

**,RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 25-060

Record Number: PLN-2021-17554

Assessor's Parcel Numbers: 520-151-014, 520-151-015, & 520-151-016

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Yurok Economic Development Corporation requested Coastal Development Permit, Special Permit and proposed merger of property.

WHEREAS, the Yurok Economic Development Corporation submitted an application and evidence in support of approving a Coastal Development Permit and Special Permit for redevelopment of an existing commercial property with a new gas station and market and merger of three contiguous parcels in the Orick area; and

WHEREAS, the County Planning Division, the lead agency, has found the project to be consistent with the development density established by existing General and Community Plan policies for which an EIR was certified and that no further environmental review is required pursuant to Public Resources Code section 21083.3 as implemented by section 15183 of the State CEQA Guidelines; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on September 18, 2025, and reviewed, considered, and discussed the application for the Coastal Development Permit, Special Permit, and Merger and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all the following findings:

- 1. FINDING:** **Project Description:** A Coastal Development Permit and Special Permit for Design Review of a proposal to redevelop an existing fueling station and market. The project includes demolition of the existing storefront, fuel pump, and other unoccupied buildings on the property and construction of a new commercial structure approximately 45 feet in height and approximately 8,289 square feet in size, which would contain a market and laundromat. The existing 2-story market building being replaced is approximately 4,000 ft.² in size. The proposal includes construction of an

approximately 3,000 square foot canopy covering the new fueling station and installation of several above ground tanks for storage of gasoline and propane. Additional on-site improvements include placement of appurtenant signage on the market and fueling station, installation of landscaping, and creation of an approximately 320 square foot trash enclosure. Several modular buildings are proposed to be installed and will temporarily serve as the market and will be removed after construction is completed. The project includes three parcels of the land totaling approximately 8 acres (identified as APNs 520-151-014, 520-151-015 and 520-151-016) which are proposed to be merged to accommodate new septic system improvements needed for the proposed development. The site is served with community water provided by the Orick Community Services District. The applicant has agreed to work with Caltrans on completing highway improvements to allow limited widening of the roadway and development and striping of a left-turn lane in the vicinity of the project.

EVIDENCE: a) Project File: PLN-2021-17554

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with.

EVIDENCE: a) The project has been found consistent with the development density established by existing General and Community Plan policies for which an EIR was certified and no further environmental review is required pursuant to Public Resources Code section 21083.3 as implemented by section 15183 of the State CEQA Guidelines, Projects Consistent with a Community Plan or Zoning. The project involves redevelopment of an existing commercial property; proposing removal of existing development and replacement with new structures and related infrastructure of substantially the same function but with increased capacity and amenities. The project has been designed to comply with applicable policies and standards of the North Coast Area Plan as well as applicable requirements of the Coastal Zoning regulations. A reduction of the standard setback to Environmentally Sensitive Habitat Areas (ESHA) is being requested to accommodate proposed septic system improvements. The project includes

improvements to the Highway 101 right-of-way to comply with Caltrans requirements for traffic safety and circulation.

FINDINGS FOR COASTAL DEVELOPMENT PERMIT & SPECIAL PERMIT

3. FINDING: The proposed development is in conformance with the County General Plan, Open Space Plan, and Open Space Action Program.

EVIDENCE: a) The North Coast Area Plan (NCAP) serves as the Land Use Plan for this portion of the Coastal Zone and includes a variety of different policies applicable to the project. The evidence presented below demonstrates the project conforms to the LUP and is consistent with policies applicable to the proposal.

Community Plan Findings – North Coast Area Plan (NCAP)

Land Use Designation: Commercial General (CG)

4. FINDING: The development proposed is consistent with the range of uses allowed under the land use designation applicable to the property.

EVIDENCE: a) The proposed development is consistent with the purposes of the Commercial General plan designation applicable to where the site is located. Purpose of this designation includes allowing integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community and visitors. Principal uses include retail sales and services. The majority of the proposed development is sited within domesticated portions of the property previously developed with similar structures and facilities.

b) Although unclear in the language of the land use designations, which focus primarily on commercial uses, section 30240 of the Coastal Act prioritizes Environmentally Sensitive Habitat Areas (ESHA) requiring that adjacent development be sited and designed to prevent impacts to these areas. The project effectively balances these considerations by maintaining a 50+ foot Wetland Buffer and including various measures to ensure impacts to the wetland are avoided; including pre-construction

surveys, temporary fencing during construction, and implementation of erosion control measures.

- c) Septic system improvements have been reviewed and approved by the Environmental Health Division. To accommodate these proposed improvements, the project includes a request to reduce the buffer to Environmentally Sensitive Habitat Areas (ESHA) associated with on-site wetlands. A survey of on-site wetlands has been completed and an ESHA buffer analysis has been prepared for the project site by a qualified biologist. The recommendations of the biologist include installation of fencing of wetlands and buffer zones during construction, implementing erosion control measures, and conducting pre-construction / construction phase surveys for amphibians, nesting birds, and wildlife. All of the biological recommendations have been incorporated into project conditions of approval.

Section 3.40 Resource Protection Policies and Standards

5. FINDING: The proposed development is consistent with the Resource Policies and Standards of the North Coast Area Plan (NCAP).

- EVIDENCE:**
- a) The North Coast Area Plan (NCAP) serves as the Local Coastal Plan for this portion of the Coastal Zone and includes policies for protection of Environmentally Sensitive Habitat Areas (ESHA) including coastal streams and wetlands. The project site contains both one and three-parameter wetlands. Two distinct three-parameter wetlands are found within western portions of the project contain. HBAP buffer policies create significant constraints on new development. The standard wetland buffer is 250 feet from the wetland boundary. Additionally, the NCAP permits establishment of a Wetland Buffer setback of 100 to 200 feet, depending upon the size and sensitivity of the wetland, drainage boundaries, vegetation, adjacent uses, and the potential impacts of the project on wet habitat values. Application of a 100 or 200-foot setback from the wetland boundary is excessive and unnecessary and frustrates redevelopment of the site.
 - b) Review of the site plan and Department GIS information reveals that the future development is primarily proposed within portions of the site that have previously hosted structures and paving. The west side of the proposed new market structure is proposed to be

approximately 55 feet east of the nearest 3-parameter wetland. The proposed fuel canopy, trash enclosure, and above ground fuel storage tanks are proposed to be located approximately 25 feet, 7 feet, and 45 feet (respectively) from the nearest one-parameter wetland, respectively. All of these structures are sited within portions of the site that have historically had a paved or gravel surface. A new leachfield and sewer line are proposed to be installed within the western portion of the property which has not historically hosted development in recent years. The horizontal distance of the proposed new leachfield is approximately 140 feet from the boundary of the nearest 3-parameter wetland.

- c) A memorandum prepared by Mason London for LACO Associates titled "Establishing Wetland Buffers for the Shoreline Market Redevelopment Project" dated March 4, 2025 includes an analysis of the seven (7) criteria used by the California Coastal Commission when considering reductions to a buffer of Environmentally Sensitive Habitat Areas (ESHA), and concludes that it is appropriate to maintain a 50-foot buffer from 3-parameter wetlands and 10-foot buffer from 1-parameter wetlands is sufficient to ensure the wetlands remain protected; so long as temporary fencing and erosion control measures are implemented during construction and pre-construction surveys for amphibians, nesting birds, and general wildlife are conducted prior to the starting ground disturbance for installation of the new septic system upgrades.
- d) Use of these adjusted wetland buffer setbacks is appropriate for the following reasons:
- A 50-foot setback roughly aligns with the 88-foot contour line and protects the majority of non-domesticated areas on the property from future development.
 - Riparian and hydrophytic vegetation is largely confined to lower portions of the property outside of areas where development has historically occurred and is currently proposed.
 - The amended setbacks meet or exceed that of residential development on neighboring properties.
- e) Additionally, section 3.41(E)5(a) of the NCAP includes provisions which permit the County to reduce the width of a Wetland Buffer

setback when not doing so would prohibit development of the site for the principal use for which it is designated. Such setback reductions should retain the maximum setback feasible and may require mitigation measures to ensure the new development does not adversely affect the wetland habitat values.

- f) In circumstances where reduction of the wetland buffer setback is proposed, Section 3.30(B)6(f) requires strict compliance with septic system requirements, restrictions on the timing and volume of grading activities, implementing measures to control and limit erosion and sedimentation, remediation and revegetation of areas affected by grading where located within 100-feet of the wetland boundary, as well as various measures to reduce, detain, and dissipate stormwater runoff. Compliance with these measures has been included within the project Conditions of Approval.

Section 3.42 Visual Resource Protection Policies and Standards

6. FINDING: The proposed development is consistent with the Visual Resource Protection Policies and Standards of the North Coast Area Plan (NCAP).

EVIDENCE: a) There are no mapped Coastal View or Coastal Scenic areas in the vicinity of the project. The project would redevelop a commercial property with a new gas station and market, replacing similar existing uses that have historically operated from the site. The proposal has been reviewed by the Orick Design Review Committee, who visited the site and reviewed the proposal on January 5, 2025, and unanimously approved the project as presented.

COMPLIANCE WITH ZONING CODE

7. FINDING: The proposed development is consistent with the purposes of the various zoning districts where planned development activities are proposed.

PRINCIPAL ZONE(S)

Commercial General – CG

The CG Zone is intended to allow the integrated development of

commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

SPECIAL AREA COMBINING ZONES

Design Review – D

The purpose of these regulations is to provide design review for conformance of new development with the policies and standards of the General Plan, and to provide for a design review process where neighborhoods within the same zone district desire to preserve or enhance the area's historical, cultural or scenic values.

- EVIDENCE:**
- a) The project seeks to redevelop an existing commercially zoned property with a new gas station and store. These uses are identical to historical uses operated at the site and are consistent with the purpose of the zoning district which seeks to allow integrated commercial development. The market and gas station will provide a valuable service to visitors and the traveling public, as well as a convenience to the Orick community.
 - b) While the design of the new structure represents a departure from the look of the prior development, it has been reviewed and unanimously approved by the Orick Design Review Committee.

- 8. FINDING:** The proposed development conforms with all applicable standards and requirements of the zoning regulations applicable to the type of development proposed.

- EVIDENCE:**
- a) The proposed commercial development is in conformance with applicable standards of the Principal Zoning Districts and Special Area Combining Zones which permit these uses. The proposed structures comply with development setbacks, height and lot coverage restrictions, and parking requirements. Further discussion of conformance with applicable Natural Resource protection policies can be found below.
 - b) The project is located on lands within the Commercial General (CG) zoning district. The CG Zone is intended to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and

convenience of the community.

- c) The project proposes to construct a new gas station and market on a property that has historically hosted identical uses. This will require demolition of the current market and fueling area and construction of new larger versions within roughly the same footprint.
- d) The project proposes to install a new primary leachfield and site the reserve leachfield to serve the gas station and market. These improvements to the septic system are necessary to allow the proposed redevelopment of the site and have been reviewed and approved by Environmental Health.
- e) The project meets or exceeds all applicable setbacks for the CG zone designation as well as those required by its location within a State Responsibility Area (SRA) for Fire Protection as follows:

Zoning rear yard setbacks are fifteen (15) feet and side and front yard setbacks are zero (0). State Firesafe Regulations require 30 feet of defensible space (setbacks) from all property lines, and 30 feet from the centerline of the nearest right-of-way. The fueling island and market are the only structures subject to compliance with the 30-foot SRA setbacks. The island is located over 30 feet from the closest property line and the market is located approximately 56 feet from the closest property line. The proposed above ground fuel storage tanks all must comply with applicable setback requirements of the California Fire Code, based on fuel stored and gallonage. This has been included as a Condition of Approval.
- f) Ample on-site parking is shown on the site plan for the project, approximately 27 spaces including two electric vehicle charging spaces.

