



COUNTY OF HUMBOLDT

For the meeting of: 2/19/2026

File #: 26-99

To: Planning Commission

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Elk River Estuary (Planning Area 1) Restoration Project
Assessor Parcel Numbers (APN): Listed in **Attachment 1C**
Record No.: PLN-2025-19393
Eureka area

A Conditional Use Permit for one phase of a watershed-scale effort to restore beneficial uses of water, improve water quality conditions, reduce nuisance flooding, rehabilitate habitat for fish species, expand riparian habitat, maintain agricultural productivity, provide public access, and improve overall ecosystem health in the Elk River. Detailed Project objectives were formulated with the Elk River community as part of the Elk River Watershed Stewardship Program. The project site is within both the Coastal Zone and the inland area. A Consolidated Coastal Development Permit has been requested and will be processed by the Coastal Commission.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 26-__), which does the following:
 - a. Finds the Planning Commission has considered the Programmatic EIR certified by the SWQCB and the determination made by the NCRWQCB that there are no anticipated impacts to the environment that cannot be mitigated to a less than significant level; and
 - b. Finds the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Conditional Use Permit as recommended by staff, subject to the conditions of approval (Attachment 1A).

DISCUSSION:

Project Location: the project is located in the Eureka area in the Elk River Estuary encompassing 43 parcels and approximately 984 acres. Highway 101 is at the northern end of the project area and Showers Road is at the southern end. The project is roughly bounded on the east by Elk River Road and Humboldt Hill to the west.

Present General Plan Land Use Designation, Present Zoning, and Coastal Zone Jurisdiction:

See table in **Attachment 1D**.

Environmental Review: The State Water Control Board (SWCB) certified a Programmatic Environmental Impact Report (PEIR) (SCH # 2019100230), for a General Order that provides programmatic coverage for certain types of larger habitat restoration projects statewide. As lead agency, the North Coast Regional Water Quality Control Board (NCRWQCB) determined that the proposed project was subject to the General Order analyzed in the PEIR and filed a Notice of Determination (NOD) on July 2, 2025, stating the project will not have a significant impact on the environment. As a Responsible Agency under CEQA, the Planning Commission will consider the Programmatic EIR certified by the SWQCB and the determination made by the NCRWQCB that there are no anticipated impacts to the environment that cannot be mitigated to a less than significant level.

State Appeal: The project is located in the Local, Appeal, and State Coastal Zone jurisdictions as well as the inland portion of the County. The California Coastal Commission is considering the project under a Consolidated Coastal Development Permit.

Major Concerns: None

Monitoring Required:

None.

Executive Summary:

The project is a collaboration between the applicants and following list of entities:

National Fish and Wildlife Foundation - National Coastal Resilience Fund, Regional Water Quality Control Board, State Water Resources Control Board, State Coastal Conservancy, Humboldt Redwood Company, Kristi Wrigley and Middle Reach Landowners, Northern Hydrology and Engineering, Stillwater Sciences, Redwood Community Action Agency, Elk River ranching community, County of Humboldt Environmental Services, University of California Cooperative Extension, Natural Resources Conservation Service and the Wiyot Tribe. Project goals and scope have been in discussion with these partners and landowners since 2012.

Detailed Project objectives were formulated with the Elk River community as part of the Elk River Watershed Stewardship Program. The Elk River Recovery Assessment, conducted in 2014-19, assessed

