



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: December 7, 2017

To: Humboldt County Planning Commission

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

Subject: **Christie Parcel Map Subdivision and Coastal Development Permit Modification**
Application Number 13495
Case Numbers PMS-04-029M, CDP-04-077M
Assessor Parcel Numbers (APNs) 014-271-007, 014-271-008
1171 Marsh Road, Eureka Area

Table of Contents	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Location Map	6
Zoning Map	7
Aerial Map	8
Project Proposal Map/Tentative Parcel Map	9
Attachments	
Attachment 1: Recommended Conditions of Approval	10
Attachment 2: Staff Analysis of the Evidence Supporting the Required Findings	12
Attachment 3: Applicant's Evidence in Support of the Required Findings	21
Attachment 4: Addendum to Initial Study and Mitigated Negative Declaration	22
Attachment 5: Referral Agency Comments and Recommendations	52

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

AGENDA ITEM TRANSMITTAL

To: Humboldt County Planning Commission

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

Meeting Date	Subject	Contact
December 7, 2017	Parcel Map Subdivision and Coastal Development Permit Modification	Trevor Estlow

Project Description: A Modification to a previously approved subdivision filed as Parcel Map No. 3409 in Book 33 of Parcel Maps, page 11 and 12. The subdivision created two parcels, one for residential development and one for open space purposes. The purpose of the Modification is to relocate the location of an access easement over Parcel 1 to Parcel 2.

Project Location: The project site is located in in the Eureka area, on the east side of Marsh Road, approximately 1100 feet north of the intersection of Park Street and Marsh Road on the property known as 1171 Marsh Road.

Present Plan Land Use Designation: Agriculture Exclusive (AE); Density: one unit per 60 acres; Natural Resources (NR); Density: n/a; Residential Low Density (RL); Density: 3 - 7 units per acre; Humboldt Bay Area Plan (HBAP).

Present Zoning: Agriculture Exclusive specifying a minimum parcel size of 60 acres with a transitional agricultural lands, wetlands and flood hazard combining zones (AE/T,W,F); Natural Resources with a coastal wetlands combining zone (NR/W); Residential Single Family specifying a minimum parcel size of 5,000 square feet with a combining zone of archeological resources and coastal wetlands (RS-5/A,W).

Application Number: 13495

Case Numbers: PMS-04-029M, CDP-04-077M

Assessor Parcel Numbers: 014-271-007, 014-271-008

Applicant

Darrell Christie
1815 16th Street
Eureka, CA 95501

Owner

same and Nancy Matthews
1171 Marsh Road
Eureka, CA 95501

Agent

Atkins Drafting
Sarah Atkins
2814 G Street
Eureka, CA 95501

Environmental Review: Environmental review is required.

Major Issues: None.

State Appeal Status: Project is appealable to the California Coastal Commission.

CHRISTIE PARCEL MAP SUBDIVISION AND COASTAL DEVELOPMENT PERMIT MODIFICATION

Case Numbers PMS-04-029M, CDP-04-077M
Assessor Parcel Number 014-271-007, 014-271-008

Recommended Planning Commission Action

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

Adopt the Addendum to the previously adopted Mitigated Negative Declaration and make all of the required findings for approval of the modification of a previously approved Parcel Map Subdivision and Coastal Development Permit, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Christie project subject to the recommended conditions.

Executive Summary:

Original Project Description

The original approved project included the subdivision of an approximately 91 acre parcel into two parcels of 3.3 and 87.7 acres each. The parcel is split-zoned: a small portion in the southwestern corner where the existing residence is located is zoned Residential Single Family (RS), another small portion in the northwest corner is zoned Natural Resources (NR) and the rest of the area is zoned Agriculture Exclusive (AE). The purpose of the subdivision is to allow the existing residential building and barn to be located on one small residential parcel (completely within the RS zone district) and leave the vast majority of the parcel in agricultural use. The division would facilitate the conveyance of the agricultural parcel to an adjacent property owner (Mr. Christie) who owns the property across Freshwater Slough to the east and is currently leasing the subject parcel for livestock grazing.

The entire parcel is in the Coastal Zone and most of it lies within the State's retained permit jurisdiction. Per the Regional Director of the Coastal Commission, the fact that the location of the proposed property line lies completely within the County's local jurisdiction indicates that no CDP from the State will be required. This finding is supported by the fact that the subdivision includes a local CDP to address all the pertinent requirements of the Coastal Act.

This non-residential subdivision is for open-space purposes. It is necessitated by the physical constraints of the property, including jurisdictional wetlands on the larger parcel and the substandard condition of Marsh Road. When the current parcel was created by subdivision in 1999, the Commission identified an Area of Special Concern for lands accessed by Marsh Road and required the subdivider convey development rights beyond the one existing residence until road improvements to Marsh Road were made to County standards. Understanding that the subdivision could not generate new traffic demands, the applicant has agreed to maintain the current development restrictions for the developed parcel and record a new Conveyance and Agreement for development on the ± 87.7 acre AE parcel, including rights for residential use and agricultural uses other than grazing until such time as Marsh Road is improved. The existing residence on the smaller RS parcel is served with community water and sewer. No additional development is proposed so these services will not be extended.

Project Modification

The applicant has requested a modification to the previously approved Parcel Map to relocate an existing access easement (Parcel A) over Parcel 1 to serve Parcel 2. The original easement over Parcel 1 avoided a mapped jurisdictional wetland, however, subsequent investigation found that the area did not meet the definition of a jurisdictional wetland. This determination has been confirmed by both the Army Corps of Engineers and the California Coastal Commission. By relocating the road, it will allow for better access to the agricultural lands (Parcel 2). Furthermore, the original project required a Conveyance and Agreement to restrict development rights on the vacant parcel to agricultural open space based upon access constraints. The modification would allow the Conveyance and Agreement to be replaced with a Conservation Easement with the federal Natural Resource Conservation Service (NRCS) that serves the same purpose. This will require a Quitclaim and Reconveyance to be recorded concurrently with the Conservation Easement.

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

ALTERNATIVES: The Planning Commission could:

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

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

**Case Number PMS-04-029M, CDP-04-077M
Assessor Parcel Numbers 014-271-007, 014-271-008**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Christie Parcel Map Subdivision and Coastal Development Permit Modification.

WHEREAS, Sarah Atkins, on behalf of the owners submitted an application and evidence in support of approving a modification to a previously approved Parcel Map Subdivision and Coastal Development Permit; and

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

WHEREAS, the Planning Division, the lead agency, has prepared an Addendum to a previously adopted Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision and Coastal Development Permit modification (Case Nos. PMS-04-029M, CDP-04-077M); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on December 7, 2017.

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

1. The proposed Addendum to a previously adopted Mitigated Negative Declaration in Attachment 4 is adopted, as required by Section 15074 (b) of the CEQA Guidelines, and the Planning Commission finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The findings in Attachment 2 of the Planning Division staff report for Case Nos. PMS-04-029M, CDP-04-077M support approval based on the submitted evidence; and
3. The proposed project as applied for is approved as recommended and conditioned in Attachment 1 for Case Nos. PMS-04-029M, CDP-04-077M.

Adopted after review and consideration of all the evidence on December 7, 2017.

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:

NOES: Commissioners:

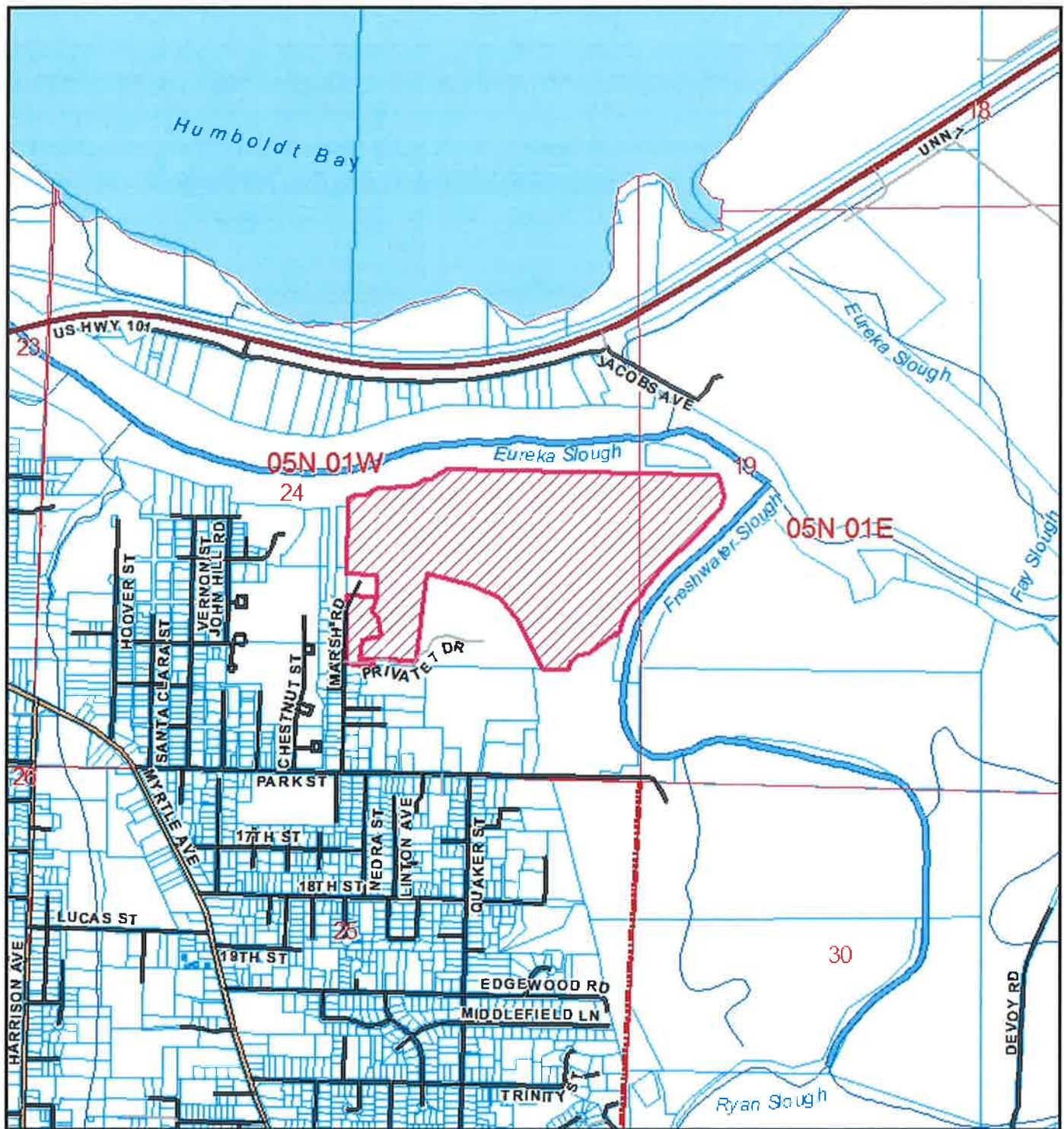
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

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

John H. Ford
Director, Planning and Building Department



Project Area = 

LOCATION MAP

PROPOSED CHRISTIE MODIFICATION OF PARCEL MAP SUBDIVISION & COASTAL DEVELOPMENT PERMIT EUREKA AREA

PMS-04-29M/CDP-04-077M

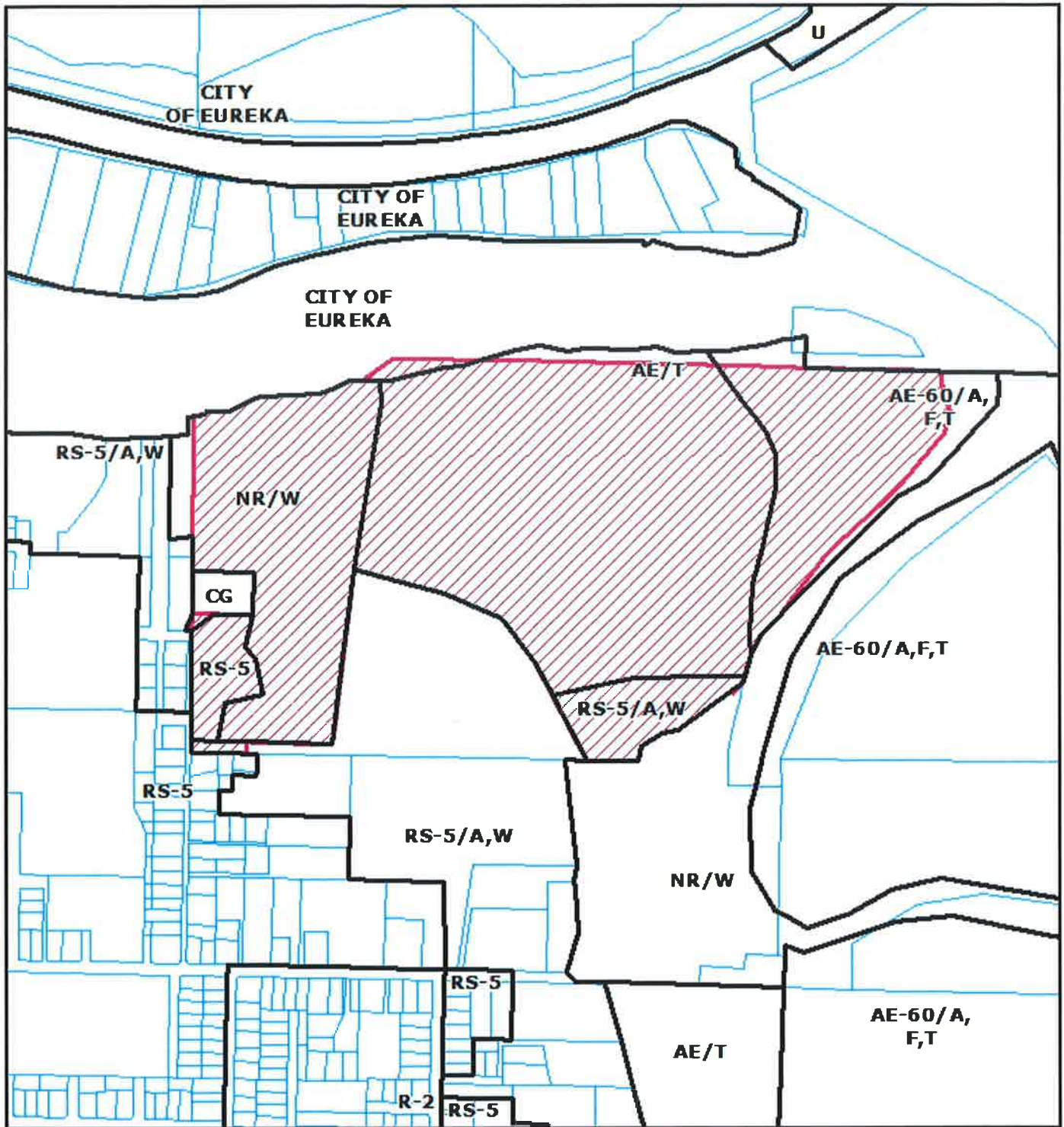
APN: 014-271-007, -008

T05N R01E S24 HB&M (Eureka)

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

0 500 1,000 1,500
Feet





Project Area = 

ZONING MAP

PROPOSED CHRISTIE MODIFICATION OF PARCEL MAP SUBDIVISION & COASTAL DEVELOPMENT PERMIT EUREKA AREA

PMS-04-29M/CDP-04-077M

APN: 014-271-007, -008

T05N R01E S24 HB&M (Eureka)

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



0 500 Feet



Project Area = 

AERIAL MAP

PROPOSED CHRISTIE MODIFICATION OF PARCEL MAP SUBDIVISION & COASTAL DEVELOPMENT PERMIT EUREKA AREA

PMS-04-29M/CDP-04-077M

APN: 014-271-007, -008

T05N R01E S24 HB&M (Eureka)

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



0 500
Feet

ATTACHMENT 1

CONDITIONS OF APPROVAL

Approval of the subdivision modification is conditioned on the following terms and requirements which must be satisfied before the Conveyance and Agreement can be replaced with a Conservation Easement.

1. The applicant shall submit at least three (3) copies of a revised 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 shall include items required under the previous subdivision and the following site development details:
 - A. Mapping
 - (1) Access details on Parcel 1 depicting the relocated access road.
 - B. Notes to be Placed on the Development Plan:
 - (1) "A Conservation Easement has been recorded on Parcel 2 limiting development possibilities. Please see Conservation Easement for further details."
2. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$125.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note 1 below for suggestions to minimize the cost for this review.
3. The applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00. (Note: In order to comply with the time limits for filing the Notice of Determination per CEQA, this payment will be requested from the applicant prior to hearing and will be held by the Planning Division pending a decision on the permit.)
4. Prior to the execution of the Quit Claim and Reconveyance by the Planning Director, the applicant shall provide evidence that the Conservation Easement will prohibit any new development on Parcel 2, including a farm dwelling and any agricultural use other than grazing use consistent with historical traffic generation levels. Additionally, the Applicant shall execute a successor conveyance and agreement document which shall be held by the County and recorded only in the event that the Applicant is unable to secure the Conservation Easement from NRCS.