SUPPLEMENTAL COASTAL RESOURCE PROTECTION IMPACT FINDINGS

312-39.1 Anadromous Fish Streams

9. FINDING:

The project will comply with all of the following findings applicable to Anadromous Fish Streams:

39.1.1 Minimum stream flows necessary to protect the

anadromous stream population will be maintained;

39.1.2 Environmentally sensitive habitat areas will be protected against any significant disruption of habitat values; and

39.1.3 Channelizations, dams, or other substantial alterations of rivers and streams will incorporate the best mitigation measures feasible.

- EVIDENCE:** a) The project involves a proposal to redevelop an existing commercial property. The northern boundary of the property borders a levee on Redwood Creek. A human-made feature, portions of the levee area closest to the project parcel are primarily unvegetated and host a gravel road. The project would not result in any development within the true riparian corridor or activities affecting minimum stream flows or habitat on Redwood Creek nor would the project result in further channelization, dams, or other alterations of the watercourse. Two above ground fuel storage containers are proposed to be site within the northeastern portion of the site which has historically been host to an onsite residence/caretaker's unit.

312-39.8 Coastal Natural Drainage Courses

- 10. FINDING:** Natural Drainage Courses, including ephemeral streams, will be retained and protected from development which would impede the natural drainage pattern or have a significant adverse effect on water quality or wildlife habitat.

- EVIDENCE:** a) The proposed new development will be located over 100 feet from the stream transition line of Lower Redwood Creek, which adjoins northern portions of the property. Two above ground fuel storage containers are proposed to be sited within the northeastern portion of the parcel which have historically been host to an onsite residence/caretaker's unit. To comply with applicable Fire and Building Codes and protect against potential spills and leaks, both structures will be required to include a reservoir for secondary containment or utilize a double walled design.

312-39.14 Coastal Wetlands

11. FINDING:

The project will comply with all of the following findings applicable to Coastal Wetlands:

39.14.1.1 There is no less environmentally damaging feasible alternative;

39.14.1.2 The best mitigation measures feasible have been provided to minimize adverse environmental effects.

EVIDENCE: a)

Review of the site plan and Department GIS information reveals that the future development is primarily proposed within portions of the site that have previously hosted structures and paving. The west side of the proposed new market structure is proposed to be approximately 55 feet east of the nearest 3-parameter wetland. The proposed fuel canopy, trash enclosure, and above ground fuel storage tanks are proposed to be located approximately 25 feet, 7 feet, and 45 feet (respectively) from the nearest one-parameter wetland. All of these structures are sited within portions of the site that have historically had a paved or gravel surface. A new leachfield and sewer line are proposed to be installed within western portions of the property that have not historically hosted development in recent years, though likely have historically been subject to grazing activity. The horizontal distance of the proposed new leachfield is approximately 140 feet from the boundary of the nearest 3-parameter wetland.

- b) A memorandum prepared by Mason London for LACO Associates titled "Establishing Wetland Buffers for the Shoreline Market Redevelopment Project" dated March 4, 2025 includes an analysis of the seven (7) criteria used by the California Coastal Commission when considering reductions to a buffer of Environmentally Sensitive Habitat Areas (ESHA), and concludes that it is appropriate to maintain a 50-foot buffer from 3-parameter wetlands and 10-foot buffer from 1-parameter wetlands is sufficient to ensure the wetlands remain protected; so long as temporary fencing and erosion control measures are implemented during construction and pre-construction surveys for amphibians, nesting birds, and general wildlife are conducted prior to the starting ground disturbance for installation of the new septic system upgrades.

PUBLIC HEALTH, SAFETY, AND WELFARE

12. FINDING: The proposed project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE: a) The project will result in the merger and redevelopment of 3 parcels with a new gas station and market. The property is commercially zoned and has hosted a gas station and market for well over 50 years. The Orick Design Review Committee has reviewed the proposal and unanimously supports the project as presented. The proposed development will provide retail sales and services useful to the traveling public as well as the residents of Orick. There is no evidence to suggest that the proposal would be detrimental to the public health, safety, and welfare. The project will improve upon current conditions and is consistent with the past development of the site, as well as the pattern on neighboring parcels and purpose of the planned land uses.

HOUSING ELEMENT CONFORMANCE

13. FINDING: 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.

EVIDENCE: a) Because the parcel is commercially planned and zoned, it is not included in the County's currently adopted Housing Inventory. The project involves the redevelopment of a property with commercial uses identical to those they are replacing. The property is host to a dilapidated caretaker's unit and mobile home, which are proposed to be removed as part of the redevelopment effort.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Coastal Development Permit, Special Permit, and Merger for the Yurok Tribe Economic Development Corporation, based upon the Findings and Evidence and subject to the Conditions of Approval attached hereto as Attachment 1 and incorporated herein by reference,

Adopted after review and consideration of all the evidence on **September 18, 2025**.

I, John H. Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.



John H. Ford, Director
Planning and Building Department

CONDITIONS OF APPROVAL

APPROVAL OF THE COASTAL DEVELOPMENT PERMIT SPECIAL PERMIT AND MERGER ARE GRANTED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE USE MAY BE INITIATED AND FOR THE LIFE OF THE PROJECT

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses and for meeting all requirements set forth by other regulatory agencies.
2. The applicant shall secure a building permit for construction of the gas station and market and all associated improvements.
3. The applicant shall secure a permit for the proposed Onsite Waste Treatment System, subject to review, approval, and inspection by the Environmental Health Division.
4. The applicant is required to pay for permit processing on a time-and-materials basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning and Building Department, 3015 H Street, Eureka.
5. 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 2-foot contour intervals.
- (2) The location of all improvements, including the footprint of all proposed development, septic system, driveway, fencing, bioswale.
- (3) The location of all property lines, easements, and related features.
- (4) The 50-foot 3-parameter Wetland Buffer development setback.

- (5) The 10-foot 1-parameter Wetland Buffer development setback.
- (6) The boundaries of all wetland features.
- (7) The location and alignment of Redwood Creek near the northern boundary of the property shall be shown.
- (8) The location of riparian vegetation along Redwood Creek.

B. Notes to be placed on the Development Plan:

- (1) Future Development activities shall be located outside of the 10-foot and 50-foot buffers shown on this plan.
- (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 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 or operator on-site shall cease all work in the immediate area 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."

(3) "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."

(4) "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 superseded 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."

6. The applicant shall cause to be recorded a "Notice of Development Plan" for the parcel 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 \$415.00 plus applicable recordation fees) will be required.
7. Due to the potential for several special status bird species, including bird species protected under the Migratory Bird Treaty Act (MBTA) to be present with the subject trees planned for removal, tree removal shall be conducted outside of the bird nesting season, which occurs between March 1st and August 1st each year. If tree removal is proposed during the bird nesting season, then a qualified biologist shall determine the presence of vulnerable nests, within 100 feet for passerines and 300 feet for raptors, of the proposed tree removal area. Any active nests within the above mentioned distances shall be allowed to complete their nesting or until the qualified biologist determines they are no long active before removal may occur.
8. Pre-construction and construction-phase biological surveys shall be completed during seasonally appropriate windows to identify and protect sensitive species. Survey frequency and timing are specified below to ensure compliance with regulatory requirements and minimize impacts to sensitive species during construction activities:
 - a. **Amphibians:** A qualified biologist shall conduct pre-construction visual encounter surveys for amphibians within 24 hours prior to ground disturbance within 200 feet of all wetlands and watercourses. Surveys must focus on identifying and relocating any amphibians present to avoid incidental harm. During construction, periodic inspections (e.g., daily during initial ground disturbance and after significant weather events) should be conducted to monitor for amphibian presence and relocate individuals as necessary.

- b. **Nesting Birds:** Pre-construction nesting bird surveys, performed by a qualified biologist, should occur within 14 days prior to project activities if work is scheduled during the nesting season (February 1 – August 31, depending on species). Surveys should cover all suitable nesting habitat within 50 feet of the action area and wetlands. If active nests are identified, construction monitoring surveys should occur at regular intervals (e.g., weekly or as needed) to assess nest status and ensure compliance with required no-disturbance buffers.
 - c. **General Wildlife:** Pre-construction surveys shall be conducted to assess potential presence of terrestrial and wetland-associated species to avoid incidental take. During construction, ongoing biological monitoring shall occur at frequencies appropriate to species presence and project activities (e.g., daily during major earth-moving activities near sensitive habitat). If special-status species are observed at any time, the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) must be notified immediately, and appropriate protection measures will be implemented.
9. Temporary high-visibility fencing shall be installed around all wetlands during construction to delineate and protect buffer zones.
 10. Erosion control measures shall be implemented during construction, including (but not limited to) installation of biodegradable silt fences and/or straw wattles, as well as immediate post-construction revegetation to stabilize disturbed soils.
 11. All above ground fuel storage structures shall be sited, designed, and installed in compliance with applicable requirements of the California Fire Code.
 12. Approval of this permit is based on information in the materials submitted on behalf of the applicant, which are on file with the Planning and Building Department and attached and referenced herein. All related project activities shall be executed in accordance with these descriptions and discussion therein.
 13. The applicant must apply for and obtain an encroachment permit with the California Department of Transportation (Caltrans) and complete a suite of highway improvements to allow limited widening of the roadway and development and striping of a left-turn lane in the vicinity of the project. The applicant shall be responsible to complete all improvements and correct any associated drainage problems to the satisfaction of Caltrans.
 14. All willow trees removed from the subject Site during project construction shall be

replaced at a ratio of 3:1 on the subject property to mitigate for potential habitat loss as a result of the project. A minimum of three (3) years of monitoring shall be required, within annual monitoring reports submitted to the County, to ensure a minimum success rate of 85 percent. Should replanting be determined unsuccessful, replanting and monitoring shall reoccur.

15. Due to encroachment into existing wetland buffers, per §3.41(E)(6) of the NCAP, the applicant and project shall comply with the following:

1. Not more than 25% of the lot surface shall be effectively impervious.
2. The release rate of storm runoff to adjacent wetlands shall not exceed the natural rate of storm runoff for a 50-year storm of 10-minute duration.
3. Storm water outfalls, culverts, gutters, and the like shall be dissipated.
4. Septic systems or alternative wastewater disposal systems must meet standards of the Humboldt-Del Norte Health Department and the Regional Water Quality Control Board.
5. Areas disturbed during construction, grading, etc., within 100 feet of the boundary of the wetland, shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area.
6. Development and construction shall minimize cut and fill operations and erosion and sedimentation potentials through construction of temporary and permanent sediment basins, seeding or planting bare soil, diversion of run-off away from graded areas and avoidance of grading during the rainy season (November through April).

16. During installation of the On-site Wastewater Treatment System (OWTS), wetland areas shall be flagged in order for construction equipment to avoid these areas to the greatest extent feasible. Once installation of the proposed OWTS is complete, the applicant shall retain a qualified biologist to determine the total amount of wetland and buffer area disturbed and to prepare a mitigation and monitoring plan detailing the amount of area disturbed and to be replanted, as well as a planting plan and monitoring plan. The applicant shall replace and replant all area disturbed within 50 feet of mapped wetlands. A minimum of three (3) years of monitoring shall be required, within annual monitoring reports submitted to the County, to ensure a minimum success rate of 85 percent. Should replanting be determined unsuccessful, replanting and monitoring shall reoccur.

17. To minimize exposure to and contact with contaminated soil and/or groundwater

during project construction, the soil and groundwater contingency plan drafted in 2013, developed for the on-site LUST clean-up site and addresses proper protocol during construction, shall be implemented and followed.

B. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. The applicant shall implement the Inadvertent Discovery Protocol. In the event of the accidental discovery of historical artifacts or human remains, a qualified professional archaeologist shall be contacted immediately, in order to inspect and clear the site for all further activities. If the applicant proposes new development outside of the area that was surveyed by a certified archaeologist, a new archaeological survey covering the proposed development area will be required.
2. The applicant or their successors shall comply with all of the mitigation measures outlined under Section 3.30(B)6(f) of the Humboldt Bay Area Plan, which include:
 - (1) Not more than 25% of the lot surface shall be effectively impervious.
 - (2) The release rate of storm runoff to adjacent wetlands shall not exceed the natural rate of storm runoff for a 50-year storm of 10-minute duration.
 - (3) Storm water outfalls, culverts, gutters, and the like shall be dissipated.
 - (4) Septic systems or alternative waste disposal systems must meet standards of the Humboldt-Del Norte Health Department and the Regional Water Quality Control Board.
 - (5) Development and construction shall minimize cut and fill operations and erosion and sedimentation potentials through construction of temporary and permanent sediment basins, seeding or planting bare soil, diversion of runoff away from graded areas and areas heavily used during construction, and, when feasible, avoidance of grading during the rainy season (November through April).

C. Informational Notes:

1. This permit approval shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see "Effective Date"), except where building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Humboldt County Code.

2. If archaeological resources are encountered during construction activities, the contractor or operator on-site shall cease all work in the immediate area 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.



Yurok Economic Development Corporation Project Description and Plan of Operations

Coastal Development Permit and Lot Line Adjustment
120001 & 120025 U.S. Highway 101, Orick, Humboldt County, California

November 2021

Prepared for:
Mr. Raymond Bacon, Executive Director

Prepared By:
LACO Associates, Inc
21 W. Fourth Street
Eureka, California 95501
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Project No. 7105.31

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Figures

Site Plan (3 sheets)

1.0 PROJECT DESCRIPTION

1.1 Project Proposal

The Yurok Economic Development Corporation (Applicant), a department of the Yurok Tribe, is requesting a Coastal Development Permit (CDP) and Boundary Line Adjustment (BLA) from the County of Humboldt (County) for redevelopment of the three (3) properties identified as Assessor's Parcel Numbers (APNs) 520-151-014, 520-151-015, and 520-151-016, located at 120001 and 120025 U.S. Highway 101 in the community of Orick in unincorporated Humboldt County, California (Site). Specifically, the proposed project would involve demolishing the existing storefront, fuel pump, and other non-occupied buildings located on-site and constructing a new Shoreline Market with incorporated laundromat and an expanded fueling station. Additionally, the Applicant requests approval of a Boundary Line Adjustment (BLA) to facilitate merging the subject properties into one lot in order to accommodate the septic system designed for the proposed project (see Site Plan).

The proposed project will be an important revitalization project for the community of Orick, including residences and visitors alike, while also showcasing culturally significant and traditional Yurok heritage design elements.

1.2 Project Location

The project site (Site) totals approximately 7.97 acres in size and comprises the properties identified as Assessor's Parcel Numbers (APNs) 520-151-014, 520-151-015, and 520-151-016, located at 120001 and 120025 U.S. Highway 101 in the community of Orick in unincorporated Humboldt County, California. The Site is located adjacent to US Highway 101 to the south and Redwood Creek to the north, within the County's coastal zone jurisdiction, appealable to the California Coastal Commission. The topography is very gently sloping with a gradient of less than 1 to 2 percent. The Site is designated as Commercial General (CG) under the North Coast Area Plan (NCAP) of the Humboldt County Local Coastal Program and is zoned as Commercial General with Design Review Combining Zone (CG/D) under the Humboldt County Code Zoning Regulations.

The overall Site is primarily vegetated by mixed herbaceous pasture with narrow bands of seasonal wetland species. The eastern portion of the Site is developed with commercial and residential structures and contains a significant amount of paving and other impermeable surfaces. The unpaved western portion of the Site is currently used as an animal pasture and contains multiple horses, cattle, and goats within the fenced areas. Vegetation is heavily grazed and the ground shows elevation variances consistent with prolonged livestock occupation. Historic aerial imagery of the Site indicates the Site has been disturbed significantly, both during construction of the Redwood Creek Levee, and again as the Site was used as a processing site for a gravel extraction project as recently as 1989.

Surrounding uses include pastureland and agricultural uses immediately to the west; pastureland, agricultural and rural residential uses immediately to the south (across Highway 101), various residential and commercial uses to the east, and Redwood Creek to the north. Further to the west is forested land and the Pacific Ocean.

The Site is not located within a Federal Emergency Management Agency (FEMA) flood zone; however, the northern portion of the Site is shown to be partially located within a mapped Streamside Management Area (SMA). Per the County's GIS portal, the Site is classified as "Moderate Instability" for seismic safety, but is not an area mapped as being potentially susceptible to liquefaction. Additionally, the Site is mapped as having a "moderate" fire hazard severity rating. The Site is located within the State Responsibility Area (SRA) and the boundaries of the Orick Community Services District for fire response (Humboldt County Web GIS).

2.0 PLAN OF OPERATIONS

The following section details the proposed project and operation of the Shoreline Market and Fueling Station.

2.1 Business Details

As described above, a new Shoreline Market building is proposed to replace the current building located on-site. Currently, the existing operation comprises a fuel station with one (1) gas pump and a mini mart, and has one employee. The footprint of the existing building is 2,076 square feet. It contains a second story, but is not currently usable.

Once reconstructed, the new two-story Shoreline Market would be 8,289 square feet in size (1st floor – 6,066 square feet; 2nd floor – 2,223 square feet), 31 feet 1 inch in height, and contain a market, fuel station, and laundromat. The second story of the building is proposed to contain conference rooms, offices, two (2) all-gender restrooms, and a kitchenette. The incorporated laundromat would have a separate entrance and would provide a total of three (3) stackable washer and dryers, one (1) of which will be an accessible washer and dryer for Americans with Disabilities Act (ADA)-compliant accessibility. Use of modular buildings as a temporary store location along the Site's easternmost boundary is proposed during construction. Additionally, the existing gas pump would be retained on-site until construction of the new pumps is completed. With regarding to the fueling station, a canopy with four (4) double-sided fuel bays containing a total of eight (8) fuel pumps (2 high-flow diesel, 6 gasoline) is proposed. Additionally, two (2) above-ground fuel storage tanks are proposed within the northeastern corner of the Site. The fueling station facilities have been designed in accordance with Chapter 23 (Motor Fuel-Dispensing Facilities and Repair Garages) of the California Code of Regulations. No dine-in food service is proposed on-site at this time (although hot to-go food will be provided), nor would a caretaker be located on-site.

Other project features include 26 parking spaces (including 6 ADA-compliant spaces and 2 compact spaces), relocating the existing Orick Peanut statue from the south side of the parcel to the northeastern corner, a picnic area within the Site's southeastern corner, a propane tank to the west of the above-ground fuel storage tanks, two (2) signs along the Site's southern frontage along Highway 101, two (2) electric vehicle chargers along the Site's eastern boundary, and a picnic/open/rest area along the rear of the proposed building with pergola.

The design of the new building to replace the existing market will incorporate traditional Yurok design elements, materials, and landscape. The Applicant is respectfully requesting the final architectural design of the project not occur until final project approval.

2.2 Hours and Days of Operation, Number of Employees, and Duration

The new Shoreline Market and Fueling Station would operate 7 days per week. Fueling hours would be 24 hours per day, while store hours would be seasonal. During the winter months, the store would be open between the hours of 7:00AM and 9:00PM, and during the summer, store hours would be between the hours of 6:00AM and 10:00PM. The on-site laundry facility would be open daily from 9:00AM to 5:00PM.

A total of 8 employees would operate the new Shoreline Market and Fueling Station, with 4 employees on-site during each shift and 4 employees on-site at all times.

The business is proposed to operate permanently and indefinitely. The hours proposed for the new market would be similar to the existing operation.

2.3 Deliveries

It is anticipated that five (5) deliveries of supplies to the Site would occur weekly. It is anticipated that gasoline would be delivered to the Site four (4) times per week.

2.4 Security

Exterior lighting would be provided on-site and would be illuminated during dark hours. External lighting would be provided around the building exterior. All exterior lighting would be downcast and shielded and would not directly illuminate adjacent properties. The canopy over the gas pumps would also be illuminated during dark hours for safety. The building would also be equipped with security cameras, both indoors and outdoors.

2.5 Waste Management/Disposal Plan

The proposed operation will generate standard retail refuse, including packaging, containers, and maintenance supplies.

On-site waste will be transported off-site by Humboldt Waste Management Authority (HWMA) on a weekly basis. One appropriately-sized dumpster for trash (8 yards) will be rented and will be serviced weekly by HWMA. The dumpster is proposed to be located in the northern portion of the Site and will be enclosed (see Site Plan). No hazardous wastes will be utilized on-site requiring special transport and disposal.

2.6 Operational Noise

Operations are not expected to generate significant levels of noise beyond background levels associated with adjacent traffic on Highway 101 and from patrons and employees traveling to and from the Site.

2.7 Utilities

The Site is located within the service boundaries of the Orick Community Services District (District). As such, the Site will be served by the District for community water and fire protection services. Electricity on-site will continue to be provided by Pacific Gas and Electric Company (PG&E).

Since public sewer is unavailable at the Site, an appropriately-size septic system with primary and reserve leach fields will be developed on-site to address the project's wastewater needs.

Additionally, the project will include access improvements along the Site's Highway 101 frontage. The Site currently contains four (4) existing driveways, which are, west to east, 32, 35, 38, and 42 feet wide, respectively. Under the project, three (3) driveways of standard width are proposed. The actual widths may need to be adjusted at the project engineering phase to accommodate truck traffic entering the Site. The proposed access improvements are anticipated to enhance safety along the highway by having fewer entrances directly onto the highway in such a short frontage distance.

Two of the three proposed driveways are already paved; however, the third proposed driveway will require 8 to 10 feet of new paving from the existing travelled way along Highway 101 to the Site. This will require an encroachment permit from the California Department of Transportation (Caltrans) and any associated requirements.

2.8 Parking

On-site parking will be provided in accordance with Section 109.1 (Off-Street Parking) of the Humboldt County Zoning Regulations, which requires one (1) space for every 300 square feet of gross floor area with a minimum of four (4) spaces plus one (1) space for each employee (HCZR §314-109.1.3.1.1), in addition to one (1) accessible parking space for parking facilities containing 6 to 40 spaces (HCZR §314-109.1.2.8).

As discussed under Section 2.2 above, 4 employees would be on-site during any shift. Based on the proposed building square footage (6,065 square feet), a total of 25 parking spaces would be required. The project includes a total of 26 parking spaces (including 6 ADA-compliant spaces and 2 compact spaces), in addition to two (2) electric vehicle chargers.

2.9 Landscaping

The Applicant proposes the planting of traditional beargrass around the proposed building.

FIGURES

Site Plan (3 sheets)

Sign Information

Shoreline Market and Fueling Station Redevelopment Project (PLN-2021-17554)
Yurok Economic Development Corporation
Orick, Humboldt County, California
LACO Project No. 7105.31
December 2024



Introduction:

This document presents information pertaining to the proposed signage associated with the Yurok Economic Development Corporation's (YEDC; Applicant) Shoreline Market and Fueling Station Redevelopment project. The project is located at 120001 and 120025 U.S. Highway 101 in Orick in unincorporated Humboldt County, California, on the properties identified as Assessor's Parcel Numbers (APNs): 520-151-014, 520-151-015, and 520-151-016 (Site).

