

## ATTACHMENT 2

### Referral Agency Comments and Recommendations

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Public Works, Land Use Division	✓	Comments	<b>Attachment 2</b>
County Counsel		No response	
Division Environmental Health	✓	Approval	On file
Aviation		No Response	
Northwest Information Center	✓	Comments	On file and confidential
Bear River Band Tribe	✓	Comments	On file and confidential
Building Inspection Division		No response	
California Department of Fish & Wildlife	✓	Comments	<b>Attachment 2</b>
Shelter Cove Resort Improvement District		No Response	
Shelter Cove Fire Protection District		No Response	
California Department of Forestry and Fire Protection	✓	Comments	<b>Attachment 2</b>
Intertribal Sinkyone Wilderness Council		No Response	
Regional Water Quality Control Board		No Response	
California Coastal Commission		No Response	



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

ON-LINE

WEB: CO.HUMBOLDT.CA.US

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

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

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

LAND USE 445-7205

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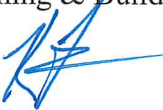
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**LAND USE DIVISION INTEROFFICE MEMORANDUM**

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TO: Debbie Peticara, Planner, Planning & Building Department

FROM: Ken Freed, Assistant Engineer 

DATE: 10/19/2022

RE: **CAMPBELL; APN 111-071-021, -022; PLN-2022-17975**

The subject properties have double frontage on Du Luard Drive (4A081), a paved County maintained road and Upper Pacific Drive (4A070) a paved county maintained road. The parcels have a recent County approval vacating the 1' non-vehicle access easement on Upper Pacific Drive and moving it to Du Luard Drive.

**NOTICE OF MERGER:** The proposed Notice of Merger does not affect any facilities maintained by the Department.

**ROAD:** The subject properties have double frontage on Du Luard Drive (4A081) is paved County maintained road approximately 20 feet wide within a 40 foot wide public right of way, and Upper Pacific Drive (4A070) paved approximately 30 feet wide within a 60 foot wide public right of way. An encroachment permit is required for the driveway.

**PLOT PLAN:** Submitted site plan does not accurately show the county visibility triangle which technical starts at the property line. The Department will review the visibility limits at time of construction.

**MS4 AREA:** The subject property is located within the municipal separate storm sewer system (MS4) boundary area. Development of the property is required to comply with MS4 permit requirements. The Applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission (or Zoning Administrator). [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-0001-DWQ, NPDES No. CAS000004 adopted 02/05/2013, Section E.12; Humboldt Low Impact Development Stormwater Manual version 3.0 (08/18/2021), Part A, (Table 1), Part 2, and Part 3 (Section 1.4)]

Development of property is also required to comply with provisions for point source discharges of stormwater and non-point source waste discharges as specified in the General Exception to the California Ocean Plan for select Discharges into Areas of Special Biological Significance

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(ASBS), Including Special Protections for Beneficial Uses, Sections I.A and I.B (State Water Resources Control Board Resolution 2012-0031 as amended 6/19/2012).

**The following conditions are recommended:** Our review of this project is limited to what is shown on the submitted plot plan. If other facilities not shown on the plot plan will be constructed, contact this Department immediately for approval **before** construction. This Department has regulations regarding facilities such as retaining walls, fence site visibility, drainage culverts, and parking lanes within the County right of way. This Department has included general statements for facilities that may not be included on the plot plan.

- (1) Applicant must apply for and obtain an encroachment permit for the construction of a residential driveway on Upper Pacific Drive. [reference: County Code section 411-11 (a)(b)]
- (2) The permit will require the driveway entrance to be surfaced with asphalt concrete or Portland cement concrete. The paved area shall extend a minimum of 20 feet back from the edge of the existing roadway pavement and be flared approximately 30 feet to accommodate vehicle wheel turning movement at the intersection with the County road. The driveway shall intersect the County road at a 90° angle. The driveway grade shall not exceed 2% in the first 20 feet. [reference: County Code sections 313-109.1.3.2.5 and 411-51 (b)(3)]
- (3) The County road is not constructed to allow on-street parking. All parking must be developed on-site, or applicant must construct a parking lane along the County road in a manner approved by this Department. All parking required by Code must be constructed prior to occupancy of building or “final” issued for building permit. [reference: County Code section 313-109.1 et seq.]
- (4) Site visibility must be maintained at the residential driveway entrance. [reference: County Code section 341-1 et seq.]
- (5) All retaining walls shall be constructed on the property. **NO retaining walls shall be constructed in the County right of way.**
- (6) After the building pad and driveway have been rough graded, the applicant shall contact the Public Works inspector to ensure that the proposed driveway grades are in conformance with County Code, prior to construction of the building foundation and/or driveway. [reference: County Code section 411-15]
- (7) Applicant shall be responsible to correct any involved drainage problems within the County road right of way to the satisfaction of this Department.
- (8) Low Impact Development (LID): The subject property is located within the municipal separate storm sewer system (MS4) boundary area. Development of the property is required to comply with MS4 permit requirements. The Applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission (or Zoning Administrator). [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-0001-DWQ, NPDES No. CAS000004 adopted 02/05/2013, Section E.12; Humboldt Low Impact Development Stormwater Manual version 3.0 (08/18/2021), Part A, (Table 1), Part2, and Part 3 (Section 1.4)]