Informational Notes

1. To minimize costs the applicant is encouraged to bring in written evidence of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Department. The applicant should submit the listed item(s) for review as a package as early as possible before the desired date for final map checking and recordation. Post application assistance by the Assigned Planner, with prior appointment, will be subject to a Special Services Fee for planning services billed at the County's current burdened hourly rate. Copies of all required forms and written instructions are included in the final approval packet.

Each item evidencing compliance except legal documents to be recorded should note in the upper right hand corner:

Assessor's Parcel No. _____
(Specify)

Condition _____
(Specify)

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

If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) is 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.

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

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

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

A. Subdivision Findings: Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code (H.C.C.) specify the findings that must be made to approve tentative subdivision maps. Basically, the Hearing Officer may approve a tentative map if the applicants have submitted evidence that supports making all of the following findings:

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

B. Coastal Development Permit Findings: Section 312-17 of the Zoning Regulations of the Humboldt County Code (Required Findings for All Permits and Variances) specifies the findings that are required to grant a Coastal Development Permit:

1. The proposed development is in conformance with the County's General Plan; and
2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and
3. The proposed development conforms with all applicable standards and requirements of these regulations; and
4. The proposed development and the conditions under which it may be operated or maintained, will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.

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

Staff Analysis

A1/B1. General Plan Consistency: The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in the Humboldt Bay Area Plan (HBAP).

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use §4.10 (HBAP)	Residential Low Density (RL), Natural Resources (NR) and Ag Exclusive (AE)	Project seeks to place the existing residence on its own 3.3 acre residential parcel and dedicate the remainder ± 87.7 acres to the existing livestock grazing operation which is currently leasing from the property owner. The modification does not change the existing land use.
Water Supply & Sewage Disposal (Urban Limit) §3.11 (HBAP)	Goal: To maintain a dependable water supply, sufficient to meet existing and future domestic, agricultural, industrial needs and to assure that new development is consistent with the limitations of the local water supply and to ensure a safe means for waste disposal and protect the County's water resources for the public's health and safety.	The subject existing residence is served by community water and sewer. The remainder agricultural parcel has no development proposed and will be used for cattle grazing only. This area is not within a Critical Water Supply Area.
Access §4220, 4237.7 (FP)	Goal: To develop, operate, and maintain a well-coordinated, balanced, circulation system that is safe, efficient and provides good access to all cities, communities, neighborhoods, recreational facilities and adjoining areas. Policy: New Development shall only be approved which will not significantly create or aggravate safety, capacity or parking problems on County roads.	<p>The parcel is accessed by Marsh Road (a County road up to the access point of this parcel) in the Eureka area. Marsh Road is substandard and as such, neither the Planning nor Public Works Department support further <i>residential</i> subdivisions. Given that this project is for agricultural purposes and the applicant agrees to convey development rights until such time as the road is improved to County standard, both Departments find that the project, as proposed and conditioned, will not further impact traffic and circulation in this area. The modification will replace the Conveyance and Agreement with a Conservation Easement that will serve the same purpose.</p> <p>The applicants request an exception to the 40 foot right of way access standard since the subdivision will not result in further development (See Attachment 3).</p> <p>Access to Parcel 2 (agricultural parcel) is via a relocated 20 foot access easement over Parcel 1.</p>

<p>Geologic §3290, 3291.1 3291.2A, 3292.1 (FP)</p>	<p>Goals: To reduce public exposure to natural and manmade hazards. To ensure the continuity of vital services and functions. To educate the community. Policy: Regulate land use to ensure that development in potentially hazardous areas will not preclude preserving and promoting public safety. structural hazards. Standards: Require geologic reports according to the Geologic Hazards Land Use Matrix as denoted in the Framework Plan.</p>	<p>The subject property is located with an area of low geologic instability (Humboldt County General Plan Geology, General Plan Map) and is not within the Alquist-Priolo Seismic Safety Hazard Zone.</p>
<p>Flood Safety §3290, 3291.3 3292.2 (FP)</p>	<p>Goals: To reduce public exposure to natural and manmade hazards. To ensure the continuity of vital services and functions. To educate the community. Policy: The County shall participate in the Federal Flood Insurance Program to regulate land uses in flood hazard areas in order to minimize loss of life and property, and in order to minimize public flood-related expense.</p>	<p>Portions of the property at the northern edge contain mapped flood zones. The property is located near sea level. As the subdivision is proposed to allow for the individual ownership of ± 88 acres of grazing land and no development is proposed, no flood elevation certificates or other specific requirements are necessary. The tsunami run up area does cover a portion of Parcel 1, however, this area is proposed to remain in open space. Therefore, no tsunami impacts are anticipated.</p>

<p>Biological Resources §3.30 (HBAP), §3430, 3431, 3432 (FP)</p>	<p>Goal: To maximize where feasible, the long term public and economic benefits from the biological resources within the County by maintaining and restoring fish and wildlife habitats. Policies: Maintain values of significantly important habitat areas by assuring compatible adjacent land uses, where feasible. Standards: §3.30 of the HBAP and §3432, Framework Plan</p>	<p>According to a previous subdivision (PMS-19-96), jurisdictional wetlands were identified north of the existing residence and south of the radio station parcel (APN 014-271-004). These areas will become part of Parcel 1. There will be no disturbance of this resource through the issuance of this subdivision and CDP. Additional wetland delineation was performed to determine the area previously identified as wetlands were not actually wetlands. Considerable portions of the rest of Parcel 2 are mapped as possessing transitional agricultural lands in which agricultural uses are principally permitted.</p> <p>The County's General Plan maps show no evidence of biological resources within or in the vicinity of this parcel. Freshwater and Eureka Sloughs make up the north and east boundaries of proposed Parcel 2.</p>
<p>Cultural Resource Protection §3500 (FP)</p>	<p>New development shall protect cultural, archeological and paleontological resources.</p>	<p>The previous subdivision (PMS-19-97) required a Phase I archaeological study which was prepared by James Roscoe MA and stated that no significant cultural resources were located within the proposed building site (now known as APN 14-271-05). Since no development is proposed, the Planning Division did not recommend further study to be completed as part of this application. If future Coastal permits are sought on Parcel 2, additional archaeological review will be required at that time.</p>
<p>Visual Resource Protection §3.40 (HBAP)</p>	<p>New development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.</p>	<p>The modification will only allow the relocation of an access road. No visual impacts are associated with this new road.</p>

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

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Lot Suitability 322-3	All lots shall be suitable for their intended uses.	The vast majority of Parcel 2 is zoned AE and is intended to be used for livestock grazing. An upland portion of Parcel 2 exists but has not been evaluated for site suitability because the parcel is only being created for non-residential, open-space purposes. Full site suitability demonstration consistent with then current requirements would be a pre-requisite of any future site development. Parcel 1 is zoned RS and is already developed with a single family residence. No new development is proposed for either parcel.
Access 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	Given that the proposed subdivision will not result in additional building sites and that the applicant has agreed to convey development rights to the County until Marsh Rd is improved. P/W is requiring frontage improvements to Marsh Road adjacent to the property frontage to a Road Category 4 standard. Access to Parcel 2 will be via a 20' private easement across Parcel 1 following the existing seasonal access. The modification will relocate the access over Parcel 1 to Parcel 2.
Sewer & Water 324-1 (d)	Sewer and water systems shall be constructed to appropriate standards.	Parcel 1 will continue to be served by community water and sewer. The DEH has recommended approval of the project as proposed.
Drainage 328-1	Storm water runoff from a subdivision shall be collected and conveyed by a drainage system approved by Public Works.	The LUD did not require specific drainage or stormwater detention facilities. The parcels slope to the west toward Humboldt Bay.
Access Road Appendix 4-1	Roadway design must incorporate a 40-foot right of way unless an exception is granted.	An exception to the 40 foot right of way access standard has been requested. Public Works can support this request subject to the conditions restricting future development of the property and maintaining current agricultural operations without any increase in traffic generation. This exception request includes the 20 foot access easement to serve Parcel 2 across Parcel 1.

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
322-3.1 Housing Element Densities The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the mid-point of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.		The project does not create any new parcels. Neither parcel was utilized by the Department of Housing and Community Development in determining compliance with housing element law. Therefore, the project complies with this requirement.