Proposed Signage:

The proposed project includes signage (wall signs) along the storefront's east and west elevations, as well as along the fueling canopy's east and west elevations (banner signs). Two monument signs will also be provided along the property frontage, with one to be located within the southeast corner of the property, east of the easterly Site ingress/egress point, and the other along the southern boundary of the Site, west of the westerly Site entrance. Additionally, up to two fuel price signs will be provided.

The signage will be designed in accordance with Humboldt County Code (HCC) section 314-87.2 S(Signs). The proposed signs will not exceed the number and sizing requirements specified in the Appurtenant Sign Table included in HCC §314-87.2.

Example signage proposed under the project is presented below, with signage locations provided on the project's preliminary site plan and architectural elevations.

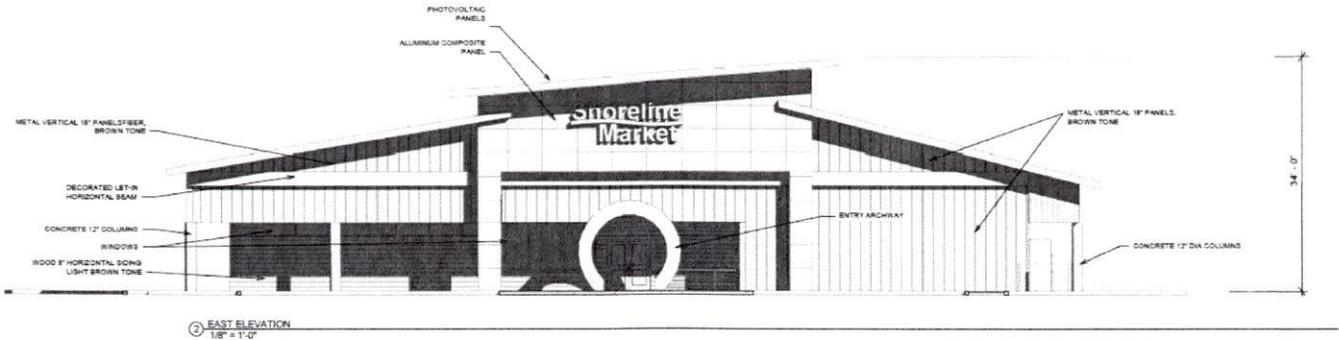


Figure 1. Example Main Wall Sign Above Store Entry (East Elevation)

21 W Fourth Street
Eureka, CA 95501
707 443-5054

1072 N State Street
Ukiah, CA 95482
707 462-0222

1550 Airport Blvd, Suite 120
Santa Rosa, CA 95403
707 525-1222

2561 California Park Dr., Suite 200
Chico, CA 95928
530 801-6170

Toll Free 800 515-5054

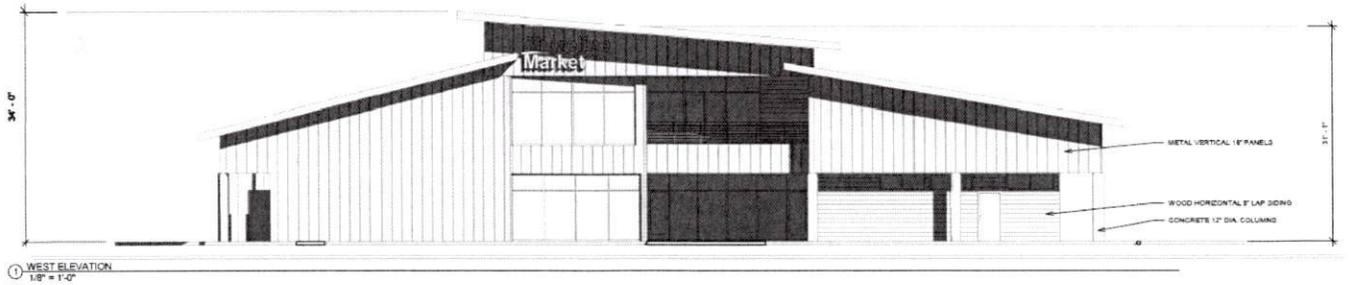


Figure 2. Example Side Wall Sign (West Elevation)

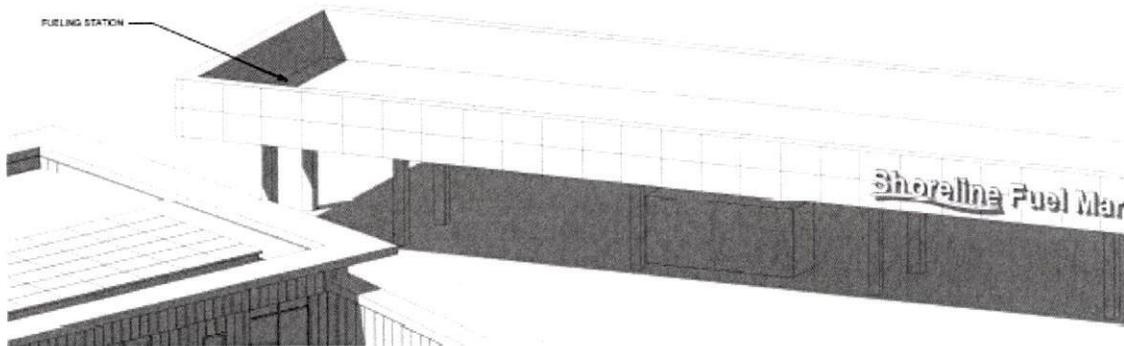


Figure 3. Example Fuel Canopy Signage Proposed Along Both Sides of Canopy
(Northeast and Southwest Elevations)

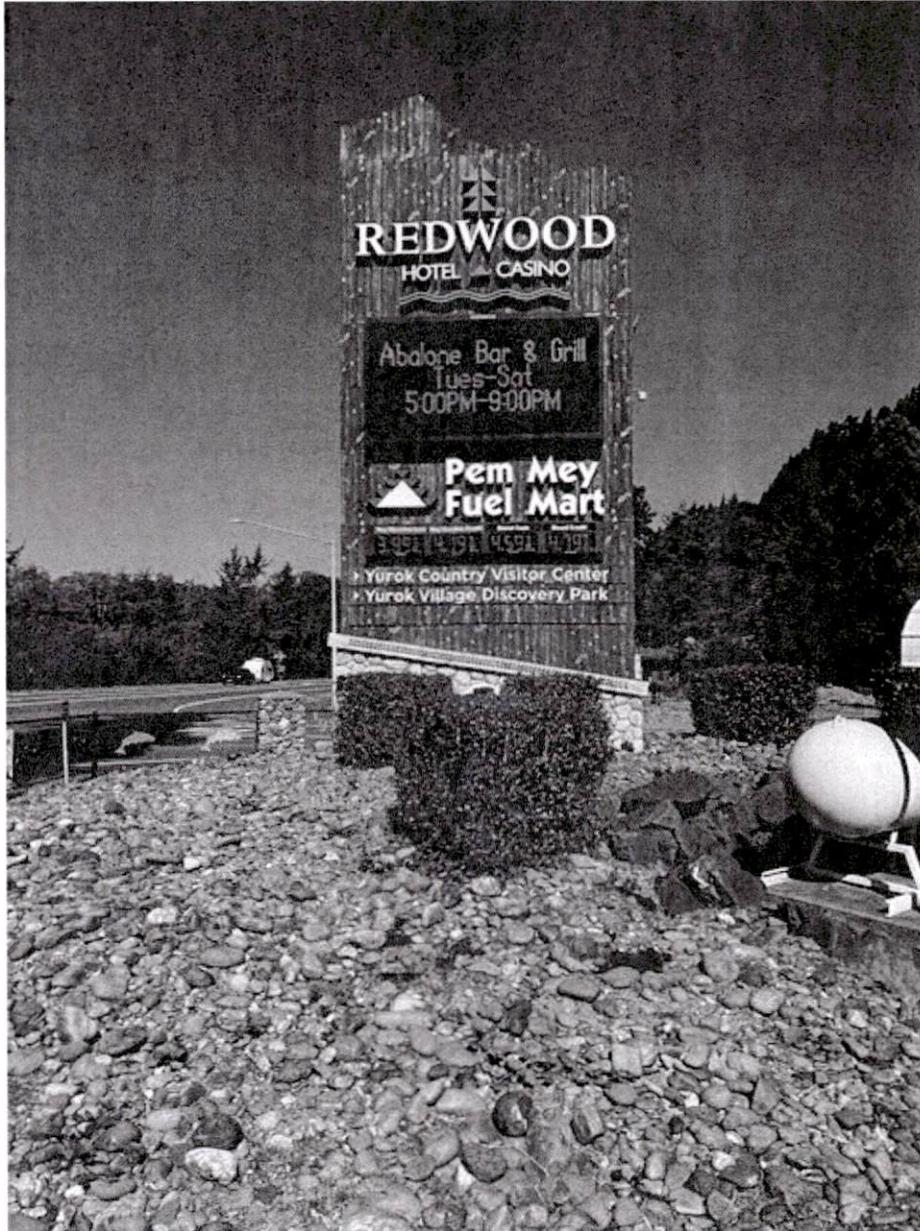
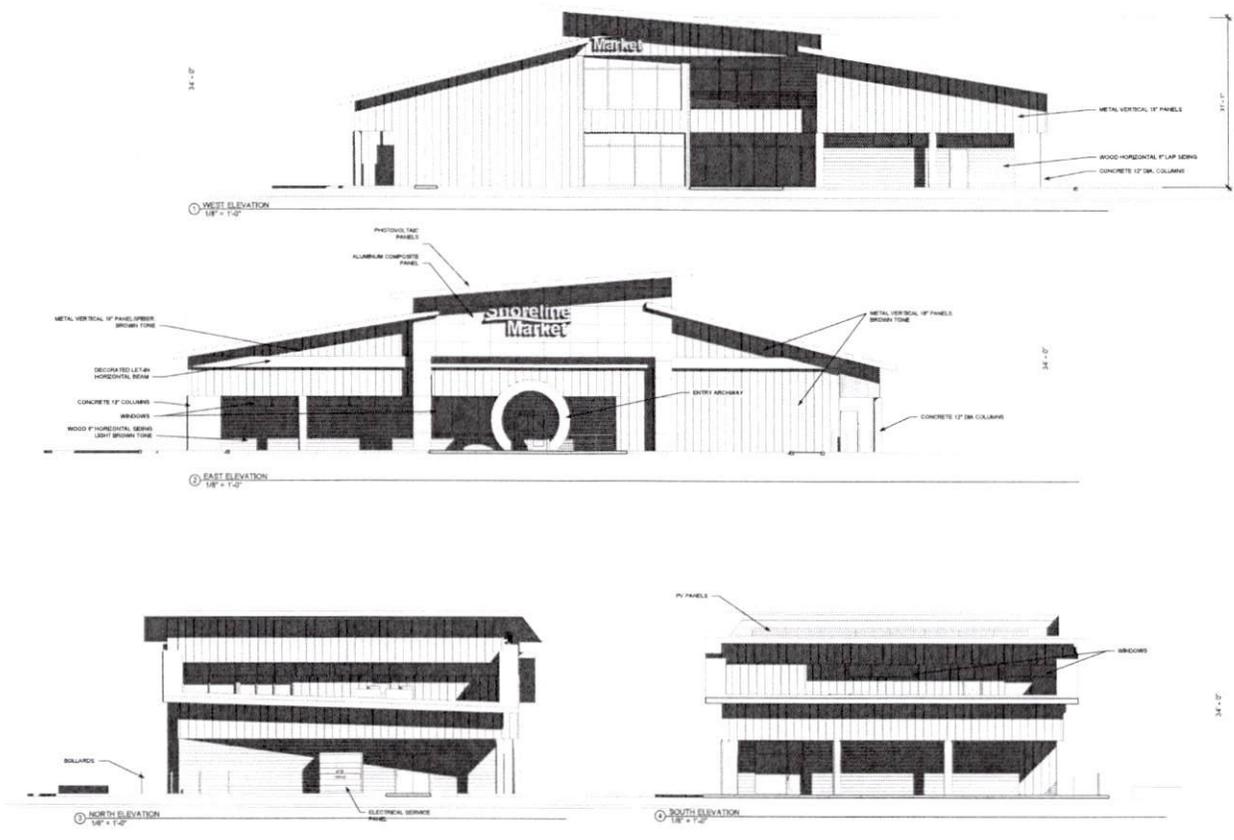


Figure 4. Example Monument Sign to be Installed along Property Frontage. Maximum height proposed is 18 feet.
(Note: Sign is from the YEDC's Pem Mey Fuel Mart in Klamath and is representative of the style and design proposed for the Shoreline project.)

