

GENERAL PLAN AND ZONING CONFORMANCE ANALYSIS FOR RAILBANKING OF THE NORTH COAST RAILROAD AUTHORITY RIGHT OF WAY

Prepared by the Humboldt County Planning and Building Department

On March 9, 2021, the North Coast Railroad Authority (NCRA) issued a letter stating the expectation of making a submittal to the Surface Transportation Board in May 2021 requesting authority to railbank the rail line from Willits, Mendocino County, northward through Trinity County and Humboldt County to Eureka, including the Samoa, Korblex, and Carlotta branches and the Arcata and Mad River Railroad subsidiary line within Humboldt County. Railbanking involves preserving the federal jurisdiction for the rail line and allowing interim trail use with possible future reactivation for rail service pursuant to United States Code (U.S.C.) Title 16, Section 1247(d). The purpose of this memorandum is evaluate the consistency of NCRA's railbanking proposal with Humboldt County's General Plan and zoning regulations.

The Humboldt County General Plan is comprised of the inland Humboldt County General Plan 2017 and community plans and the Humboldt County Local Coastal Land Use Plans. The Humboldt County General Plan 2017 contains specific maps and policies to protect all contiguous railroad rights-of-way (ROW) currently held by NCRA, including those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake. The General Plan 2017 Land Use Map shows the NCRA railroad ROW as a line symbol to identify the "Railroad" Land Use Designation, defined in the Land Use Element. The General Plan 2017 specifies that a combining zone shall be applied to these properties to protect the railroad ROW from development that may interfere with the use of the ROW for transportation purposes. The Humboldt County General Plan 2017 applies throughout the inland portion of the unincorporated area.

In the Coastal Zone, significant portions of the NCRA railroad ROW are identified by the state of California and the County as being associated with the proposed California Coastal Trail (CCT). The Humboldt County Local Coastal Land Use Maps identify the NCRA railroad ROW on maps as transportation features. The Access Program of the Eel River Area Coastal Land Use Plan and Humboldt Bay Area Coastal Land Use Plan contain policies related to the CCT and identify portions of the NCRA railroad ROW as a trail. Subsequent statewide planning by the California State Coastal Conservancy recognizes the importance of the Humboldt County portion of the CCT and include recommendations for preferred CCT routes, following almost all of the NCRA railroad ROW in the unincorporated area between Arcata and Fortuna, as well as guidance to pursue CCT implementation (Coastal Conservancy, 2003).

The following paragraphs describe the land use mapping and policies applied to the NCRA railroad ROW, and policies more broadly to trails in the Humboldt County General Plan as well as policies related to trails in the coastal plans.

1.0 Land Use Mapping Applied to the NCRA Railroad ROW by the Humboldt County General Plan

The NCRA railroad ROW passes through lands subject to various parts of the Humboldt County General Plan, including the Humboldt County General Plan 2017 (which includes the Arcata, Blue Lake; Fieldbrook-Glendale Community Plan Areas (CPA) for which there are no area specific policies; and the Carlotta-Hydesville (1986), Fortuna (1985) and Garberville-Redway-Benbow-Alderpoint (1987) CPA’s for which there are area specific policies in Appendix C – Community Plans Extract); the Avenue of the Giants CPA (2000) and Eureka CPA (1995), which are separately bound community plan containing area specific narrative and policies; and the Eel River Area (1982) and Humboldt Bay Area (1983) Land Use Plans of the Humboldt County Local Coastal Program.

ROW Segment & Applicable Part of General Plan	Miles
Eel River Canyon	35.97
General Plan 2017	33.22
Garberville-Redway-Benbow-Alderpoint CPA	2.75
Northern	41.07
Avenue of the Giants CPA	8.46
Eel River AP	5.35
Eureka CPA	1.12
Fortuna CPA	2.18
General Plan 2017	11.86
Humboldt Bay AP	7.83
Rio Dell-Scotia CPA	4.27
Carlotta	9.91
Carlotta-Hydesville CPA	9.49
General Plan 2017	0.42
Korblex	6.64
Arcata CPA	2.38
Blue Lake CPA	3.13
Fieldbrook-Glendale CPA	1.13
Samoa	9.36
Humboldt Bay AP	9.36
Grand Total	102.95