A3/B2. Zoning Compliance and Development Standards. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning	Summary of Applicable Requirement	Evidence
§313-7.1 AE, §313-5.4 NR and §313-6.1 RS	Principally Permitted Uses: General ag (AE), fish & wildlife management (NR) and single family residential (RS).	The existing residence on Parcel 1 will remain completely within the RS zone boundary and the ag operations will occur as a continued use within the AE/NR boundaries. The existing radio towers in the northwest corner of Parcel 2 will not be affected by this subdivision. The General Plan finds radio and communication facilities compatible in the AE land use designation and zone. This area has been grazed since before the adoption date of the coastal zoning regulations in the mid-1980's.
Min. Parcel Size	RS – 5,000 sf AE – 60 acres NR – Must conform with general plan.	<ul style="list-style-type: none"> • The RS parcel (Parcel 1) will be 3.3 acres in size • The AE/NR - ± 75.2 and ± 12.5 acres, respectively
Min. Lot Width	RS – 50 feet AE and NR to be determined at time of subdivision.	Parcel 1, zoned RS, will be ± 250 feet wide. Parcel 2 will average ± 900 feet wide.
Min. Lot Depth	RS – 3 x lot width AE and NR – none specified	Parcel 1 will average ± 590 feet deep
Max. Lot Coverage	RS - 35% AE and NR – none specified	Parcel 1: ±5% Parcel 2: vacant
Setbacks	<i>All setbacks will be 30' in conformance with the County's adopted Firesafe Ordinance (Ord. 1952)</i>	Parcel 1: complies Parcel 2: vacant Any future development must meet prescribed standards of the applicable zone and new building installations must comply with County Building regulations.
Max. Bldg. Height	35 feet	Parcel 1: complies Parcel 2: vacant Any future development must meet prescribed standards of the applicable zone and new building installations must comply with County Building regulations.

Combining Zones		
§313-35.1 Transitional Ag Lands	Provision that ag uses are principally permitted while providing that development in transitional ag lands is conducted in such a manner as to maintain long-term wetland habitat values and minimize short-term habitat degradation within these environmentally sensitive habitat areas.	The "T" is accompanying the AE zone in this case. The purpose of the subdivision is to ensure that continued agricultural use of the land is provided. There is no indication that the use will impact long-term wetland habitat values.
§313-16.1 Archaeological Resources	The purpose of these provisions is to ensure that reasonable mitigation measures are included where development could have an adverse effect on arch. or paleontological resources.	As mentioned previously, both NCIC and the Wiyot Tribe recommended further study in this regard. An earlier subdivision (PMS-19-97) identified areas where future building would need further review. Since no additional development is requested at this time, Planning Staff finds it sufficient to include an Information Note stating that any future development would require site specific review by a qualified archaeologist.
§313-38.1 Coastal Wetlands	Development in coastal wetlands will not degrade the wetland, but will maintain optimum populations of marine or freshwater organisms and, where feasible, will enhance wetland resources.	The 20 foot wide access to Parcel 2 across Parcel 1 is located outside of the mapped wetlands and follows the existing seasonal ranch access. Further delineation of the potential wetland avoided by the original road indicated that the new road location was not a jurisdictional wetland. This was confirmed by both the California Coastal Commission and the Army Corps of Engineers. Therefore, no wetland impacts will occur.
§313-21.1 Flood Hazard Areas	These regulations are meant to minimize public and private losses due to flood and tsunami conditions in specific areas of the County.	No development is proposed anywhere on either parcel.

A4/B4. Public Health, Safety and Welfare.

The project will not be detrimental to the public health, safety and welfare nor will it be materially injurious to properties or improvements in the area because:	Evidence supporting the finding
All reviewing referral agencies have approved or conditionally approved the proposed project design.	See Attachment 4, Referral agency recommendations.
The proposed project is consistent with the general plan.	See previous discussion.
The proposed project is consistent with the zoning.	See previous discussion.
The proposed project will not cause environmental damage.	See following discussion.

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

6. Environmental Impact.

As lead agency, the Department prepared an addendum to a previously adopted Initial Study and Mitigated Negative Declaration. The initial study evaluated the project for any adverse effects on fish and wildlife resources. Based on the information in the application and a review of relevant references in the Department, staff has determined that there is no evidence before the Department that the project will have any potential adverse effect either individually or cumulatively, on fish and wildlife resources or the habitat upon which wildlife depends. The environmental document on file includes a detailed discussion of all relevant environmental issues.

The project was found subject to CEQA and an Addendum to the previously adopted Mitigated Negative Declaration was prepared. Because an Addendum was prepared and no changes were required to the Mitigated Negative Declaration, the provisions of Section 711.4 of the California Fish and Wildlife Code do not apply to this project. Within five (5) days of the effective date of the approval of this project, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00. This requirement appears as Condition 3 of Attachment 1.

ATTACHMENT 3

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Document	Location
Tentative Subdivision Map	Attached in Maps Section
Application Form	On file with Planning
Preliminary Title Report	On file with Planning

ATTACHMENT 4

ADDENDUM TO INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION

CHRISTIE MODIFICATION PROJECT

SCH NO. 2005122034

APNs 014-271-007, 014-271-008, Eureka area, Humboldt County

DRAFT

**Prepared By
Humboldt County Planning and Building Department
3015 H Street, Eureka, CA 95501**

November 2017

Background

Modified Project Description and Project History - The project involves a Modification to a previously approved Parcel Map Subdivision and Coastal Development Permit approved August 17, 2006. The original project was for the subdivision of an approximately 91 acre parcel into two parcels of 3.3 and 87.7 acres each. The parcel is split-zoned: a small portion in the southwestern corner where the existing residence is located is zoned Residential Single Family (RS), another small portion in the northwest corner is zoned Natural Resources (NR) and the rest of the area is zoned AE. The purpose of the subdivision is to allow the existing residential building and barn to be located on one small residential parcel (completely within the RS zone district) and leave the vast majority of the parcel in agricultural use. The division would facilitate the conveyance of the agricultural parcel to an adjacent property owner (Mr. Christie) who owns the property across Freshwater Slough to the east and is currently leasing the subject parcel for livestock grazing. The Modification proposes to relocate the location of an access easement over Parcel 1 to Parcel 2. This modification will be heard by the Planning Commission.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously adopted Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent MND have occurred. Section 15162 states that when an MND has been adopted for a project, no subsequent MND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Mitigated Negative Declaration (MND) was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original project's recommended mitigations.

Other CEQA Considerations

Staff suggests no changes for the revised project.

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the Mitigated Negative Declaration was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. *The proposed project modification relocates the location of an access easement over Parcel 1 to Parcel 2. The nature of the project modification does not trigger any new environmental impacts that were not previously discussed. The mitigation measures adopted with the original project will continue to apply.*
2. *The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.*
3. For the modified project there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete. Furthermore, it is concluded that: the current project will not have one or more significant effects not discussed in the previous MND. Also, significant effects previously examined will not be substantially more severe than shown in the previous MND. There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project. Finally, there are no mitigation measures or alternatives identified in this analysis which are considerably different from those analyzed in the previous MND, and which would substantially reduce one or more significant effects on the environment.

CONCLUSION

Based on these findings it is concluded that an Addendum to the adopted Mitigated Negative Declaration is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the MND are applicable to the current project proposal.

APPENDICES

CHRISTIE SUBDIVISION MODIFICATION PROJECT

- Appendix A. Humboldt County Planning Commission Resolution Adopting the Mitigated Negative Declaration
- Appendix B. Initial Study and Mitigated Negative Declaration

APPENDIX A

Humboldt County Planning Commission Resolution Adopting the Negative Declaration

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 06-98**

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE CHRISTIE
PARCEL MAP SUBDIVISION APPLICATION.**

CASE NUMBERS: PMS-04-29/CDP-04-77; ASSESSOR PARCEL NUMBER: 014-271-06

WHEREAS, Mike O'Hern, on behalf of the applicant, Darrell Christie, submitted an application and evidence in support of approving the Parcel Map Subdivision and Coastal Development Permit; and

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

WHEREAS, the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the County Planning Division prepared a draft Mitigated Negative Declaration included in Attachment 5; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed subdivision;

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

- (1) The Planning Commission adopts the proposed Mitigated Negative Declaration in Attachment 5 as required by Section 15074(b) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment.
- (2) The Planning Commission further makes the findings in Attachment 2 of the Planning Division staff report for Case Nos. PMS-04-29/CDP-04-77 based on the submitted evidence.
- (3) The Planning Commission approves the proposed project applied for as recommended and conditioned in Attachment 1 and Attachment 2 for Case Nos. PMS-04-29/CDP-04-77.

Adopted after review and consideration of all the evidence on August 17, 2006.