severe sediment impairment and consequent nuisance flooding and habitat degradation and conducted detailed hydrodynamic and sediment modeling to evaluate alternative sediment remediation and habitat rehabilitation approaches. The Project restoration scope includes the elements summarized in **Attachment 1B - Site Plan Summary**. The Site Plan Summary shows major project components including infrastructure modifications, estuary design enhancement actions, vegetation management, sediment reuse, and the public access plan. The proposed project is one of four project areas in the Elk River Watershed and is known as Planning Area 1. Within Planning Area 1 there are the 13 sub-areas: Chwanuchguk, Confluence, Elk River Wildlife Area North, Elk River Wildlife Area South, Lower Orton, Lower Spruce, Lower Swain, Martin, Mid Orton, Relic Swain, Upper Mainstem, Upper Orton, and Upper Spruce. The project also includes public access facilities that will be used to support monitoring and maintenance of the project, in addition to controlling illicit access and habitat degradation. The applicant submitted 65% of design plans for the subareas and has made these plans accessible to the public at: <https://caltrout.org/projects/elk-river-recovery-project/>. Rock slope protection (RSP) will be necessary to support the design in key locations, summarized in **Attachment 1E - Project Description**. Approximately 6,680 yards of rocks will be placed to secure and protect 28 design features.

The project timeline for implementation is up to ten years and will be dependent on the applicant's ability to secure funding. The applicant hopes to begin construction in the summer of 2026. The project includes work on 43 parcels. The issuance of the Conditional Use Permit does not confirm or verify the legal standing of any of the parcels involved in the project.

Infrastructure Removal and Replacement:

The existing drainage system for Elk River in the project area primarily consists of ditches, culverts, tide gates, and bridges. Existing public roadways will not be modified. The project proposes re-engineering key pieces of drainage infrastructure to maintain compatibility with the restoration and maintenance of ecological processes, fish and vegetation habitat, and adaptation to sea level rise, while also improving winter flood conveyance and protecting agricultural lands from tidal inundation. Removal of existing infrastructure that inhibits tidal exchange is necessary to restore a full tidal prism to Elk River and Swain Slough and create spatially complex topography (improved habitat), as well as spatially and temporally variable water quality conditions. Actions will effectively route overbank flow and restore full tidal exchange.

Replacement or modification of infrastructure generally includes:

- Construction of a new earthen eco-levee and augmentation of an existing levee to prevent saltwater inundation to areas maintained for agriculture or freshwater habitat;
- replacement of culverts and installation of fish-friendly tide gates;
- excavation and recontouring of channels and swales to restore a dendritic network of

tidal, freshwater, and off-channel features;

- installation of wood structures to create in-stream habitat for aquatic species;
- rehabilitation and expansion of riparian corridors; and
- inclusion of public access features.

New crossings include tide gates, farm and pedestrian bridges, culverts, and low water crossings. Existing crossings may be improved, or temporary crossings installed, to accommodate construction equipment. Rock slope protection (RSP) and/or grade control will be used to prevent scour and erosion associated with the structure hydraulics. Cattle exclusion fencing will be installed where enhancement sites are adjacent to pastures. Fencing will be added or replaced where natural shorelines are adjacent to roads to limit disturbance. Cattle troughs will be installed in areas where cattle exclusion fencing prohibits cattle from accessing water in enhancement areas. One water system (including a new well or new public water line if needed) will be designed to convey water to the new cattle troughs. The water system would not be in the coastal zone.

Removal and modification of existing infrastructure focuses on routing overbank flow down the valley, removing cross valley drainage, retrofitting tide gates with fish friendly flap gates, and removing tide gates and levees to enhance the tidal marsh. Infrastructure to be removed includes: six tide gates, 32 culverts, fences, several derelict farm buildings, sections of farm roads, portions of an abandoned gas line, a portion of an abandoned railway prism, ditches, and levees.

