CLARK COMPLEX HARRIS & H ST., EUREKA FAX 445-7388	LAND USE	445-7205
		ADMINISTRATION 445-7491 BUSINESS 445-7652 ENGINEERING 445-7377 FACILITY MAINTENANCE 445-7493	NATURAL RESOURCES 445-7741 NATURAL RESOURCES PLANNING 267-9540 PARKS 445-7651 ROADS & EQUIPMENT MAINTENANCE 445-7421		

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Deputy Director *RB*

DATE: 07/22/2016

RE: **HOHMAN, APN 204-181-031, PMS16-008**

HARVILLE LANE: Harville Lane is developed as a paved 16 foot wide road within a 20+ foot wide roadway prism. While the paved width of the road is 16 feet, the shoulder areas within the roadway prism make it effectively a 20+ foot wide road. This allows vehicles to pull onto the shoulder to allow passing.

PRELIMINARY SUBDIVISION REPORT: A *preliminary report* was submitted in lieu of a *preliminary subdivision report* as specified in County Code Section 323-6(c).

EXCEPTION REQUEST FOR MAXIMUM LENGTH OF DEAD END ROAD: Based upon the development potential of Harville Lane, and the physical constraints that prohibit a reasonable secondary access road to be developed, the Department can support the proposed exception request.

NON-COUNTY MAINTAINED ROAD NOTE: The project will be taking access from an existing non-county maintained road. If a road maintenance association currently exists, this Department recommends that the applicant secure an agreement for annexation prior to the project being presented to the Planning Commission. If an agreement for annexation cannot be reached, then the issue of road maintenance should be discussed/addressed at the Planning Commission meeting.



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-5544



7/13/2016

JUL 15 2016

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

HUMBOLDT CO. DIVISION
OF ENVIRONMENTAL HEALTH

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Wiyot Tribe, Pacific Gas and Electric, Hydesville Community Services District, Fortuna Fire Protection District

10/17-0043

Applicant Name Stephen Hohman **Key Parcel Number** 204-181-031-000

Application (APPS#) 10109 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** AA16-002
PMS16-008

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than 7/28/2016

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

Recommend Approval. The Department has no comment at this time.

Recommend Conditional Approval. Suggested Conditions Attached.

Applicant needs to submit additional information. List of items attached.

Recommend Denial. Attach reasons for recommended denial.

Other Comments: _____

DATE: 8-5-16

PRINT NAME: DAVID SPINOSA



**HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541**



7/13/2016

PROJECT REFERRAL TO: Hydesville Community Services District

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Wiyot Tribe, Pacific Gas and Electric, Hydesville Community Services District, Fortuna Fire Protection District

Applicant Name Stephen Hohman **Key Parcel Number** 204-181-031-000

Application (APPS#) 10109 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** AA16-002
PMS16-008

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than 7/28/2016

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested Conditions Attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.

Other Comments: Approved with condition of adequate fire-flow test results or proceeding line on Forestall Lane and payment of appropriate fees

DATE: 8/11/16

PRINT NAME: David Rodriguez



ALAMEDA
COI USA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLAIA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center

Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<http://www.sonoma.edu/nwic>

July 27, 2016

File No.: 16-0073

Planning Commission Clerk
County of Humboldt
Planning and Building Department
3015 H Street
Eureka, CA 95501
[*PlanningClerk@co.humboldt.ca.us](mailto:PlanningClerk@co.humboldt.ca.us)

re: AA16-002, PMS16-008 / 3406 Harville Lane; KPN: 204-181-031-000 / Stephen Hohman

Dear Mr. Trevor Estlow,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Previous Studies:

XX This office has no record of any previous cultural resource studies for the proposed project area (see recommendation below).

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study is recommended prior to commencement of project activities.

XX We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916)373-3710.