The motion was made by COMMISSIONER SMITH and seconded by COMMISSIONER HANSIS.

AYES: Commissioners: EMAD, GEARHEART, HANSIS, HERMAN, KELLY & SMITH

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners: MURGUIA

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

Kirk Girard, Director of Planning and Building By: 

Betty Webb, Clerk

Last day to appeal to Board of Supervisors: August 28, 2006 (file with the Planning Division
& Clerk of the Board)

APPENDIX B

Initial Study and Mitigated Negative Declaration

**PLANNING DIVISION
HUMBOLDT COUNTY COMMUNITY DEVELOPMENT SERVICES
3015 H STREET
EUREKA, CA 95501**

**Initial Study and Draft Mitigated Negative Declaration
Darrell CHRISTIE – Parcel Map Subdivision & Coastal Development Permit**

1. Project title: Christie PMS-04-29/CDP-04-77
2. Lead agency name and address: Humboldt County Community Development Services - Planning Division, 3015 H Street, Eureka, CA 95501-4484; Phone: (707) 445-7541; Fax (707) 445-7446
3. Contact person and phone number: Alyson Hunter, phone: 707-268-3731, fax: 707-445-7446
4. Project location: The project site is located in Humboldt County, in the Eureka area.
5. Project sponsor's name and address: Darrell Christie, 1815 16th St., Eureka CA 95501
6. General plan designation: AE, Density: 60 acres; NR, Density: n/a; RL, Density: 3 - 7 units per acre.
7. Zoning: Agriculture exclusive in the coastal zone specifying a minimum parcel size of 60 acres with a transitional agricultural lands, wetlands and flood hazard combining zones (AE/T,W,F); Natural Resources with a coastal wetlands combining zone (NR/W); Residential single family specifying a min. parcel size of 5000 sf with a combining zone of archeological resources and coastal wetlands (RS-5/A,W).
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or on-site features necessary for its implementation. Attach additional sheets if necessary.): The minor subdivision of a \pm 91 acre parcel into one \pm 88 acre ag parcel and a \pm 3 acre residential parcel. Parcel 1 (3 acres) is already developed with a residence and barn. The larger parcel (Parcel 2) will remain vacant and be used for grazing purposes only. As a condition of the subdivision, the applicant agrees to convey all development rights on Parcel 2 until such time as Marsh Road can accommodate further development. The existing residence on Parcel 1 is served by community water and sewer.
9. Surrounding land uses and setting: Briefly describe the project's surroundings: The \pm 91 acre parcel is currently developed with a \pm 2,000 sf single-family residence, garage and barn. This residential development is located in the SW corner of the parcel. The rest of the acreage is currently be leased for grazing by the applicant. There are portions of the parcel that are perennially wet and thus considered coastal wetlands and are zoned NR or AE with a T combining zone. Much of the acreage is in the State Coastal Commission's retained permit jurisdiction, but the geographic area where the proposed subdivision line will be placed is in the County's local jurisdiction. As such, no permits will be required from the State (per phone call with Eureka office). The northern edge of the parcel is adjacent to the southwestern property line of Murray Field, a small public airport. As the residence is existing and is located at the opposite end of the subject parcel and was built under the review of a separate CDP and no new development is proposed, airport issues are not considered significant.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) Public Works - Land Use Division.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Alyson Hunter
Signature

11/30/05
Date

Alyson Hunter, Planner II
Printed name

HCCDS
For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addresses. Identify which effects from the above checklist were within the scope of and adequately analyze in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plan, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats, however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue identify:
 - a) The significant criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1. AESTHETICS: NO IMPACT

Finding: The project will not: substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; substantially degrade the existing visual character or quality of the site and its surroundings; have a significant impact with regards to a scenic vista; nor create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Discussion: The ± 91 acre parcel is surrounded on the north and east by open space in the form of sloughs, grazed transitional wetlands, a small airport, the Fay Slough DFG wildlife enhancement area, etc. As the existing residential development is located in the SW corner where a residential neighborhood already exists off-site and no additional structures are proposed, it's unlikely that the subdivision will negatively impact the bucolic aesthetic of the vicinity. There are views from this parcel to the east and north up into the Ryan Slough/Mitchell Road watershed and toward Arcata to the north. The parcel is most visible traveling south on Highway 101 into the City of Eureka, but only marginally since its low-lying and behind a row of commercial and light industrial uses between the highway and Eureka Slough. There are also two (2) ± 100' + lighted radio towers in the NW corner of the parcel reached for maintenance via a 50' wide easement across grazing lands leased by the current applicant. These existing towers are definitely a considerable impact on the visual scene. There are no known scenic resources such as trees, rock outcroppings or historic buildings within a state scenic highway.

There is no evidence that the proposal will result in significant impacts to scenic resources or the visual character of the area.

2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
----------------------------	---	------------------------------------	--------------

2. AGRICULTURE RESOURCES: NO IMPACTS

Finding: The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use. The project will not conflict with existing zoning for agricultural use, or a Williamson Act contract.

Discussion: The lowland areas within the vicinity of the subject lands have been in continued grazing use since the area was diked and drained in the early 1900s for settlement purposes. According to the County's Storre Index (Prime soils) mapping, the immediate surroundings are not considered Prime, but there is a ranch under contract in the Williamson Act nearby. Since the intent of this subdivision is to allow for the purchase of an 88 acre parcel by the person who has been leasing it for cattle grazing for the last few years, the project is not expected to negatively impact ag resources. Given the access road considerations, the project is further conditioned on no further residential development and very limited ag structure development. The areas to be included as part of the larger parcel are zoned AE and NR; ag uses in the NR area are legal nonconforming.

Based on the existing agricultural use of the parcel and the subdivision's intent to separate the residence onto its own smaller parcel, the project will not result in conversion of agricultural land or have a significant adverse impact on agricultural resources. Based on the above, the Department finds the project is not expected to result in a significant adverse affect on the agricultural resources.

3. AIR QUALITY. Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
----------------------------	---	------------------------------------	--------------

3. AIR QUALITY: NO IMPACT

Finding: The project will have a less than significant impact on the environment with regards to the following air quality issues: conflict with or obstruct implementation of the applicable air quality plan; or violate any air quality standard or contribute substantially to an existing or projected air quality violation; or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). The project has the potential to expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors affecting a substantial number of people unless mitigation measures are incorporated.

Discussion: According to the North Coast Unified Air Quality Management District (NCUAQMD), all of the Humboldt County is in non-attainment of the State's PM-10 (particulate matter of 10 microns in size) standard, but complies with all other State and Federal air quality standards. According to recent studies by the NCUAQMD, the most significant contributors to PM-10 are residential wood burning stoves. Since no road improvements or other development is proposed or allowed under this subdivision, impacts to air quality will be nil.

As proposed and conditioned, the project's potential impacts to air quality is considered to be less than significant.

4. BIOLOGICAL RESOURCES. Would the project:

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

Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
----------------------------	---	------------------------------------	--------------

4. c): BIOLOGICAL RESOURCES: LESS THAN SIGNIFICANT IMPACT

Finding: The project is expected to have a less than significant impact, either directly or through habitat modifications, on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Discussion: The majority of the ± 91 acre parcel is made up of seasonal or perennial wetlands and can be considered public trust lands. Per research conducted for a previous project (PMS-19-96), a wetland delineation was prepared by Karen Theiss (March 1996), accepted by DFG and mapped on said former subdivision's approved Development Plan (approved by the Planning Division 9/09/98). This Development Plan was used to guide the current subdivision application. These lands are within the State Coastal Commission's retained permit jurisdiction. These lands have been grazed for at least the last 50 years. The Eureka and Freshwater Sloughs run through and adjacent to this parcel. Neither a change in use nor new development is proposed. Should future ag development be proposed, a new CDP would be required from either the County or the State, depending on the location. The Redding office of the DFG was sent a referral and did not comment with concerns regarding this project's potential to damage biological resources. For these reasons, Staff finds that project as proposed and conditioned will have a less than significant impact on federally protected wetlands.

4. a), b), d) - f): BIOLOGICAL RESOURCES: NO IMPACT

Finding: The project is not expected to impact, either directly or through habitat modifications: species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service (USFWS); any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the DFG or USFWS; biological resources by interfering with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. As proposed, the project will not conflict with any local policies protecting biological resources or any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Discussion: According to the HBAP Biological Resources map there are sensitive biological resources on or in the vicinity of the project site (see Karen Theiss' wetland delineation (March 1996)), but the subdivision is not expected to impact said resources given that no change in use or increase in intensity of use is proposed. No increase in drainage or run-off will occur as a result of this project. Furthermore, Department of Fish and Game (DFG) reviewed the project and did not submit comments regarding the project's impact to biological resources. Referral comments from resource agencies have not identified any concerns regarding the proposed project or adverse impacts to biological resources.