Estuary Design Enhancement: the historic management of the areas for grazing has reduced biological function of the Elk River Estuary. To address this loss of habitat function, the following measures are included in the project:

- drainage ditches will be regraded to increase sinuosity and enhance channel bed and bank complexity (e.g., inset benches, pools, bank scallops);
- Creation and deepening of seasonal brackish ponds;
- expansion of tidal marsh and riparian areas;
- removal of tide gates;
- replacement of tide gates with larger, fish-friendly tide gates;
- selective tree thinning and interplanting to improve riparian function in the forest adjacent to the hillslope;
- excavation of an alcoves where the design channel meets the mainstem Elk River and tributaries;
- installation of new fences to protect new design features, creeks and vegetation for grazing;
- large wood augmentation for aquatic habitat restoration. Wood structures will create low-

velocity winter rearing habitat for Coho Salmon and other salmonids;

- daylighting culverted creeks and channels

Vegetation Enhancement and Management: Activities within the project area include improvement and expansion of coastal salt marsh, brackish marsh, freshwater wetlands, coastal scrub, and riparian forest communities through revegetation and invasive plant management. Final treatment locations may adjust to accommodate site conditions at the time of implementation. Plants include native species of cultural significance to the Wiyot Tribe, and those that will enhance and restore wildlife habitat quality and support native pollinators throughout the seasons. Plant selection includes species well-adapted to stressful conditions within estuarine wetlands (i.e., seasonal/tidal inundation, salinity exposure) and coastal uplands (i.e., desiccating upland wind-exposed areas). Controlling invasive plant species will be key to successful restoration within the project area. Plants targeted for removal are listed by California Invasive Plant Council (Cal-IPC) as high or moderate invasiveness. After tidal marsh and tidal channels modifications occur, plantings will be made to create diverse understory and overstory cross sections. Off channel vegetation enhancement will also occur. Where intact riparian vegetation is present but of low quality (e.g., thick monoculture of willow, with no understory), planned enhancements will include willow thinning and interplanting to increase native plant species' richness and habitat structural diversity. The goal is to increase biodiversity and flood plain resilience.

Beneficial Sediment Reuse: Sediment is an important resource in the project area and is necessary to support restoration. Sediment will be reused in tidal marshes and riparian wetlands to increase topographic complexity, which supports more diverse aquatic and terrestrial habitats. Sediment will be repurposed to build eco-levees, enabling the restoration of full tidal prism on lands that are adjacent to agricultural fields, as well as natural shorelines, which provide transitional habitats and suitable gradients to roads. Sediment reuse is designed to minimize the conversion of wetlands to uplands by limiting the depth of placed material to depths that retain hydrologic connection to groundwater and protect from wetland loss. Wetland areas receiving sediment will be revegetated with a range of plant communities suitable to the conditions present. Sediment reuse in wetlands will assist in the establishment of wetland habitat diversity more congruent to historic conditions on the floodplain.

Public Access Enhancements: Actions in this project component will include:

- Replacement of a small overlook structure and unpaved trails in CDFW's Elk River Wildlife Area (ERWA);
- enhanced parking in existing parking areas at APN 305-031-011, and 305-021-006;
- pedestrian crossing facilities across Elk River Road and Pine Hill Road;
- new unpaved trails and/or boardwalks and small overlook structures at APNs 302-181-

008 and 305-021-003 (CDFW's expanded ERWA parcels);

- new unpaved trails and related public access features at APN 304-191-001;
- non-motorized boat launches in Swains Slough and the mainstem Elk River (one each);
- interpretive and wayfinding signage;
- wildlife viewing platforms and overlooks; and
- in-kind replacement of site security features, including gates and fencing.

Public access areas and amenities will be available to the general public free of charge during daylight hours (one hour before sunrise to one hour after sunset), seven days a week. Boating access will be limited to certain days, as determined by the landowner and CDFW. Uses consistent with the site could include passive, non-extractive, pedestrian-related activities and recreation (i.e., hiking, walking, bird watching) and non-motorized boat usage. Hunting will continue to be allowed on APN 305-031-011 and APN 302-181-012 during select times of the year as governed by CDFW's fishing and hunting regulations. Site security and access restrictions will be facilitated by gates and fencing. Fencing may be installed in select locations, including property perimeters and along berms to keep visitors out of restored areas and adjacent properties. Gates will be maintained and controlled by CDFW and private landowners.