Built Environment Recommendations:

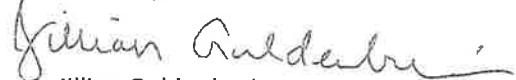
XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Humboldt County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,


Jillian Guldenbrein
Researcher

Inc: Humboldt County project cover letter



**HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541**



7/13/2016

PROJECT REFERRAL TO: Fortuna Fire Protection District

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Wiyot Tribe, Pacific Gas and Electric, Hydesville Community Services District, Fortuna Fire Protection District

Applicant Name Stephen Hohman **Key Parcel Number** 204-181-031-000

Application (APPS#) 10109 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** AA16-002
PMS16-008

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than 7/28/2016

Planning Commission Clerk

County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501

E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

Recommend Approval. The Department has no comment at this time.

Recommend Conditional Approval. Suggested Conditions Attached.

Applicant needs to submit additional information. List of items attached.

Recommend Denial. Attach reasons for recommended denial.

Other Comments: _____

DATE: 7-15-16

PRINT NAME: Lon Wimbush

-----FORTUNA FIRE PROTECTION DISTRICT-----

320 SO. FORTUNA BLVD. FORTUNA, CA. 95540
(707)725-5021

"At your service"

Re: minor subdivision

Parcel # 204-181-031

The Fire District requests the access and turn-a-round area for parcel 2 be shown on the Tentative Parcel Map as/for future reference.

Lon Winburn



Fortuna Fire Protection District

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Humboldt – Del Norte Unit

118 Fortuna Blvd.
Fortuna, CA 95540
Website: www.fire.ca.gov
(707) 726-1206



Ref: 7100 Planning
Date: February 2, 2016

Kevin Hamblin, Director
Humboldt County Planning and Building Department
3015 H Street
Eureka, CA 95501



Project: Stephen & Michelle Hohman APN: 204-181-031 Area: Hydesville

Attention: Trevor Estlow

An exception to the standards of the Humboldt County Fire Safe Ordinance has been requested for the project noted above. As proposed and mitigated, the exception(s) noted below are found to have the overall practical effect as these regulations regarding Emergency Access.

X Section 3112 Emergency Access – Road Standards
The road standards have specific provisions that include:

- 3112-3 Road Width,
- 3112-4 Roadway Surface,
- 3112-5 Roadway Grades,
- 3112-6 Roadway Radius,
- 3112-7 Roadway Turnarounds,
- 3112-8 Roadway Turnouts,
- 3112-9 Roadway Structures,
- 3112-10 One-Way Roads,
- X** 3112-11 Dead-End Road length limitations,
- 3112-12 Driveways,
- 3112-13 Gate Entrances.

Approved following the below mitigations submitted for the Hohman APN 204-181-130

1. Applicant conveys their right to construct a second dwelling on both parcels at the time of subdivision (No-Mother in-law). This results in no overall impact as they currently have the right to construct a second dwelling unit on the existing parcel.

By
Planning Battalion
CALFIRE Humboldt – Del Norte Unit

For Hugh Scanlon, Unit Chief

Estlow, Trevor

From: Erika Cooper <erikacooper@brb-nsn.gov>
Sent: Wednesday, August 03, 2016 3:06 PM
To: Estlow, Trevor
Subject: Hohman AA& PMS

Hello Trevor,

Thank you for sending notice of the Hohman PMS & AA project, located in the community of Hydesville. I am not aware of any known cultural resources on the project parcel or in the immediate vicinity. Please condition project approval with the standard inadvertent archaeological discovery language.

--
Erika Cooper, M.A.
Tribal Historic Preservation Officer
Bear River Band of Rohnerville Rancheria
266 Keisner Road
Loleta, CA 95551
707-733-1900 x233 Office
707-502-5233 Cell
707-733-1727 Fax
erikacooper@brb-nsn.gov

CONFIDENTIALITY STATEMENT: This message, together with any attachments is intended only for the use of the individual or entity to which it is addressed. It may contain information that is confidential and prohibited from disclosure. If you are not the intended recipient, you are hereby notified that any review, dissemination or copying of this message or any attachment is strictly prohibited. If you have received this item in error, please notify the original sender and destroy this item, along with any attachments. Thank you.