There are no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan for the project location, thus, the project will not conflict with any such plans. The Department does not have any evidence the project will result in adverse impact either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species; riparian habitat or sensitive natural community; interfere with the movement of fish and wildlife species. Based on the above, the Department finds that the project will have no environmental impact with respect to the above biological resources issues.

5. CULTURAL RESOURCES. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

archaeological resource pursuant to §15064.5?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

5. CULTURAL RESOURCES: LESS THAN SIGNIFICANT IMPACT

Finding: The project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5; or cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or disturb any human remains, including those interred outside of formal cemeteries.

Discussion: Both the North Coastal Information Center (NCIC) and the Table Bluff Wiyot Tribe requested that further study occur on this site. However, given that a Phase I Cultural Resources Investigation was already completed (Jamie Roscoe, M.A., March 1998)) and accepted by the County's Natural Resources Division for the previous subdivision (PMS-19-96), Staff determined that additional study was not necessary, especially given the fact that this proposal does not allow for any development or other ground disturbing activity. Should the owner or future owners choose to build an ag barn, a CDP would be required and new referral comments would be generated specific to that site on the parcel. It is possible that further study in terms of archaeological or cultural resources could be required in the future. This project is conditioned on the inclusion of a note on the Development Plan stating the limitations on ground disturbing activities.

The Department believes the project will not cause a substantial adverse change in the significance of historical or cultural resources. There is no evidence the project will alter or destroy historic or cultural resources. Nonetheless, the County's standard informational note has been added to the Conditions of Approval regarding legal requirements should ground-breaking activities reveal the presence of archaeological resources or human remains. Based on the above, the Department believes the project will have no impact with respect to cultural resources.

6. GEOLOGY AND SOILS. Would the project:

- | | Potentially Significant | Potentially Significant Unless Mitigation Incorp. | Less Than Significant Impact | No Impact |
|--|--------------------------|---|------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

☐ ☐ ☐ ☒

6. GEOLOGY AND SOILS: NO IMPACT

Finding: The project is not expected to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42; or strong seismic ground shaking; or seismic-related ground failure, including liquefaction. The project may be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. The project is not expected to expose people to landslides; nor result in substantial soil erosion or the loss of topsoil; nor be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. The project does not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

Discussion: The project site is not located within a delineated area on the most recent Alquist-Priolo Earthquake Fault Zoning Map. Most of the site is at sea level and only rises to $\pm 45'$ above sea level at the southern boundary. There is no indication that the soils are unstable and there are no unstable slope that could be subject to slippage or landslide. The project site generally drains to the sloughs on the north and east edges. The Framework Plan Geologic Hazards map indicates that the parcel is located in an area of low-moderate slope instability. The Building referral does not state that an R-2 Soils Report will be required for the construction of the residences. Referral comments did not suggest the proposed project would result in any landslide hazards or expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994). Because the existing residence is served by Humboldt CSD for water and sewer, the Department of Environmental Health (DEH) has recommended approval. HCSD, in turn, had no comment as no new construction requiring water or sewer services is proposed. Based on the above, the Department finds that the project will not result in a significant environmental impact with respect to the above specific geology/soils issues.

7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

the project area?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

7. a) - d), g) - h): HAZARDS AND HAZARDOUS MATERIALS: NO IMPACT

Finding: The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment; or impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands unless mitigation measures are incorporated.

Discussion: The site is not on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Nor will there be a routine use or transfer of hazardous materials associated with the subdivision. There is no indication that the project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment or emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No evidence or referral comments were received that would lead the Department to believe the project may have environmental impacts due to hazardous materials. Lastly, the project site is in a low wildland fire hazard area. Fire jurisdiction falls under the purview of the Humboldt Fire Protection District #1 which did not respond with any requirements during the referral phase of the process.

The Department believes the proposed project, as evidenced above, will have a less than significant impact on the environment with regards to the specific hazards above.

7. e) and f): HAZARDS AND HAZARDOUS MATERIALS: LESS THAN SIGNIFICANT IMPACT

Finding: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area; or for a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion: The parcel is adjacent to the SW property boundary of Murray Field, a small public airport. There are no private airstrips within 5 miles of the property. As the subdivision does not include any structures or intensification of use, the adherence to the County's Airport Land Use Compatibility Matrix does not apply. Furthermore, this property, although adjacent, is not in the flight path. The Land Use Division of P/W reviewed the application and did not include specific measures with regards to airport safety.

8. HYDROLOGY AND WATER QUALITY. Would the project:

- | | Potentially Significant | Potentially Significant Unless Mitigation Incorp. | Less Than Significant Impact | No Impact |
|--|--------------------------|---|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

8.: HYDROLOGY AND WATER QUALITY: LESS THAN SIGNIFICANT IMPACT

Finding: The project will not have a significant impact on the environment with regards to the following hydrology and water quality issues: violate water quality standards or waste discharge requirements; nor substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted); nor substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; nor substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; nor create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; nor otherwise substantially degrade water quality; nor place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; nor place within a 100-year flood hazard area structures which would impede or redirect flood flows; nor expose people or structures to a significant risk of loss, injury or death involving flooding and including flooding as a result of the failure of a levee or dam; nor inundation by seiche, tsunami, or mudflow.

Discussion: Although the site is very wet and is adjacent to tidally-influenced waterways, the minor agricultural subdivision is not expected to have a significant impact on the environment with regards to hydrology and water quality because there will be no new structures or intensification of use associated with it.

No recommendations were received from the Department of Fish and Game, thus it is assumed the agency did not have any concerns regarding the proposed project. Portions of the parcel are in Flood Zone "A", areas of 100-year flood (FIRM Map Panel 775); the existing residence in the SW corner (built in 2000) is on a knoll situated about 40' elevation above sea level and outside the flood zone (per County Building records). No new development is proposed within Flood Zone "A" or anywhere else on the resultant 88 acre parcel. For this reason, the project will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map nor place within a 100-year flood hazard area structures which would impede or redirect flood flows.

The continued grazing use is not expected to: substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; nor substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; nor create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; nor otherwise substantially degrade water quality.

The project site is not within a mapped dam or levee inundation area, but is potentially inside areas subject to tsunami run-up. According to the CA Division of Mines and Geology (CDMG) Planning Scenario (Special Publication 115 - 1995), an offshore magnitude 9 earthquake in the Cascadia Subduction Zone could produce tsunami hazards along certain parts of the east side of Humboldt Bay, including along the sloughs that abut the subject property. As no new development or habitation is proposed, Staff finds that this impact is less than significant.

Based on the above, the Department finds that the project as proposed and conditioned will have no significant impact, individually or cumulatively with regard to above hydrology and water quality issues.

9. LAND USE AND PLANNING. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. LAND USE AND PLANNING: NO IMPACT

Finding: The project will not physically divide an established community; nor conflict with a local land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; nor conflict with any applicable habitat conservation plan or natural community conservation plan.

Discussion: The parcel is planned and zoned for single family residential development, agriculture exclusive uses and natural resources. The neighborhood to the west, southwest and south is almost completely residential with few remnant vacant parcels here and there. The public airport immediately east and the freeway and commercial/light industrial uses to the north help to create an urban setting that is common in California. There is no evidence that the project will physically divide an established community since it's a continuation of what has been occurring there for at least the last 50 years. Humboldt County is supportive of increased densities where services can be provided. This area is not one such location given the physical constraints that are really only conducive to agricultural uses. The parcel is not subject to the Airport Land Use Compatibility matrix limits with regards to density.

There are no habitat conservation or natural community conservation plans proposed or adopted for this area. The Department finds there is no evidence that the project will result in significant adverse impact with regard to land use and planning, more specifically, physically dividing an established community; nor conflict with a local land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect (like an Airport Land Use Plan with which this project conforms).

10. MINERAL RESOURCES. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. MINERAL RESOURCES: NO IMPACT

Finding: The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Discussion: The project does not involve extraction of mineral resources. The project site is not, nor adjacent to, a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. As noted above, the project has been conditioned to provide mitigation measures for sediment and erosion control. The Department finds there is no evidence that the project will result in significant adverse impact with regard to mineral resources.

11. NOISE. Would the project result in:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. NOISE: NO IMPACT

Finding: Would the project result in: the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; the exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels; or a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? The project is expected to have a less than significant impact with regards to: a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project and, for projects located within an airport land use plan or, where such a plan has not been adopted or, within two miles of a public airport or public use airport or within the vicinity of a private airstrip, the project would not expose people residing or working in the project area to excessive noise levels.