C:\Users\Administrator\Desktop\Projects\Shoreline Fuel Mart\03-14-15\03-14-15.dwg, 12/17/2015 1:55:17 PM



SHEET NO.		ELEVATIONS	
1		4	
COLLABORATIVE DESIGN & PLANNING 104 North School Street Phone: 707-537-7355 Fax: 866-929-6473 J@COLLABORATIVEDSIGNPLANNING.COM			
YUROK ECONOMIC DEVELOPMENT CORP. SHORELINE FUEL MART 120025 HWY 101, ORICK, CA 95555 APN# 520-151-014.015.016			
SHEET TITLE			
ELEVATIONS BUILDING			
DRAWN BY		...	
CHECKED BY		JB	
DATE RASSED		...	
SCALE		AS NOTED	
PAGE		...	
A201		...	
SHEET		OF	

HUMBOLDT COUNTY PLANNING
 DEPARTMENT SUBMITTAL



Memorandum: Establishing Wetland Buffers for the Shoreline Market Redevelopment Project

Date: March 4th, 2025

To: Yurok Economic Development Corporation

From: Mason London, Principal Biologist, Naiad Biological Consulting (NBC)

Prepared in Collaboration With: LACO Associates

Subject: Wetland Buffer Recommendations for APN: 520-151-014, 520-151-015, & 520-151-016

Executive Summary

This memorandum evaluates the feasibility of reduced wetland buffer zones for the Shoreline Market Redevelopment Project, located at 120025 US HWY 101, Orick, CA, within three parcels owned by the Yurok Tribe (Figure 1). The analysis focuses on balancing development needs with environmental protection, adhering to Humboldt County's *Criteria for Establishing Buffer Areas*. Key findings and recommendations include:

- **Wetland Delineation:** The site contains three-parameter wetlands (Waters of the United States) and one-parameter wetlands (Waters of the State of California), which have been delineated based on regulatory definitions (LACO, 2021).
- **Buffer Recommendations:**
 - A **50-foot buffer for three-parameter wetlands** (Wetlands 1, 2, and 3) to protect ecological functions and mitigate construction impacts (Photo 1 – 4; Figure 2).
 - A **10-foot buffer for one-parameter wetlands**, reflecting their limited ecological functionality (Photo 5; Figure 2).
- **Site Conditions:** The site is heavily disturbed, with grazing and compacted soils contributing to reduced ecological value. Existing cultural features, such as a gravel lot and levee, serve as practical boundaries for buffer zones.
- **Mitigation Measures:** Temporary fencing, compliance with the County's standards for stormwater management, pre-construction surveys, and erosion control measures will ensure compliance with environmental standards during and after construction.
- **Development Impact:** The majority of development near wetlands will consist of a leach field with underground infrastructure, minimizing long-term impacts.

By adhering to the proposed buffer zones and mitigation measures, the project is expected to proceed with minimal environmental disruption while meeting regulatory requirements.

1. Introduction

The Shoreline Market Redevelopment Project at 120025 US HWY 101, Orick, CA, involves proposed development on parcels adjacent to several identified wetlands. These wetlands,

previously delineated in LACO's 2021 Wetland and Waters Delineation Report, include three-parameter wetlands (Waters of the United States), as defined by the U.S. Army Corps of Engineers (USACE), and one-parameter wetlands (Waters of the State of California), as defined by the California Coastal Commission (CCC).

The purpose of this memorandum is to evaluate the feasibility of reduced buffer zones for these wetlands while adhering to Humboldt County's *Criteria for Establishing Buffer Areas*. These criteria ensure that wetland resources are adequately protected from potential adverse impacts associated with adjacent development. Specific recommendations are based on site conditions, regulatory requirements, detailed hydrological and biological assessments, and best management practices to minimize ecological impacts.

2. Site Overview

General Site Conditions

- **Location:** The project site encompasses three contiguous parcels identified by Assessor's Parcel Numbers (APNs) 520-151-014, 520-151-015, and 520-151-016. These parcels, owned by the Yurok Tribe, are located at 120025 US Highway 101, Orick, California. The Subject Properties are situated within the Orick 7.5-minute United States Geological Survey (USGS) quadrangle, specifically in Section 4, Township 10 North, Range 1 East, Humboldt County, California.
- **Proximity:** The Subject Properties lie approximately 33 miles north of Eureka, California, in an unincorporated area of Humboldt County. The site is bound to the south by US Highway 101 and to the north by Redwood Creek and its associated levee, which forms a prominent feature of the site and serves as a hydrological boundary.
- **Coastal Zone:** The Subject Properties are within California's Coastal Zone, subject to regulations that protect sensitive coastal resources.
- **Area Investigated:** The investigation of buffer establishment included approximately 7.5 acres of the Subject Properties. Areas with impermeable surfaces, such as asphalt and structures, were excluded from the analysis to focus on ecologically relevant portions of the site.
- **Prominent Features:** The northern boundary is defined by Redwood Creek and the adjacent levee, which provides a natural separation from the creek's riparian zone. The site also exhibits significant anthropogenic disturbance, particularly in areas historically used for grazing and development (Photo 5 – 10).
- **Current Land Use:** The site is highly disturbed. The eastern portion is dominated by a gravel-covered lot housing a gas station and associated infrastructure (Photo 2). The western portion is heavily degraded, utilized for cattle and horse grazing, and shows extensive evidence of compaction and disturbance (Photo 5 – 10).

3. Evaluation of Buffer Areas Against the Seven Criteria

The Humboldt County Criteria for Establishing Buffer Areas provide a structured framework for determining appropriate buffer widths to protect environmentally sensitive habitat areas (ESHAs), including wetlands. These criteria ensure that development adjacent to wetlands does not significantly degrade their ecological functions or values. The North Coast Area Plan (NCAP) establishes specific policies for wetland buffers and ESHA protections within the coastal zone, which guide buffer determinations in this project area. The California Coastal Commission (CCC) mandates a minimum 100-foot setback from all wetlands (CCC, 1981), which serves as the standard baseline for buffer requirements.

Because the property is located within the Urban Limit Line, the project may utilize the more flexible resource protection policies of NCAP, which include provisions for setback averaging. Section 313-125.7.1 of the Humboldt County Coastal Zoning Code states that within an urban limit line, the required setback is either 100 feet or the average setback of existing adjacent development, determined using the "stringline method." Based on the Stringline Distances exhibits prepared by LACO in September 2021, LACO determined that an average setback of approximately 55 feet is consistent with setbacks on adjacent parcels. Given this established pattern of development and the provisions within the NCAP allowing for setback averaging, the project proposes to utilize an adapted version of this approach in determining appropriate wetland buffer distances.

Additionally, Section 313-125.7.3 allows for a reduction of the required setback if it can be demonstrated that the reduced buffer will not result in significant adverse impacts on wetland habitat and remains compatible with the continuance of such habitats (§313-125.7.3.1). Such reductions may also require mitigation measures to ensure the protection of wetland habitat values (§313-125.7.3.2). Based on these provisions, this document proposes a 50-foot buffer for three-parameter wetlands and a 10-foot buffer for one-parameter wetlands, supported by an analysis of ecological function, site disturbance, and habitat quality to demonstrate compliance with NCAP policies.

This document acknowledges these buffer requirements and presents a site-specific justification for reduced buffer widths based on the County's established criteria, NCAP policies, and site-specific analysis. The proposed buffer reductions are supported by an evaluation of ecological function, site disturbance, and habitat quality, demonstrating that they will not result in significant adverse impacts and remain consistent with the applicable wetland buffer and ESHA policies of the North Coast Area Plan.

Criterion 1: Biological Significance of Adjacent Lands

- **Analysis:** Adjacent lands exhibit varying degrees of biological significance. The eastern portion of the site, dominated by gravel and existing development, contributes negligible ecological function. Conversely, Wetlands 2 and 3, surrounded by dense willow thickets, retain some biological significance as they support wetland-associated wildlife and vegetation (Photo 3 & 4). These wetlands serve as microhabitats that provide foraging and nesting opportunities, as well as seasonal breeding grounds for wetland-dependent species.

Wetland 1, however, is ecologically isolated by surrounding gravel and disturbed ground, limiting its functional role within the ecosystem (Photo 1 & 2).

The recommended buffer widths are sufficient because they align with regulatory standards and account for the degraded conditions of the adjacent lands. A 50-foot buffer for three-parameter wetlands ensures adequate space to preserve the remaining ecological processes and provides a transition zone that minimizes edge effects. This buffer width is further supported by the presence of dense vegetation in Wetlands 2 and 3, which helps mitigate potential disturbances. For one-parameter wetlands, a 10-foot buffer is appropriate as these features lack significant ecological interactions and serve primarily as isolated, low-functioning depressions.

- **Recommendation:**

- For three-parameter wetlands, a 50-foot buffer is sufficient to mitigate edge effects, reduce potential anthropogenic impacts, and maintain ecological processes within the willow thickets.
- For one-parameter wetlands, a 10-foot buffer is appropriate, as these features do not support significant biological interactions or high-value species.
- Implement pre-construction surveys for amphibians and nesting birds for the temporal impacts which will occur during development phase.

Criterion 2: Sensitivity of Species to Disturbance

- **Analysis:** Historical disturbances, including livestock grazing, compaction, and fill deposition, have significantly altered habitat conditions on the project site. Wetland 1 is directly adjacent to an active gravel parking lot, which generates ongoing noise, dust, and light disturbances that reduce its suitability for sensitive species. Similarly, Wetlands 2 and 3 are surrounded by areas heavily grazed by livestock, with compacted soils and trampled vegetation that limit the ability of these wetlands to provide high-quality habitat for sensitive species. While the willow thickets associated with Wetlands 2 and 3 offer some habitat value, the ongoing disturbance from grazing activities reduces their overall ecological functionality. One-parameter wetlands are small, isolated features, and given the disturbed nature of the surrounding non-wetland habitat, it is unlikely that they would harbor species that do not also occur in the adjacent upland areas.

The proposed 50-foot buffer for three-parameter wetlands will help to mitigate these disturbances by providing a zone of protection where additional impacts can be minimized, allowing the remaining habitat to function effectively. For one-parameter wetlands, the 10-foot buffer is sufficient as these features do not provide unique habitat value or support species that are absent from surrounding areas.

- **Recommendation:**

- Maintain a 50-foot buffer for three-parameter wetlands to minimize acoustic and visual disturbance and reduce the impact of surrounding activities on wetland-associated wildlife.

- Conduct targeted surveys for nesting birds and amphibians during pre-construction to identify and mitigate potential disturbances.