Water Resources: The overarching goal of the project is to improve water quality and aquatic resources. The Elk River watershed is currently the focus of intensive efforts to resolve very complex land use and water quality impairment issues. Collectively, these efforts include: (1) the Elk River Sediment Total Maximum Daily Load (TMDL) regulatory program led by the North Coast Regional Water Quality Control Board (NCRWQCB or Regional Water Board) and associated Waste Discharge Requirements (WDRs) for timber companies in the upper watershed; (2) the Elk River Recovery Assessment (CalTrout et al. 2019), which was a technical feasibility study of large-scale sediment remediation completed in 2019 and finally (3) the Elk River Watershed Stewardship Program (Stewardship Program) for which the Project Team has developed the Elk River Recovery Plan (CalTrout et al. 2022). The actions proposed under this permit area are under the Elk River Recovery Plan. The Elk River watershed, the largest tributary to Humboldt Bay, drains a 58.3 square mile watershed, has been extensively altered over the past 170 years since European-American settlers first arrived in the North Coast region. The watershed was aggressively and rapidly transformed from a mosaic of forest, wetland, and aquatic ecosystems to a working landscape, providing timber resources, agricultural and grazing lands, and rural residential homesteads as part of the rapidly expanding Humboldt County economy and land development process. **Attachment 4B**, Aquatic Resources Delineation Report, concluded the Project Area contains a mosaic of wetland habitat types under the jurisdiction of United States Army Corps of Engineers (USACE), the State Water Resources Control Board (SWRCB) or CDFW (hereinafter collectively called State), and/or the California Coastal Commission (CCC). Most of the project area is considered a wetland, however some exceptions exist such as coastal scrub habitat along the intact levees and elevated features along Elk River and some

portions of the Swain Slough. Outside of the Coastal Zone, areas of agricultural pasture with facultative grass/forb species composition that lacked wetland hydrology or hydric soils were characterized as upland habitats. Based on these conclusions, a Vegetation and Aquatic Resources Monitoring Plan, **Attachment 4C**, was prepared. The Project will result in short-term impacts to the channel bed and banks, wetland and riparian habitat, listed salmonids, and agricultural lands. Compliance with CEQA, National Environmental Policy Act, Endangered Species Act, and other applicable federal, state, and local regulatory statutes will require reporting of short-term impacts to these resources. To that end, the Vegetation and Aquatic Resources Monitoring Plan identifies performance standards and describes the monitoring methods that will be used to assess if those performance standards have been met. Adherence to the performance standards and monitoring methods in the Vegetation and Aquatic Resources Monitoring Plan is included in the Conditions of Approval for the project (**Condition of Approval A-6**).

Biological Resources:

Humboldt Bay is the largest wetland and estuarine habitat in California's coastal zone, containing approximately 23% of the state's coastal wetlands. The Elk River Estuary is the largest estuary in Humboldt Bay. As such, the estuary is an important repository of biological resources, the project aims to protect and enhance those resources. In October 2025, Stillwater Sciences prepared the "Final Technical Report - Biological Resources Evaluation for the Elk River Estuary (Planning Area 1) Restoration Project" **Attachment 4D**. The report presents the latest results of the biological resource desktop assessments and field surveys which were conducted to characterize biological resources that occur or may occur within the Elk River Estuary and to craft avoidance and minimization measures to reduce potential adverse impacts on biological resources in Planning Area 1 (PA1) by restoration activities. Sensitive natural communities total 163-acres or approximately 19% of PA 1 and include three forest, two shrubland, and nineteen herbaceous cover types (associations or alliances). *Zostera (marina, pacifica)*, Pacific Aquatic Herbaceous Alliance (eelgrass beds) are a sensitive natural community in PA 1, and is also a listed special aquatic site under 404(b)(1) guidelines of the Clean Water Act (40 C.F.R. § 230.43) and is a designated essential fish habitat (EFH) habitat area of particular concern for various federally-managed fish species within the Pacific Coast Groundfish Fishery Management Plan (PFMC 2008). The Evaluation determined that the project's recovered tidal slough channels will connect to Elk River and Swain Slough and increase suitable habitat for eelgrass recruitment. Five special-status plant species were documented within PA 1: *Angelica lucida* (sea-watch), *Carex lyngbyei* (Lyngbye's sedge), *Castilleja ambigua* var. *humboldtiensis* (Humboldt bay owl's clover), *Spergularia canadensis* var. *occidentalis* (western sand-spurrey) and *Chrysosplenium glechomifolium* (Pacific golden saxifrage). 23 special-status wildlife (i.e., invertebrate, fish, amphibian, reptile, bird, and mammal) species were identified from the database queries as potentially being in the project area. The report describes Project Avoidance and Minimization Measures that will decrease potential biological impacts to less than significant levels. Compliance with these Avoidance and Minimization Measures are included in the draft project approvals as **Condition of Approval A7**. Based on this evidence and conditions the proposed restoration activities are consistent with the allowable development within stream channels and streamside management areas. Fishery and