Discussion: The project is a minor subdivision to locate an existing residence onto its own 3 acre parcel and the remaining 88 acres onto a separate parcel for the continuation of existing grazing. No road improvements or construction are proposed. The subdivision will not result in any new residences or commercial or industrial uses/structures or anything else that would expose people or employees to unacceptable noise levels. As noted above, the project will not create even temporary increases in noise and ground vibrations. Based on the above, the Department finds that the project will have no impact, individually or cumulatively, with regards to noise.

12. POPULATION AND HOUSING. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. POPULATION AND HOUSING: NO IMPACT

Finding: The project will not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); nor displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; nor displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Discussion: The project will create two parcels, one of which will retain the existing residence. No residential construction or any other type of development will occur on the larger parcel as it is intended to be used for ag grazing purposes. Although a portion of Parcel 2, the larger parcel will be zoned RS, this subdivision includes a deed restriction that limits all development on Parcel 2. The potential for residential development is there, but cannot be acted upon until such time as the access road, Marsh Road, is brought up to current County standards. This restriction will be enforced through a recorded Conveyance and Agreement. As a recorded document, this restriction will pass on to any future buyer on the property's title. The project does not include any demolition of existing residential units. There is no evidence the project will significantly induce growth within the area, displace substantial numbers of existing housing, or necessitate the construction of replacement housing or the displacement of people. Based on the above, the Department finds no evidence indicating that the project will have an adverse impact on population and housing.

13. PUBLIC SERVICES.

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

13. PUBLIC SERVICES: NO IMPACT

Finding: The project will not have a significant impact on the environment with regards to the following public services: the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks, other public facilities.

Discussion: The project site is located adjacent to a suburban residential area outside the Humboldt Community Services District (HCSD). The existing residence utilizes on-site water and sewage disposal. The larger ag parcel has no development proposed; in fact, development rights will be conveyed as a condition of approval. Humboldt Fire Protection District #1 had no problems with the proposal.

Referral comments did not indicate the project would impact or require additional public services for any of the following: fire protection, police protection, schools, parks, other public facilities (see Transportation discussion). Based on the above, and comments from reviewing agencies, the Department finds no evidence indicating that the project will result in an adverse impact with regard to public services.

14. RECREATION.

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

14. RECREATION: NO IMPACT

Finding: The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; nor include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Discussion: The project does not include new housing units that could increase the use of existing neighborhood and regional parks or other recreational facilities. The project site is within the Humboldt Bay Planning Area and is not subject to either parkland in-lieu fees or building a public park. There is no evidence indicating that the project would affect existing recreational opportunities based on the project as proposed, comments from reviewing agencies, and review of applicable regulations.

15. TRANSPORTATION/TRAFFIC. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

48

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

15. a): TRANSPORTATION/TRAFFIC: POTENTIALLY SIGNIFICANT UNLESS MITIGATED

Finding: Unless mitigated, the project could cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections).

Discussion: The project site is located near the northern terminus of Marsh Road, a substantially substandard County road. Marsh Road is $\pm 1,400'$ from its intersection with Park Street at its south end to where it ends at the radio station's parking lot adjacent to proposed Parcel 2's access area. Marsh Road is paved to a width of only 12' in some locations, but serves > 30 residences. Because of development trends over the years, structures have been constructed right up to and, in some cases, within the right of way. The length of the road, the number of parcels it serves and the width of the travel way add up to a situation that has caused the County's Board of Supervisors to limit all further development which utilizes Marsh Road as its access. This was established during the previous subdivision's (Kramer, PMS-19-96) hearings. Typically, a subdivision is intended to develop additional parcels which would create more traffic, etc. This subdivision, however, is intended only to separate off the larger parcel from that smaller parcel which is already developed with a residence. All parties have agreed to convey their development rights until they or another group or individual manages to improve the road to current standards.

Mitigation Measure: The applicant/owner shall cause to be recorded a Conveyance and Agreement on both subject parcels which conveys future development of any kind until such time as Marsh Road is improved to current County road standards.

With this mitigation measure in place, Staff finds that the project's potential impacts to the existing traffic load and capacity of the street system will be less than significant.

15. b) - e): TRANSPORTATION/TRAFFIC: LESS THAN SIGNIFICANT IMPACT

Finding: The project will have a less than significant impact on the environment with regards to the following transportation/traffic issues: cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections); or exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways; substantially increase the hazards due to a design feature or incompatible uses or result in inadequate emergency access.

Discussion: The project will have no impact on the environment with regards to a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; nor cause inadequate parking capacity; nor conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks). As noted in the Public Services section above, the project is accessed via a County maintained road which dead ends at the subject parcel's northern property line. The Humboldt Fire Protection District #1 reviewed the map and did not have concerns regarding access or turnarounds. There are considerable restrictions along the road that could impede passage, but they do not include a covered bridge with weight restrictions (see 15. a). In addition, the project will not alter any private or public improvements, such as roads, sidewalks, bike lanes, parking lots or any other transportation routes or facilities, but will add sidewalks and a parking lane along the parcel's frontage. Based on the project as proposed, comments from reviewing agencies, and review of applicable regulations, the Department finds there is no evidence indicating the proposed subdivision will result in individual or cumulative significant impacts regarding hazards due to a design feature or incompatible uses. In the unlikely event of an emergency, response vehicles will be able to get in while residents go out. Based on the project as proposed, comments from reviewing agencies, and review of applicable regulations, the Department finds there is no evidence indicating that the project will result in individual or cumulative significant impacts regarding: air traffic patterns, inadequate parking capacity, conflicts with adopted policies supporting alternative transportation or emergency access.

50

16. UTILITIES AND SERVICE SYSTEMS. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. UTILITIES AND SERVICE SYSTEMS: NO IMPACT

Finding: The project will: not exceed wastewater treatment requirements of the applicable RWQCB; nor require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; nor require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; the project would have sufficient water supplies available to serve the project from existing entitlements and resources without new or expanded entitlements being needed; result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; comply with federal, state, and local statutes and regulations related to solid waste.

Discussion: The existing residential unit is served on-site water and sewage disposal. No new development is proposed at this time. Water and sewer testing evidence was not required as potential development on proposed Parcel 2 has been conveyed. HCSD has commented that the site is outside their service area. Since no development will occur in the near term, no water or sewage test results were sent to the Department of Environmental Health (DEH). That Department recommends approval. There is no evidence the project in its entirety will exceed wastewater treatment facilities or require additional water or wastewater facilities as none will be utilized.

The project will not require additional storm water facilities. The LUD did not require the establishment of an on-site stormwater detention facility to ensure that no increased run-off occurs as a result of this project. The area drains in a northeasterly direction toward the Freshwater and Eureka Sloughs, which flow into Humboldt Bay less than a mile away. The project is not expected to generate solid waste needs other than those commonly found in single-family residential and grazing uses. The area is served with electricity and natural gas from PG&E. Furthermore, there is no evidence indicating that the project will result in a significant impact with respect to utilities and service systems. Referral comments have not identified any concerns regarding the project's impact to utilities and service systems.

17. MANDATORY FINDINGS OF SIGNIFICANCE.

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

17. a) & c): MANDATORY FINDINGS OF SIGNIFICANCE: NO IMPACT

Finding: The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory; or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Discussion: Based on the project as described in the administrative record, comments from reviewing agencies, a review of the applicable regulations, and discussed herein, the Department finds there is no evidence to indicate the proposed project:

- Will have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, threaten to eliminate a plant or animal community or eliminate important examples of the major periods of California history or pre-history;
- Will have the potential to achieve short-term to the disadvantage of long-term environmental goals;
- Will have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.

17. b): MANDATORY FINDINGS OF SIGNIFICANCE: LESS THAN SIGNIFICANT IMPACT

Finding: The project may have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).

Discussion: If everyone in the neighborhood applied for a similar permit, the cumulative effects would undoubtedly be great. Since all projects of a discretionary nature are processed in a case-by-case manner, Staff finds that this particular request is not significant.

19. DISCUSSION OF MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

See attached Mitigation Measures, Monitoring, and Report Program.

20. EARLIER ANALYSES.

52

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 16063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

a) Earlier analyses used. Identify earlier analyses and state where they are available for review.

Kramer, PMS-19-96; Phase I Cultural Resources Analysis (Jamie Roscoe, M.A., March 1998); and wetland delineation (Karen Theiss, March 1996)

b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects are addressed by mitigation measure based on a the earlier analysis.