2.0 Policies Applied to the NCRA Railroad ROW by the Humboldt County General Plan

List of Specific General Plan Policy References to the NCRA railroad ROW

General Plan Part ¹	Specific References	General Treatment ²
General Plan 2017	Ch 4 Land Use: Section 4.8 Land Use Designations; Ch 7 Circulation: C-P14. Rail Rights-of-Way C-P37. Preservation of Railroad Right-of-Ways C-IM16. Mapping of Rail Rights-of-Way as Railroad Ch 14 Air Quality: AQ-S5. Sensitive Receptors	Ch 7 Circulation narrative; Ch 9 Economic Development narrative; Ch 10 Conservation and Open Space Section 10.7 Scenic Resources narrative Ch 13 Noise narrative
Eel River AP-1982 (Coastal Land Use Plan)	None	None
Humboldt Bay AP-1983 (Coastal Land Use Plan)	STMP (New Development) Policy 1A (Phasing of Development) STMP (New Development) Policy 1B (Phasing of Development) STMP (Business Park) Policy 6:	Section 3.11 Urban Limit Section 3.50C, Access Inventory
Avenue of the Giants CPA 2002	None	Chapter 2 Land Use and Development Section 2300 Economics
Eureka CPA 1995	None	Chapter 4 Public Services and Facilities Section 4203 Other Modes of Transportation
Carlotta-Hydesville CPA 1986	None	Chapter 2 Land Use and Development Section 2100 Overview Chapter 4 Public Services and Facilities 4200 Overview
Fortuna CPA 1985	None	Chapter 2 Land Use and Development Section 2100 Overview Chapter 4 Public Services and Facilities 4200 Overview

General Plan Part ¹	Specific References	General Treatment ²
Garberville-Redway-Benbow-Alderpoint CPA 1987	None	None

1. There are no area specific policies for the Arcata, Blue Lake, and Fieldbrook-Glendale Community Plan Areas (CPA).
2. General treatment means that there is a discussion of the NCRA railroad ROW location within a Community Plan Areas or the economic benefits of its presence.

2.1 Humboldt County General Plan, 2017

Land Use Element Section 4.8 Land Use Designations

“Railroad. The purpose of the Railroad designation is to protect contiguous rail rights of way currently held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake, from development that may interfere with the use of these rights of way for transportation purposes consistent with North Coast Railroad Authority policy.”

The Railroad Land Use Designation, as specified above, is shown as a line symbol on the Circulation and Public Facilities Maps contained in General Plan Appendix F, Map Book.

Circulation Element Policies and Implementation Measures

“C-P14. Rail Rights-of-Way. All contiguous rail rights-of-way currently held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake, shall be planned Railroad in the Land Use Element.”

“C-P37. Preservation of Railroad Right-of-Ways. The County shall work to preserve railroad rights-of-way as a contiguous corridor for rail and other public transportation uses.”

“C-P44. Re-establishing Regional Rail Service. Support and encourage rail service in and out of the County and connected to other parts of the state and the national rail system. Public investment to re-establish regional rail service should be contingent on a private or public demand for sustained rail service and an analysis of net benefits to the County’s economy, transportation systems, and environment.”

“C-IM16. Mapping of Rail Rights-of-Way as Railroad. All contiguous rail rights-of-way currently held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake, shall be designated Railroad in the Land Use Element and shown as a line symbol on the land use maps. A combining zone shall be applied to these

properties to protect the rail rights-of-way from development that may interfere with the use of the rights-of-way for transportation purposes.”

Economic Development Element Policies and Implementation Measures

“**ED-P9. Freight Mobility.** Support pursuit of financial and technical solutions to improve interstate truck and rail access.”

“**ED-P10. Rail.** Support protection for the NCRA right-of-way and assets to preserve the ability to re-open the line in response to a demand for rail service.”

**Conservation and Open Space Element Policies and Implementation Measures
Section 10.7 Scenic Resources**

“**SR-P6. Removal or Relocation of Billboards on Public Lands and Right-of-Ways in the Northwestern Pacific Railroad Right-of-Way.** Support efforts of public agencies; such as the North Coast Railroad Authority and the U.S. Fish and Wildlife Service to remove or relocate billboards from their right-of-way between Fields Landing and Arcata on lands under their control.”