Criterion 3: Susceptibility of Parcel to Erosion

- **Analysis:** Site soils, generally characterized by graded, compacted, and historic fill, appear to be prone to erosion during heavy rainfall events in the portions not covered in gravel. Without adequate vegetation cover, runoff may exacerbate sediment transport into adjacent wetlands, particularly during construction activities. Currently, these wetlands are not protected, and grazing horses and cows are free to enter and trample these features, further exacerbating erosion. The proposed buffers will provide sufficient protection against these effects. A 50-foot buffer for the three-parameter wetlands will intercept additional materials and stabilize the surrounding environment by providing space for vegetation regrowth and erosion control measures. For one-parameter wetlands, a 10-foot buffer is sufficient as these features do not significantly differ functionally from the surrounding degraded upland habitat. Furthermore, the area to be developed within the subject parcels is generally flat and open, reducing the likelihood of increased erosion beyond existing levels. To further mitigate potential impacts, the project will be designed in accordance with County standards for stormwater management to address runoff and ensure that water quality is preserved.
- **Recommendation:**
 - Employ erosion control measures, including biodegradable silt fences and strategically placed straw wattles, to intercept sediment-laden runoff. Revegetation with native wetland and riparian species should be implemented post-construction to stabilize soils.
 - Maintain a 50-foot buffer for three-parameter wetlands and a 10-foot buffer for one-parameter wetlands to provide adequate protection against erosion and promote long-term stabilization.

Criterion 4: Use of Natural Topographic Features to Locate Development

- **Analysis:** The natural topographic features of the site play a significant role in mitigating potential impacts to adjacent wetlands. A prominent feature is the levee along the site's western boundary, which provides a natural barrier separating Redwood Creek from the project area. This levee acts as both a hydrological and physical buffer, reducing the potential for sediment or runoff from entering the creek. Additionally, the flat terrain across the majority of the project area minimizes the likelihood of significant erosion or concentrated runoff pathways that could adversely affect the wetlands. However, areas immediately adjacent to wetlands, particularly near the willow thickets of Wetlands 2 and 3, are more vulnerable to disturbances and require careful management to avoid unintended impacts. Utilizing the levee and naturally flat areas as protective boundaries ensures that development remains strategically placed away from high-risk zones.

The proposed buffer widths are aligned with these natural topographic features to enhance their protective effectiveness. For instance, the 50-foot buffer for three-parameter wetlands

incorporates flat, undeveloped areas that can intercept sediment or pollutants before they reach wetland boundaries. The 10-foot buffer for one-parameter wetlands reflects their limited ecological function and the absence of significant topographic features that would necessitate wider buffers. To further mitigate potential impacts, the project will be designed in accordance with County standards for stormwater management to address runoff and ensure that water quality is preserved. This plan will likely include features such as bioswales, retention basins, and other stormwater treatment systems that enhance infiltration and reduce sedimentation.

- **Recommendation:**

- Maintain the levee as a natural protective barrier for Redwood Creek, ensuring that no development or construction activities compromise its integrity.
- Utilize the site's flat terrain to design stormwater management systems, such as bioswales and retention basins, that direct runoff away from wetlands and towards treatment areas.
- Ensure that buffer zones are enhanced with native vegetation to provide additional stability and minimize the risk of erosion or runoff infiltration into wetland areas.
- Implement County standards for stormwater management as a critical component of the development to safeguard wetland features from runoff-related impacts.

Criterion 5: Use of Existing Cultural Features to Locate Buffer Zones

- **Analysis:** Existing infrastructure, including the gravel lot and gas station, provides logical demarcation for buffer zones. These cultural features reduce the need for expanded buffers in areas of minimal ecological function. Additionally, the willows surrounding Wetlands 2 and 3 will be retained to further protect these features. Although not classified as cultural features, the willow thickets provide an effective natural buffer by stabilizing soils and reducing the potential for runoff impacts. Similarly, a mound to the west of Wetland 1 will be preserved, providing additional protection from adjacent activities, and the gravel parking lot to the east of Wetland 1 will also be retained, serving as a practical boundary for the buffer zone.

- **Recommendation:**

- Align buffer zones with these features, maintaining recommended widths while ensuring construction activities avoid additional encroachment.
- Retain the willow thickets around Wetlands 2 and 3 as part of the protective buffer to enhance the ecological functionality of these areas.
- Preserve the mound west of Wetland 1 and the gravel lot to the east as practical and effective boundaries for buffer zones.

Criterion 6: Lot Configuration and Location of Existing Development

- **Analysis:** The development within the subject parcels is generally located well outside of any suitable buffer, making this criterion relatively obsolete. The placement of structures and infrastructure avoids direct encroachment on sensitive areas, reducing the need for significant adjustments to buffer zones. However, the heavily disturbed lands within the rest of the subject parcels make it reasonable to apply reduced buffer widths of 50 feet for three-parameter wetlands and 10 feet for one-parameter wetlands. These buffers are sufficient to address the degraded condition of the site while still providing necessary protection to wetland features.
- **Recommendation:**
 - In developed areas, enhance buffer efficacy through native plantings and hardscaping that limits runoff. For undeveloped areas, maintain the recommended reduced buffer zones to balance development objectives with ecological considerations.

Criterion 7: Type and Scale of Development Proposed

- **Analysis:** The project involves light commercial redevelopment with limited encroachment into buffer zones. Construction impacts are expected to be temporary, with no long-term degradation of wetland resources anticipated. The majority of the development within the portion of the subject parcels where there is a high concentration of one-parameter wetlands and three-parameter wetlands will consist of a leach field, with all associated development occurring underground. This design minimizes surface-level disturbance and ensures that the area will not be heavily accessed by the public post-construction, reducing potential impacts to wetland features. If these buffers are followed during construction activities, there is likely to be no significant impact to these features based on the type and scale of development proposed.
- **Recommendation:**
 - Ensure that construction activities adhere to all recommended mitigation measures, including the installation of temporary fencing, and restrict equipment and material storage to non-buffer areas.
 - Implement robust monitoring protocols during construction to confirm that buffer zones remain intact and undisturbed.

4. Recommended Buffer Zones

Based on the analysis of the seven criteria:

1. **Three-Parameter Wetlands (Wetlands 1, 2, and 3):**
 - **Buffer:** 50 feet (Figure 2)

- **Additional Measures:** Temporary fencing during construction, erosion control measures, pre-construction biological surveys, and post-construction vegetation monitoring.

2. One-Parameter Wetlands:

- **Buffer:** 10 feet (Figure 2)
- **Additional Measures:** Temporary fencing during construction, and erosion control measures and protection during construction.

5. Avoidance and Minimization/Mitigation Measures

- **Fencing:** Install temporary high-visibility fencing around all wetlands during construction to delineate and protect buffer zones.
- **Erosion Control:** Implement erosion control measures such as biodegradable silt fences, straw wattles, and immediate revegetation post-construction to stabilize disturbed soils.
- **Biological Surveys:** Conduct pre-construction and construction-phase biological **surveys** during seasonally appropriate windows to identify and protect sensitive species. Survey frequency and timing are specified below to ensure compliance with regulatory requirements and minimize impacts to sensitive species during construction activities:
 - **Amphibians:** A qualified biologist should conduct pre-construction visual encounter surveys for amphibians within 24 hours prior to ground disturbance within 200 feet of all wetlands and watercourses. Surveys should focus on identifying and relocating any amphibians present to avoid incidental harm. During construction, periodic inspections (e.g., daily during initial ground disturbance and after significant weather events) should be conducted to monitor for amphibian presence and relocate individuals as necessary.
 - **Nesting Birds:** Pre-construction nesting bird surveys, performed by a qualified biologist, should occur within 14 days prior to project activities if work is scheduled during the nesting season (February 1 – August 31, depending on species). Surveys should cover all suitable nesting habitat within 50 feet of the action area and wetlands. If active nests are identified, construction monitoring surveys should occur at regular intervals (e.g., weekly or as needed) to assess nest status and ensure compliance with required no-disturbance buffers.
 - **General Wildlife:** Pre-construction surveys should be conducted to assess potential presence of terrestrial and wetland-associated species to avoid incidental take. During construction, ongoing biological monitoring should occur at frequencies appropriate to species presence and project activities (e.g., daily during major earth-moving activities near sensitive habitat). If special-status species are observed at any time, the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) must be notified immediately, and appropriate protection measures will be implemented.

- **Stormwater Management:** Utilize bioswales, retention basins, and permeable surfaces to manage runoff and reduce sedimentation into wetland areas.
- **Post-Construction Monitoring:** Monitor buffer zones for three years post-construction to ensure vegetation establishment and functionality of mitigation measures.

6. Conclusion

The recommended buffer zones and associated avoidance and minimization/mitigation measures are designed to address Humboldt County's criteria comprehensively while aligning with site-specific conditions. These measures will ensure that wetland features are safeguarded from construction-related impacts, supporting compliance with regulatory requirements and promoting ecological sustainability. Ongoing monitoring and adherence to these guidelines will help balance development objectives with the preservation of sensitive wetland resources.

Please contact me for further information or clarification.