wildlife enhancement, restoration projects, flood control and fencing and bank protection are all permitted and intended uses within these areas pursuant Humboldt County General Plan Policies BR-S6 and BR-S7.

Land Use:

Community Plan Policies: The project is entirely contained within wetland or streamside management areas. The project encompasses parcels that are in the Humboldt Bay Area Plan (HBAP). HBAP is part of Humboldt County's Local Coastal Program and incorporates policies from the California Coastal Act of 1976. A portion of the proposed project is located within HBAP's planning area. Coastal Act Section 30231 mandates the maintenance and restoration of biological productivity and quality in coastal waters, streams, wetlands, estuaries, and lakes by controlling runoff, minimizing wastewater impacts, and protecting groundwater. Humboldt Bay Area Plan section 3.30.B.5.a states that under Section 3.30B(2), wetland restoration is allowed in any farmed wetland. As such the proposed restoration action is wholly consistent with the policies in the Humboldt Bay Area Plan.

Eureka Community Plan (ECP) Section 3410.1 sets a goal of protecting sensitive and critical habitat. ECP section 3420.1 refers to Humboldt County General Plan (HCGP), Conservation and Open Space Element, Chapter 10.3, Biological Resources policies, for protection of sensitive habitat along stream beds and riparian corridors and in designated areas of special biological importance.

HCGP section BR-S6 and BR-S7 regulates Development within Stream Channels. This section states Development within stream channels should protect wildlife movement corridors and nursery sites within riparian areas. Projects may be approved where consistent with Policy BR-P4. In this case the development is a fishery, wildlife, and aquaculture enhancement and restoration project. HCGP BR-S10 sets standards for Wetlands. According to the section, development standards for wetlands shall be consistent with the standards for Streamside Management Areas, as such the proposed project is also consistent with the wetlands and other wet areas policies of the HCGP. More details on compliance factors can be found in the **Biological Resources** Section below.

General Plan Designations: 550 acres of the project area is designated as Agricultural Exclusive (AE), 168 acres of the project area has a split designation of Agricultural Exclusive (AE) and Natural Resources (NR). One 34-acre parcel is designated as Timber (T), and Commercial Timber (TC). Per the Humboldt County General Plan, these land use designations are compatible with habitat restoration and management to support wildlife. There are small parcels in the project area dedicated to Public Facilities (PF). These public facilities are operated by the Humboldt Community Service district and distribute and transport water and wastewater to surrounding communities. The scope of work described in the project description will not impair the Public Facilities uses in the project area and may increase functionality based on a reduced likelihood of nuisance flooding in these areas. A portion of parcel 305-041-051 is designated Residential Estates, however project activities will not occur in this portion of the parcel. A similar situation occurs with APN 304-201-001 where