Air Quality Element Policies and Implementation Measures

“**AQ-S5. Sensitive Receptors.** Regulate the location and operation of land uses to avoid or mitigate harmful or nuisance levels of air emissions to the following sensitive receptors: residential uses, hospitals and nursing/convalescent homes, hotels and lodging, schools and day care centers and neighborhood parks. New development shall follow the recommendations for siting new sensitive land uses consistent with the ARB’s recommendation as shown in the following Table:

Source	Category Advisory Recommendations
Freeways and High-Traffic Roads	Avoid concentrating sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day
Distribution Centers	Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week). Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points. Rail Yards
Rail Yards	Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard.

Source	Category Advisory Recommendations
	Within one mile of a rail yard, consider possible siting limitations and mitigation approaches.
Ports	Avoid siting of new sensitive land uses immediately downwind of ports in the most heavily impacted zones. Consult local air districts or the ARB on the status of pending analyses of health risks.
Refineries	Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local agencies to determine an appropriate separation.
Chrome Platers	Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.
Dry Cleaners Using Perchloroethylene	Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with 3 or more machines, consult with the local air district. Do not site new sensitive land uses in the same building with perc dry cleaning operations.
Gasoline Dispensing Facilities	Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50 foot separation is recommended for typical gas dispensing facilities.

Notes:

1. These recommendations are advisory. Land use agencies have to balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.
2. Recommendations are based primarily on data showing that the air pollution exposures addressed here (i.e., localized) can be reduced as much as 80 percent with the recommended separation.
3. The relative risk for these categories varies greatly. To determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in.
4. These recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists. The recommended distances take into account other factors in addition to available health risk data (see individual category descriptions).
5. Site-specific project design improvements may help reduce air pollution exposures and should also be considered when siting new sensitive land uses.
6. This table does not imply that mixed residential and commercial development in general are incompatible. Rather it focuses on known problems like dry cleaners using perchloroethylene that can be addressed with reasonable preventative actions.
7. A summary of the basis for the distance recommendations can be found in Table 1-2 (ARB, 2005)."

2.2 Humboldt County Coastal Land Use Plan

Humboldt Bay AP (Coastal Land Use Plan) 1983

Summary of STMP (New Development) Policy 1A (Phasing of Development).

This policy relates to preliminary merger of lands within the Samoa Town Master Plan (STMP) Area and address proximity to and access across the NCRA ROW.

Summary of STMP (New Development) Policy 1B (Phasing of Development).

This policy related to further subdivision of the STMP Area and address proximity to and access across the NCRA ROW.

Summary of STMP (Business Park) Policy 6: This policy related to the STMP Business Park Area and address proximity to and access across the NCRA ROW.

Section 3.5. Access – B. Development Policies. See discussion of access policies relating to the NCRA ROW in General Trails and Policy references in the Humboldt County General Plan below.

3.0 General Trails Policy References in the Humboldt County General Plan

3.1 Humboldt County General Plan, 2017

Circulation Element

Summary of Narrative Relating to NCRA ROW. Section 7.3 Background, of the Circulation Element describes planning and programs related to regional trails in Humboldt County. This section recognized the challenges of re-establishing rail service along the NCRA ROW and identifies potential uses of the rail line. In particular, paragraphs under the heading “Rail Transportation” describe potential uses including a "Humboldt Bay Scenic Railroad" excursion train and options for using the railroad easement for a pedestrian and bike pathway between Eureka and Arcata as a means to preserve the rail corridor between Eureka and Arcata for future rail use.

As identified above, Circulation Element policies support re-establishing rail service in and out of the County, contingent on appropriate levels of demand and an analysis of net benefits to the County’s economy, transportation systems, and environment. This narrative also identifies that the County has been involved in planning for a trail to connect Arcata and Eureka that includes the NCRA right-of-way through rails with trails. The narrative states that “(c)onsideration should be given to the use of rails with trails as a means to preserve the rail corridor between Eureka and Arcata for future rail use.”