Development of property is also required to comply with provisions for point source discharges of stormwater and non-point source waste discharges as specified in the General Exception to the California Ocean Plan for select Discharges into Areas of Special Biological Significance (ASBS), Including Special Protections for Beneficial Uses, Sections I.A and I.B (State Water Resources Control Board Resolution 2012-0031 as amended 6/19/2012).

Informational note:

(9) **FENCES/GATES:** Pursuant to County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482, fences are not allowed within the public right of way of County maintained roads. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707.445.7205.

It is important to note that fences constructed outside of the public right of way are still subject to the County's visibility Ordinance (County Code Section 341-1). Fences and gates on private property may need to be setback further to comply with the County Visibility Ordinance.

Fences and gates taller than 6 feet may require a building permit. The applicant is advised to consult with the Planning and Building Department – Building Division at 707.445.7245 prior to constructing any fences or gates.

// END //

## Sutfin, Devin

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**From:** Sutfin, Devin  
**Sent:** Tuesday, November 29, 2022 8:22 AM  
**To:** Rian, Kathryn@Wildlife  
**Subject:** RE: CDP SP NOM for new SFD PLN-2022-17975, Campbell, APN 111-071-022 & -021  
**Attachments:** 17975 Planet Labs Vegetation Removal 05.2020.png; 17975 Planet Labs Vegetation Removal 07.2020.png

Hi Katie,

Thank you for providing referral response for the above listed project. In reviewing the parcel history it appears vegetation/tree removal occurred sometime between 05/2020 and 07/2020. Based on review of aerial imagery it appears most of the parcel's vegetation was removed at that time. We have attached some imagery for review, and wanted to let you weigh in again based on *current* parcel conditions.

The Notice of Merger (NOM) aims to combine APNs 111-071-022 and -021. First attached image is 05/2020, second is 07/2020. Note vegetation is no longer present on either parcel. Would you be willing to provide an updated referral response based on the cleared vegetation?

Please let us know if any questions arise.

Thank you,



### Devin Sutfin

Planner  
Cannabis Services Division  
[Planning and Building Department](#)  
[dsutfin1@co.humboldt.ca.us](mailto:dsutfin1@co.humboldt.ca.us)  
707.268.3778

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**From:** Rian, Kathryn@Wildlife <Kathryn.Rian@Wildlife.ca.gov>  
**Sent:** Friday, November 18, 2022 1:54 PM  
**To:** Sutfin, Devin <dsutfin1@co.humboldt.ca.us>  
**Subject:** CDP SP NOM for new SFD PLN-2022-17975

**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hi Devin,

I'm the new CEQA/CESA Environmental Scientist with the Eureka CDFW Field Office, and I'm trying to catch up on CEQA referrals and review. We received a CEQA referral for a Coastal Development Permit, Special Permit, and Notice of Merger for a single-family residence in Shelter Cove (APN 111-071-021), which I believe was assigned to you. I realize that you would have preferred earlier feedback, but I would still like to comment on the project regarding avoidance of nesting birds:

Take of birds and their nests is prohibited by Fish and Game Code (§2000, 3503, & 3503.5). CDFW strongly recommends that vegetation removal associated with development occur outside the bird nesting season (generally March 15 – August 15) and be maintained as such until project start. Alternatively, although discouraged due to the potential for project delays and associated costs, a qualified biologist shall survey for active bird nests no more than seven days prior to the start of any project-related activities with the potential to impact nesting birds. If an active nest is found, the permittee should consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.

If you're already familiar with our usual recommendations, I apologize for being a squeaky wheel. Please feel free to contact me if you have any questions.

Much appreciated,  
Katie

**Kathryn M. Rian**

Environmental Scientist

Coastal Conservation Humboldt/Del Norte

California Department of Fish and Wildlife

619 2<sup>nd</sup> St, Eureka, CA 95501

[Kathryn.Rian@Wildlife.ca.gov](mailto:Kathryn.Rian@Wildlife.ca.gov)

Application Number

Key APN

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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

Date:

Name:

**Battalion Chief Comments:**

**Summary:**