Best regards,

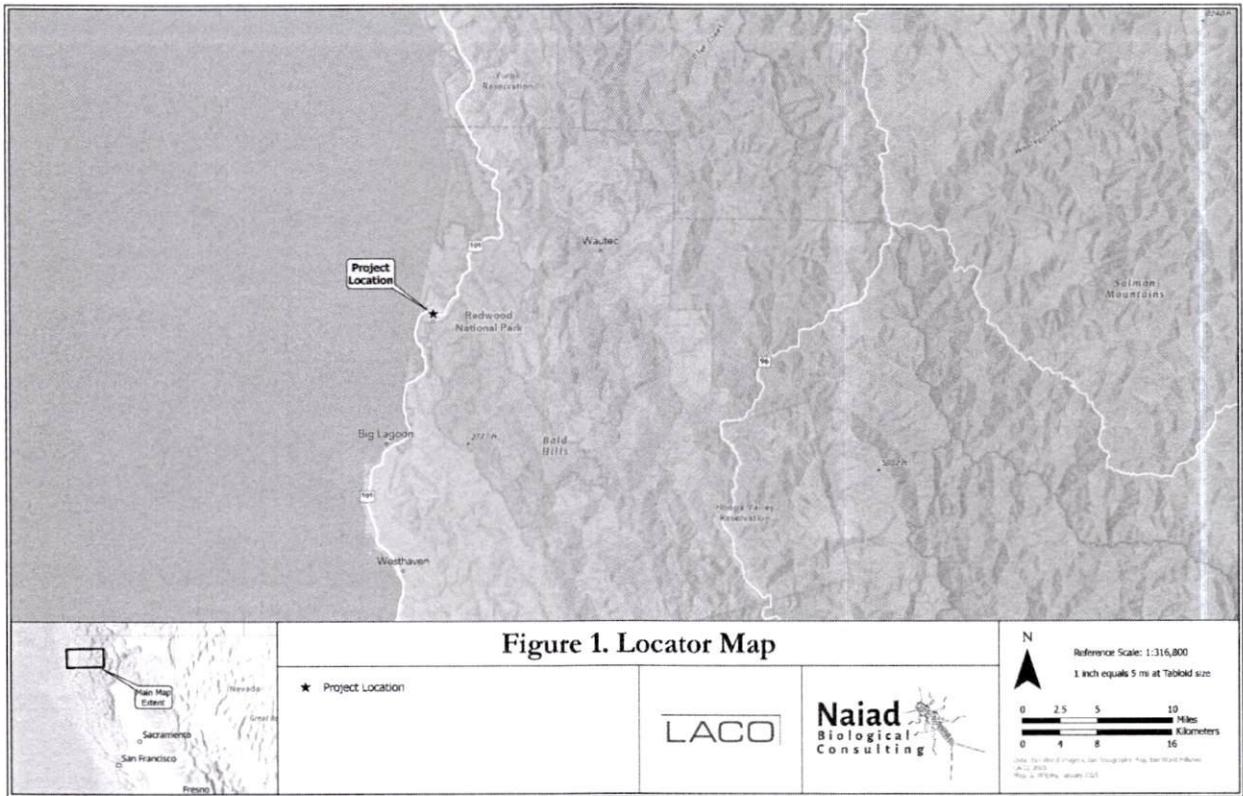


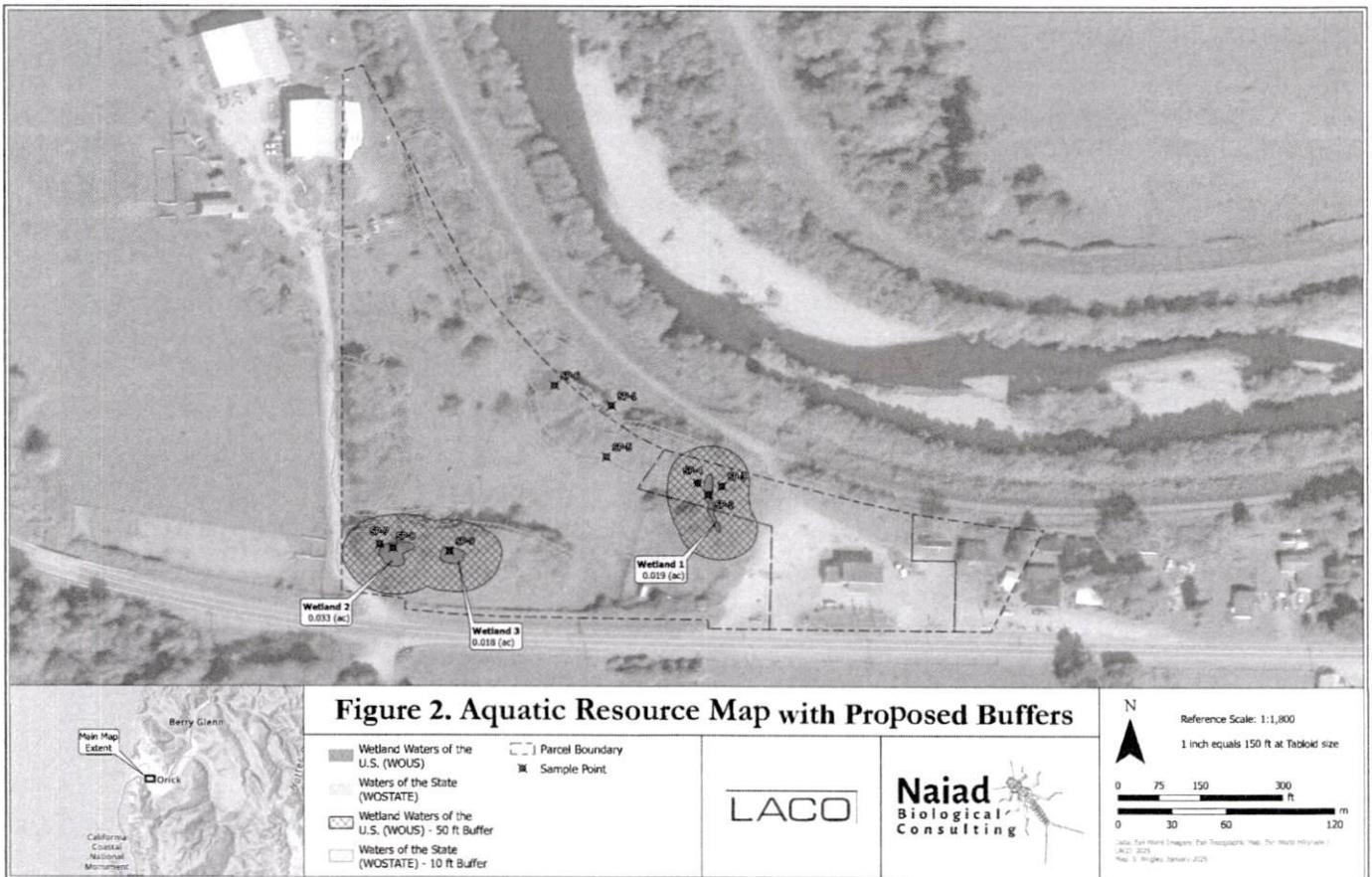
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Appendix A: Figures





Appendix B: Site Photos

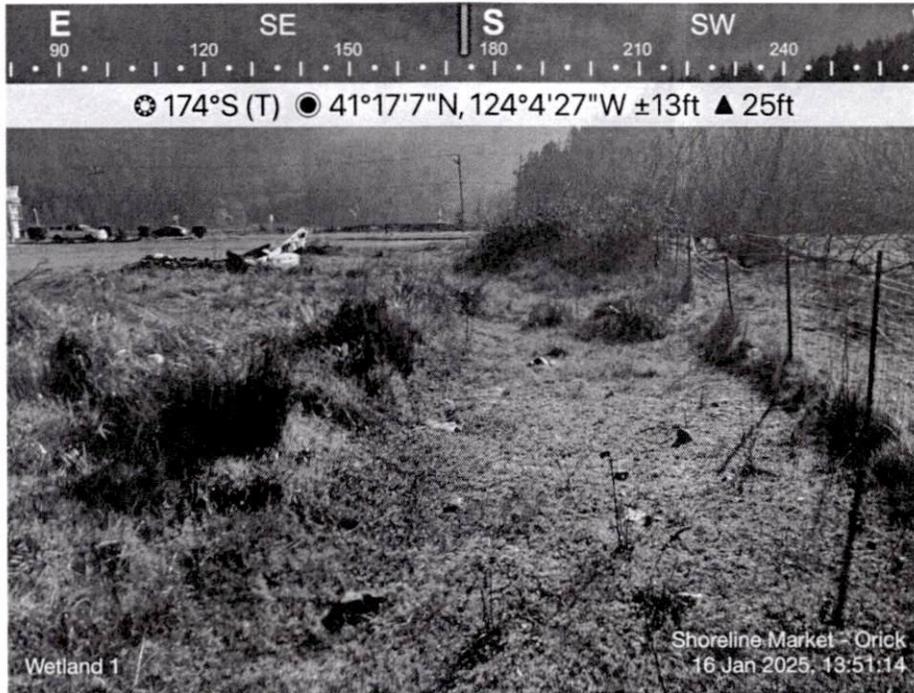


Photo 1: Wetland 1: View showing adjacent disturbed areas and vegetation.



Photo 2: Wetland 1: Proximity of structures and site conditions.

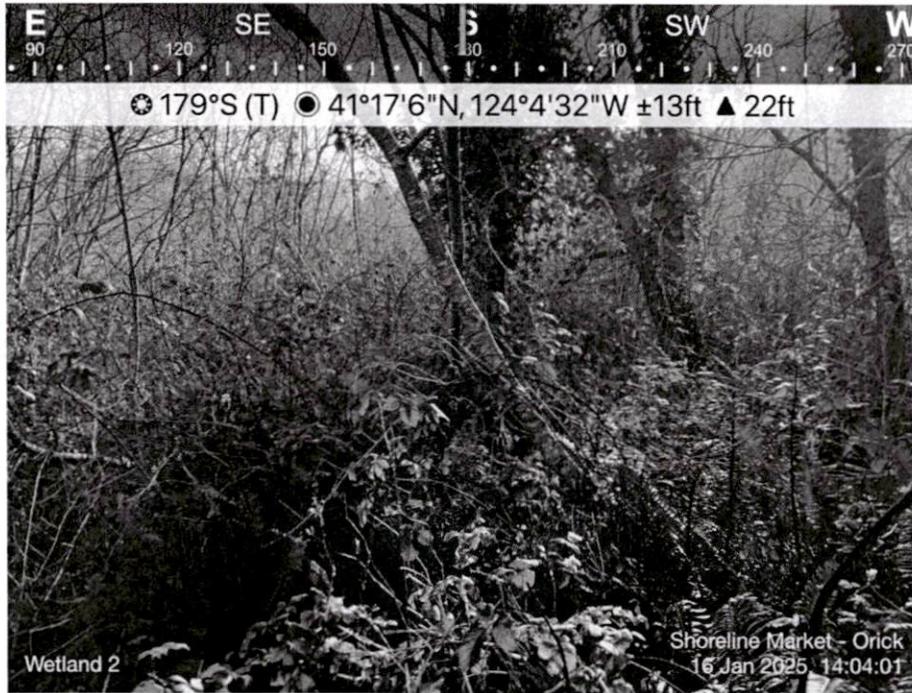


Photo 3: Wetland 2: Dense vegetation and observed site conditions.

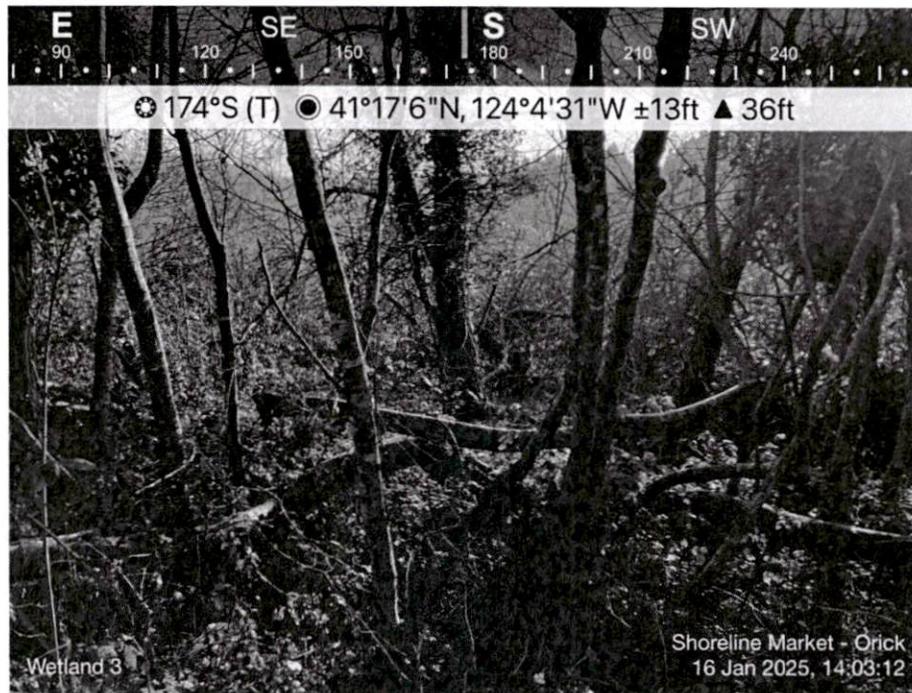


Photo 4: Wetland 3: Vegetation and site characteristics.