“C-P38. Develop a Regional Trails System. Support efforts to establish and connect regional trails, particularly in the greater Humboldt Bay and lower Mad River areas, the Eel River Valley, along the Avenue of the Giants and in the Klamath-Trinity area. The System should include the California Coastal Trail system and consist of multi-use trails where feasible.”

The Trails Element of the Humboldt County General Plan was adopted on June 26, 1979 (Resolution 79-80). The Trails Element (also referred to as the Humboldt County Trails Plan, June 1979) contained: policy recommendations relating to Planning, Public Involvement, Land Use, Development, School Access, Implementation, Maintenance, Education, Enforcement, and Promotion\; and trail descriptions, with Trail Numbers, and a Comprehensive Trails Map correlated with Trail Numbers. The Humboldt County General Plan, 2017 superseded the Trails Element and includes a series of multi-modal pedestrian and bicycle policies and standards. In addition, the Humboldt County General Plan, 2017 incorporated the 1979 trails map into the Appendix F Map Book.

The Carlotta Trail (equivalent to a portion of Trail # 52 on the Central Humboldt Proposed Trail Map of the General Plan 2017, Appendix F Map Book) was identified in the Trails Element of the Humboldt County General Plan as a horse/hike/bike route that “would utilize the abandoned Northwestern Pacific Railroad grade to provide an off-highway school access trail as well as a trail for convenience and shopping and community recreation. Trail would begin near the Carlotta Post Office and extend past Cuddeback Elementary School to the trail’s end at Arnold’s Market.”

3.2 Humboldt County Coastal Land Use Plan

Humboldt Bay Area Plan 1983

Section 3.5. Access – B. Development Policies

“5) Coastal Trail, The coastal trail would follow the trail outlined in the Humboldt County Trails Plan, from the former railroad bridge over the Mad River, along mad River Road to Seidel Road, and then to the City of Arcata, where there is an existing hostel. The trail would exit Arcata and follow Old Arcata Road, which is planned for improvements that would include a shoulder for bike traffic. South of Eureka, there is no available hiking trail due to heavy highway traffic and conflicts with agricultural uses, and it is recommended that trail users take a bus to Fernbridge in order to continue their journey.”

Eel River Area Plan 1982

Section 4.8, Access

“**Coastal Trail.** The Coastal Trail shall be designated along Eel River Drive to State Highway 256 at Fernbridge. The trail shall then follow Route 256 southwest to the City of Ferndale. It shall leave Ferndale along Wildcat Road and connect with the trail route recommended in the Southcoast Area Plan.”

4.0 California Coastal Trail

Humboldt County Coastal Trail Implementation Strategy, January 2011.

The Humboldt County segment of the California Coastal Trail (CCT) will extend approximately 158 miles, encompassing more than twelve percent of the projected 1,300 mile length of the trail. The California State Coastal Conservancy (SCC) recognized the importance of a coordinated planning effort for the Humboldt County portion of the CCT by providing funding and leadership for the Humboldt County Coastal Trail Implementation Strategy (Implementation Strategy). In order to develop the Humboldt County CCT network, this Implementation Strategy presents the SCC and local jurisdictions recommendations for preferred CCT routes and guidance to pursue CCT implementation.

The Implementation Strategy recommends that several segments of the Humboldt CCT be developed in or adjacent to railroad corridors, including:

- Central - C4.02 Arcata/Eureka Corridor (Humboldt Bay): Rail-trail from South G in Arcata to Bracut (City of Arcata)
- Central - C5.01 Eureka Waterfront: Rail-Trail from Bracut to Y Street to T Street (Humboldt County & City of Eureka)
- Central - C5.09 Eureka Waterfront: Multipurpose trail in rail ROW along Waterfront Drive from C Street to Del Norte Street (City of Eureka)
- Central - C6.02 Palco Marsh/Elk River: North end of Bayshore Mall to Truesdale Street (City of Eureka)
- Central - C7.01 South Bay: Multipurpose trail in rail ROW from Pound Rd to Tompkins Hill Rd
- South - S1.02 Loleta/Eel River: Multipurpose trail on rail corridor from the northern end of Tompkins Hill Road to Eel River Drive in Loleta
- South - S1.06 Loleta/Eel River: Multipurpose trail on rail corridor from Loleta to Fernbridge

5.0 Regulations and References Relating to the NCRA Railroad ROW in the Humboldt County Zoning Regulations

Chapter 3, Regulations Inside the Coastal Zone

There is no unique zone to be applied to railroad rights of way in the Coastal Zone.