See 20a.

c) Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Mitigation Measure: The applicant/owner shall cause to be recorded a Conveyance and Agreement on both subject parcels which conveys future development of any kind until such time as Marsh Road is improved to current County road standards.

19: MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

The following table lists the required mitigation measures, including the method of verification, monitoring schedule, and the responsible party.

Resource(s)		Measure No.	Summary of Mitigation Measure	Method of Verification	Monitoring Schedule	Responsible Party
Traffic	1		Minimize impacts to transportation and traffic in the vicinity.	An appropriate Conveyance and Agreement shall be recorded prior to recordation of the Parcel Map.	Recorded instrument shall appear on both parcels' titles.	Applicant/owner.
			<u>Requirements:</u> <u>Mitigation Measure:</u> The applicant/owner shall cause to be recorded a Conveyance and Agreement on both subject parcels which conveys future development of any kind until such time as Marsh Road is improved to current County road standards.			

HCCDS = Humboldt County Community Development Services Building and Planning Divisions

UD = Land Use Division of Department of Public Works

DEH = Environmental Health Division of Health Department

DFG = California Department of Fish and Game

CDF = California Department of Forestry and Fire Protection

NCUA/QMD = North Coast Unified Air Quality Management District

ATTACHMENT 5

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

Referral Agency	Recommendation	Location
Public Works Land Use Division	No comments	Attached
Humboldt Community Services District	No comment	Attached
Humboldt Bay Fire Protection District	Approval	Attached



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

DEPARTMENT OF PUBLIC WORKS

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

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



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


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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner, Planning & Building Department

FROM: Robert W. Bronkall, Deputy Director 

DATE: 03/16/2017

RE: **CHRISTIE APN 014-271-007, PMS 04-029M, CDP 04-077M**

The Department does not have any comments regarding the proposed modification. The Department's subdivision requirements dated 12/21/2005 and as revised by the Planning Commission on 08/17/2006 are still applicable. A copy of the subdivision requirements are attached.

// END //

EXHIBIT A



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION

839-5401

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

ADMINISTRATION
BUSINESS
ENGINEERING
FACILITY MAINTENANCE

445-7491
445-7652
445-7377
445-7493

NATURAL RESOURCES
NATURAL RESOURCES PLANNING
PARKS
ROADS & EQUIPMENT MAINTENANCE

445-7741
267-9540
445-7651
445-7421

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

LAND USE


445-7205

DEPARTMENT OF PUBLIC WORKS COUNTY OF HUMBOLDT

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Alyson Hunter, Planner II

FROM: Robert W. Bronkall, Associate Engineer 

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION OF DARRELL CHRISTIE, APN 014-271-006, PMS-04-29
FOR APPROVAL OF A TENTATIVE MAP

DATE: December 21, 2005
August 17, 2006 Revised by the Planning Commission

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

These recommendations are based on the tentative map prepared by Kelly-O'Hern Associates dated revised October 26, 2005.

READ THE ENTIRE REPORT BEFORE COMMENCING WORK ON THE PROJECT

1. MAPPING

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

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

(b) **PROOF OF LEGAL ACCESS:** Applicant shall provide, to the satisfaction of this Department, proof of recorded access from a publicly maintained road to the subject property. The width of the access shall be a minimum of 40 feet and shall be shown on the subdivision map.

(c) **ENCUMBRANCES:** All easements that encumber the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.

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

(e) **DEDICATIONS:** The following shall be dedicated on the subdivision map or as approved by this Department:

Applicant shall cause to be dedicated on the subdivision map an easement for ingress, egress, and public utilities for the benefit of the parcels/lots within the subdivision in a manner approved by this Department. The easement shall be 40 **20** feet in width. **[Revised by the Planning Commission on 08/17/2006]**

Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 10 foot wide public utility easement (PUE) adjacent to the right of way, or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.

(f) **CONVEYANCE AND AGREEMENT:** The existing Conveyance and Agreement recorded on November 17, 1999 as Instrument No. 1999-31094-7, in Official Records shall be amended to allow subdivision development of Parcel 2 shown as one 88+/- acre parcel.

Parcel 2 must be restricted to allow only the use of the parcel for the grazing of animals owned by the owner of the parcel. No structures are to be allowed on the parcel. No residential use or accessory structure use of the property is allowed.

Parcel 1 is to remain restricted as currently exists within the recorded Conveyance and Agreement.

The amendment of the Conveyance and Agreement and wording of the restrictions shall be approved by County Counsel.

2. IMPROVEMENTS

~~(a) **ROAD IMPROVEMENTS:** Marsh Road shall be widened along the frontage of the proposed subdivision to Category 4 road standards (20 foot paved width with 2 foot wide gravel shoulders). It is intended that the gravel shoulder only be added on the east side (the gravel shoulder on the west side will be developed by others.) At a minimum the entire road shall be constructed with 0.2 foot of Caltrans Type B asphalt concrete (AC) over of 0.5 foot of Caltrans Class 2 aggregate base. The shoulders shall be a minimum of 0.5 foot of Caltrans Class 2 aggregate base.~~

~~The tentative map does not indicate if parking is proposed along the Marsh Road. If parking is proposed, an 8 foot wide asphalt concrete (AC) parking lane shall be constructed. It shall be constructed to the same typical section as the road.~~

~~(b) — CONSTRUCTION PLANS: Construction plans shall be submitted for any required road, drainage, landscaping, and pedestrian improvements. Construction plans must be prepared by a Civil Engineer registered by the State of California. Construction of the improvements shall not commence until authorized by this Department.~~

~~— The construction plans shall show the location of all proposed new utilities and any existing utilities within 10 feet of the improvements. The plans shall be signed as approved by the public utility companies having any facilities within the subdivision prior to construction authorization by this Department.~~

~~Construction plans shall be tied into elevation datum approved by this Department.~~

~~Construction of improvements for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.~~

~~The proposed improvements may require the undergrounding or relocation of existing facilities at the expense of the applicant. Undergrounding of existing facilities, relocation of existing facilities, or construction of new facilities shall be completed prior to constructing the structural section for the roadway.~~

~~(e) — UTILITIES: If any utilities are required to be installed as a condition of tentative map approval by the Community Development Services Department Planning Division, the utility work shall be completed prior to constructing the structural section for the road. All laterals shall be extended onto each lot and marked in a manner that they will be easily located at the time of individual hookups. A letter of completion of all work from each involved utility company shall be submitted prior to constructing the roadway structural section. Any utilities that need to be relocated shall be done solely at applicant's expense. [Revised by the Planning Commission on 08/17/2006]~~

3. DRAINAGE

Applicant shall be responsible to correct any involved drainage problems to the satisfaction of this Department.

4. MAINTENANCE

(a) The improvements to be constructed as part of this subdivision will not be maintained by the County. Applicant must provide a permanent maintenance plan acceptable to this Department for all improvements including, but not limited to, the following: roads, drainage systems (pipes, drainage inlets, detention basins), pedestrian facilities, and landscape areas. An engineer's estimate for the cost of yearly maintenance must be approved by this Department. Maintenance shall be provided by a maintenance association, district, or other means as approved by this Department.

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

//END//



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



3/9/2017

PROJECT REFERRAL TO: Humboldt Community Services District

Project Referred To The Following Agencies:

Public Works Land Use Division, Supervising Planner, Current Planning Division, County Counsel, California Coastal Commission, California Department of Fish And Wildlife, Humboldt Community Services District, Humboldt Bay Fire Protection District

Applicant Name Darrell Christie **Key Parcel Number** 014-271-007-000

Application (APPS#) 13495 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** PMS04-029M
CDP04-077M

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

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

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

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

Return Response No Later Than 3/24/2017

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

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

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



DATE: 3/10/17

PRINT NAME: _____

Mickey Hulstrom

Community Services Manager



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



RECEIVED

MAR 10 2017



3/9/2017

PROJECT REFERRAL TO: Humboldt Bay Fire Protection District

Project Referred To The Following Agencies:

Public Works Land Use Division, Supervising Planner, Current Planning Division, County Counsel, California Coastal Commission, California Department of Fish And Wildlife, Humboldt Community Services District, Humboldt Bay Fire Protection District

HUMBOLDT BAY FIRE

Applicant Name Darrell Christie Key Parcel Number 014-271-007-000

Application (APPS#) 13495 Assigned Planner Trevor Estlow (707) 268-3740 Case Number(s) PMS04-029M
CDP04-077M

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

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

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

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

Return Response No Later Than 3/24/2017

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

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

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

DATE: March 13, 2017

PRINT NAME: Ed Lindlaw