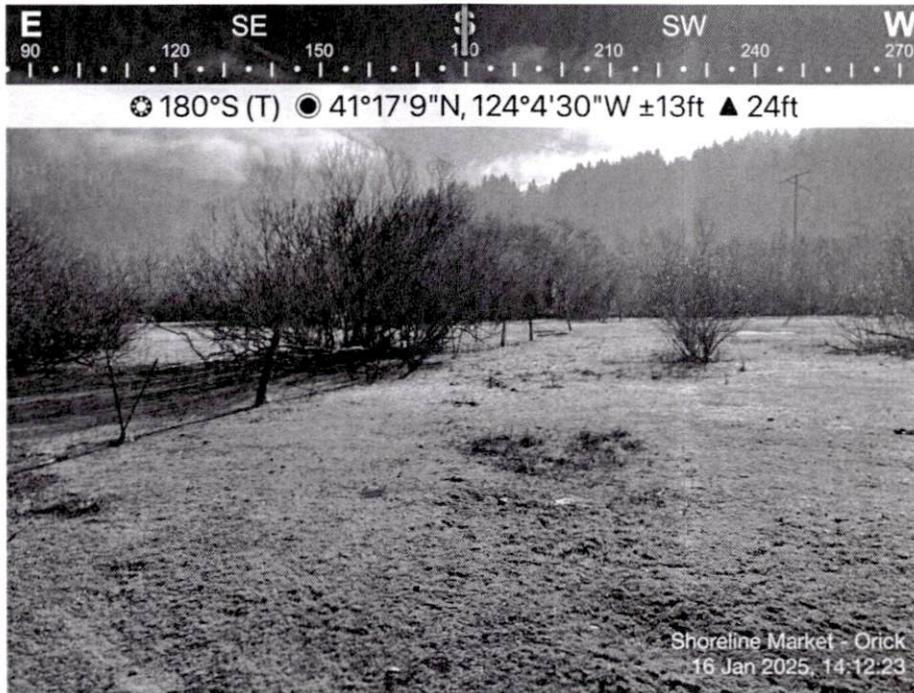


Photo 5: One parameter wetlands and adjacent areas and boundary conditions.

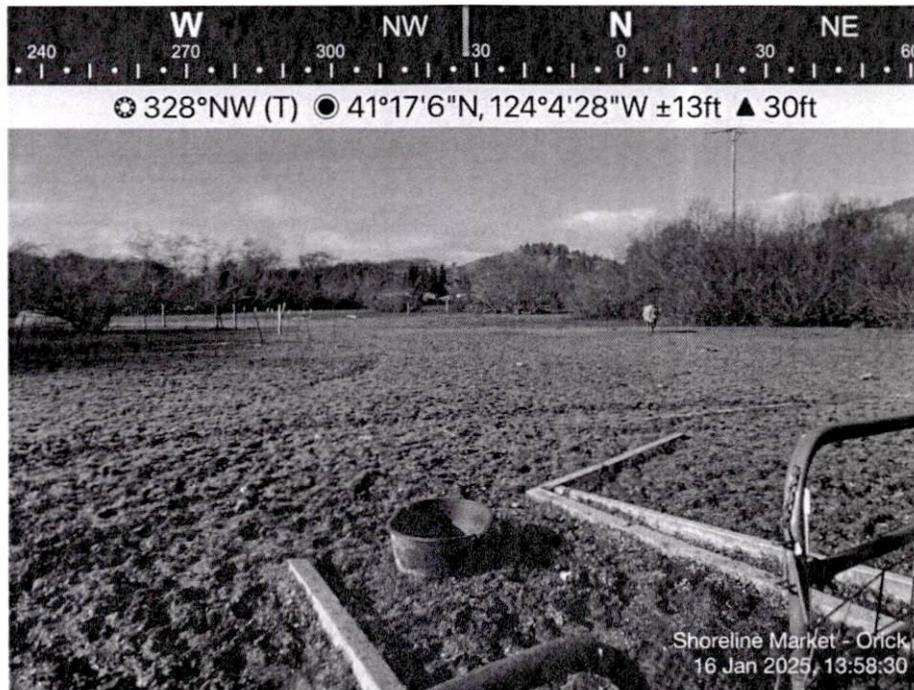


Photo 6: Grazing field habitat within the proposed project site.

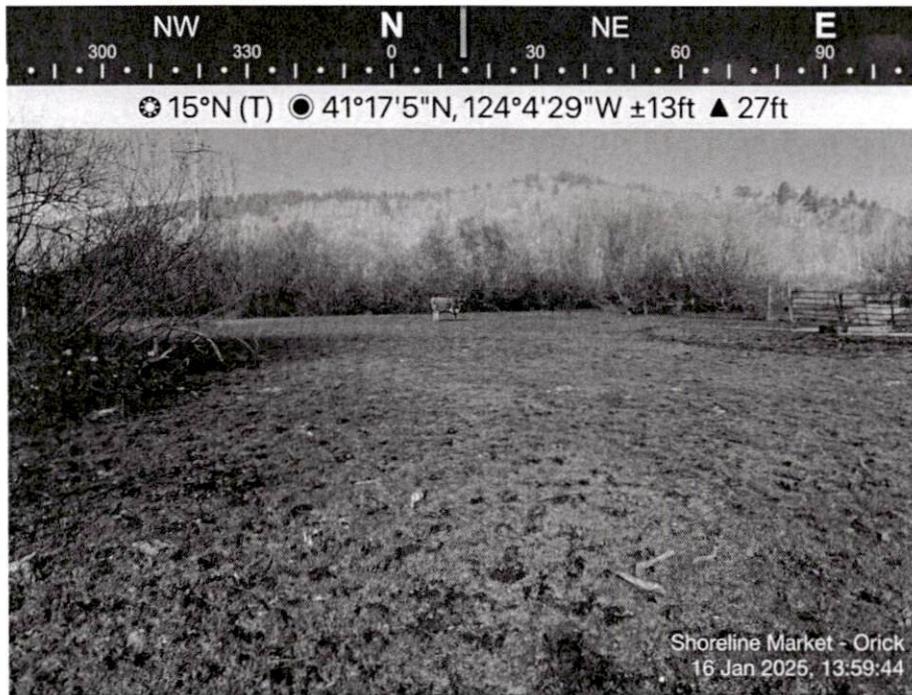


Photo 7: Open field within the proposed development site (Wetland 2 & 3 to the left of this photo).

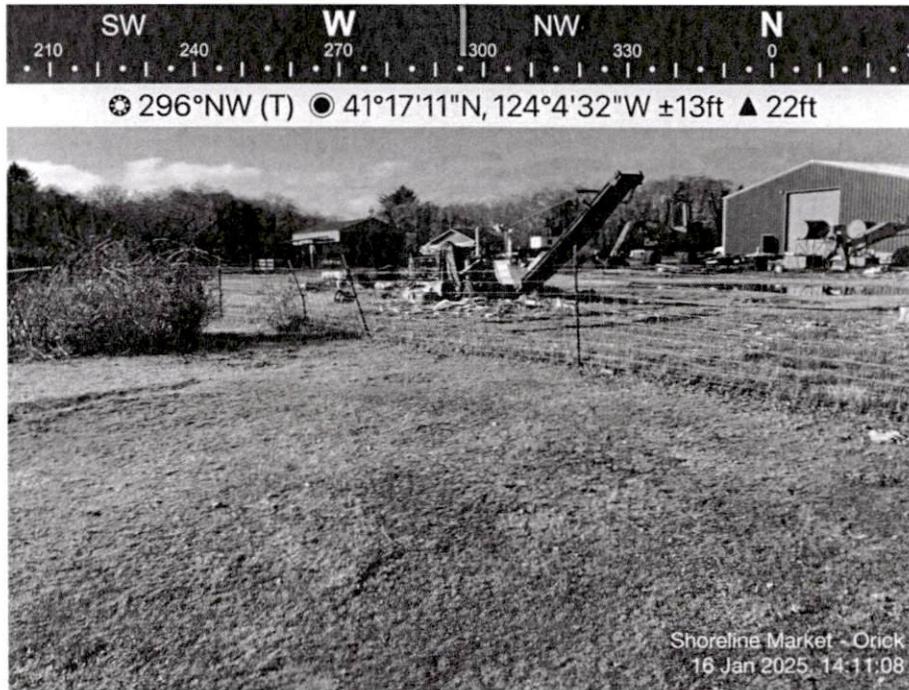


Photo 8: Existing infrastructure adjacent to the project boundary.

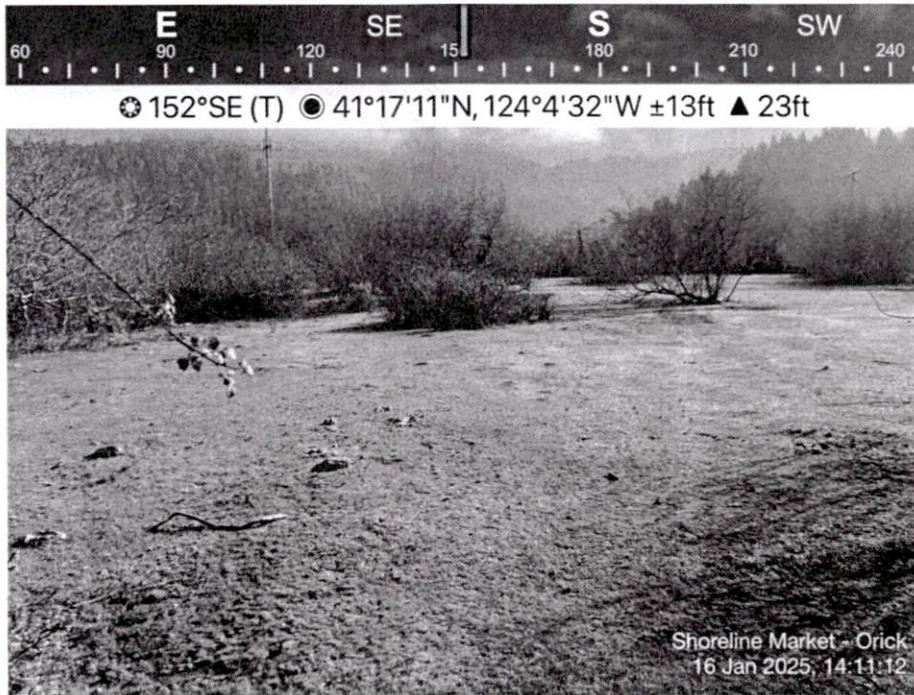


Photo 9: Buffer zone near Wetland 3 within the project area.

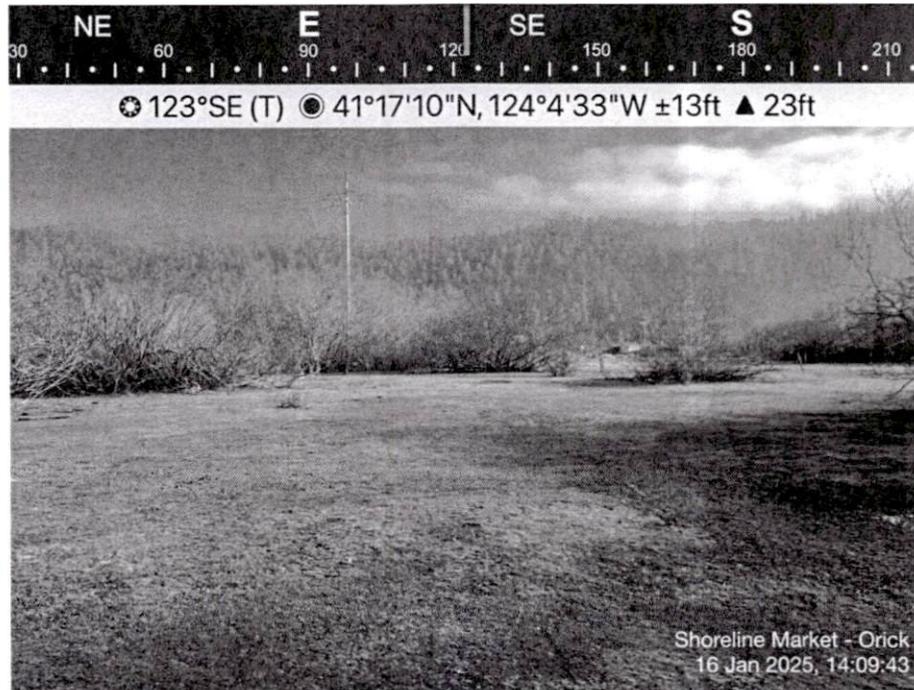


Photo 10: General view of grazing areas near the project site and adjacent one perimeter wetlands (Wetland 2 & 3 to the right of this photo).