A railroad is a public works facility as defined by the Coastal Act, and pursuant to Section 30254, “new or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division.”

Section 313-151

Definitions (P): Public Works: All production, storage, transmission, and recovery facilities for water, sewage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities. Public Works shall further include: (Former Section CZ#A312-18)

A. All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities. (Former Section CZ#A312-18)

B. All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district; (Former Section CZ#A312-18)

C. All community college facilities. (Reference: Public Resources Code Section 30114.) (Former Section CZ#A312-18)

Chapter 4, Regulations Outside the Coastal Zone

Section 314-33.2

RR - Railroad Rights-of-Way Protection Combining Zone. Ordinance 2629, adopted June 11, 2019, added a new “RR - Railroad Rights-of-Way Protection” Combining Zone to be applied to NCRA railroad rights of way, including the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake. The “RR” Combining Zone implements Policy C-P14 – “Rail Rights-of-Way” and Implementation Measure C-IM16 – “Mapping of Rail Rights-of-Way as Railroad” from the Circulation Element requiring contiguous rail rights-of-way currently held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake have a combining zone applied to them to protect the rail rights of way from development that may interfere with the use of the rights-of-way for transportation purposes.

The “RR - Railroad” Combining Zone is intended to be applied to lands currently held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake and designated Railroad in the General Plan Land Use Element and as shown by a line symbol on the Circulation and Public Facilities Maps contained in General Plan Appendix F, Map Book.

Public Comments on the RR Combining Zone. Humboldt County initiated a project to apply the RR Combining Zone in 2018 as part of a countywide rezoning project to implement the General Plan. The countywide rezoning project, including the application of the RR Combining Zone to properties along the NCRA railroad ROW, is still underway and will likely be completed by the end of 2021.

During a meeting of the Williamson Act Committee (WAC) on February 14, 2019, regarding proposed changes to the Zoning Regulations and the countywide rezone, the WAC expressed concerns about a trail along the NCRA railroad ROW. The WAC generally expressed concerns regarding:

- the potential for trespassing;
- increased fire hazard due to the presence of more people
- potential illegal camping
- increased litter and trash
- disturbances to livestock due to dogs

In addition, WAC noted that NCRA was required to install and maintain fencing along the ROW, which they say has not occurred. WAC noted that instead some ranchers have had to install fences.

Comments regarding allowable uses in the “RR” Combining Zone were also received during the Planning Commission process in 2018 requesting that transportation related uses, such as trails, or incidental public services uses that would not interfere with the use of the right of way for rail or other public transportation purposes, be principally permitted. The “RR” Combining Zone identifies these uses as compatible uses not requiring a permit.

6.0 Conclusion

NCRA's railbanking proposal, which includes the preservation of all lines and branches in Humboldt County for interim trail use and possible future rail activation, is consistent with the Humboldt County General Plan.

As described above, the Humboldt County General Plan 2017 has applied the Railroad Land Use Designation to the entire NCRA railroad ROW outside the Coastal Zone, the purpose of which is to protect the NCRA railroad ROW from development that may interfere with the use of these rights of way for transportation purposes consistent with North Coast Railroad Authority policy (Policies C-P14. Rail Rights-of-Way; C-P37. Preservation of Railroad Right-of-Ways; and Implementation Measure C-IM16. Mapping of Rail Rights-of-Way as Railroad).

Within the Coastal Zone, the Humboldt General Plan supports the establishment of the California Coastal Trail (Humboldt Bay Area Plan 1983, Section 3.5, Access and Eel River Area Plan 1982 Section 4.8, Access), for which the Humboldt County and the California State Coastal Conservancy Implementation Strategy identifies a multipurpose trail on rail corridor along the NCRA railroad ROW.

Figure 1 NCRA railroad ROW and the Humboldt County General Plan