approximately .5 acres of southeast corner of the parcel is designated as Residential Agriculture. Project activities will not permanently impact the planned uses of this portion of the parcel, the scope of work calls for access to the project area, but no wetland or watercourse restoration will occur in this portion. Three parcels in the Upper Orton project area have the general plan designation of Residential Agriculture (RA-5-20). The main project activity on these parcels is the daylighting and restoration of the natural stream channel of Orton Creek. This activity is not in conflict with the RA plan area because even culverted, a watercourse is subject to the County's Streamside Management Area Ordinance. The project will not introduce a new watercourse, it will restore an existing one and as such is Fish & Wildlife Management, which is an allowable use in the RA land use designation. General Plan Land Use and parcel numbers are listed in **Attachment 1D**.

Zoning: 792 acres of the project area zoned Agriculture Exclusive with various combining zones. In the inland areas fish and wildlife habitat management, watershed management, wetland restoration, public recreation and public access facilities are allowed with a use permit. The inland areas of the project include 149 acres of lands zoned Agriculture General (AG). In the AG zone, any use not specifically enumerated is allowed with a use permit, if it is similar to and compatible with the uses permitted in the AG Zone. The combining zones in the inland portion include Flood Hazard Areas (F), Manufactured Home (T), Streamside Management and Wetland Area (W), and Qualified Zones. The project does not include the placement of Manufactured homes or the development of any sensitive uses in the flood zone. Per section 314-61 of the Humboldt County Code, fishery, wildlife, and aquaculture enhancement and restoration projects, as well as flood control and drainage channels, levees, dikes and floodgates are allowed uses in the W combining zone. A Qualified zone is applied to parcels 304-092-015, 304-211-003, 304-221-002, that is enacted by Ordinance 2078. The purpose of Ordinance 2078 is to restrict uses on the subject parcels to allow agriculture as the predominant use. The project is consistent with the AE zone with a use permit and is therefore consistent with Ordinance 2078. In the Coastal Zone, Fish and Wildlife Management, Watershed Management, Wetland Restoration, Resource-Related Recreation, and Coastal Access Facilities are conditionally permitted uses in the AE zone. The proposed development is consistent with the Transitional Agricultural Lands (T) combining zone because the purpose of the Transitional agricultural lands combining zone is to maintain long-term wetland habitat values and minimize short-term habitat degradation within these environmentally sensitive habitat areas. The project will result in the transition of wetland agricultural areas into tidally influenced wetlands which will improve long-term wetland habitat values and minimize short-term habitat degradation. As such the proposed actions are principally permitted in the (T) combining Zone. The project has been planned and will be implemented with involvement from the California Department of Fish and Wildlife. The proposed project is consistent with or conditionally permitted in the principal zones and combining zones and the proposed project will not conflict with existing uses. **Attachment 1D** lists the parcels involved in the project and Special Area Combining Zones and principal zones that apply to the parcels in the project.

Agricultural Resources: Policy AG-P6 of the General Plan (Chapter 4, page 28) states that Agricultural

Land shall not be converted to non-agricultural uses unless the Planning Commission makes certain findings. In total, 136 acres of historical agricultural land within the Coastal Zone would become a natural landscape or riparian corridor under the Elk River Estuary Restoration Project. Approximately 51 acres of this total are naturally converting to tidal wetlands, due to sedimentation and rising sea levels, these areas exist in the northeastern portion of the project area. These lands were previously converted from wetland and utilized for agriculture, predominantly via grazing, however sea level rise effects (i.e. increased tidal inundation and increased water table), in addition to the reduced channel capacity within Elk River from sedimentation discussed above, have caused increased flooding in these areas. In the Inland portion of the project area, 11 acres of Prime Agricultural Land, which totals 1% of the project area, would become Orton Creek and the Orton Creek riparian corridor. Orton Creek flows into the project area from the east, and the section of the creek in the project area is currently channelized and culverted underground. Existing, dysfunctional culverts originally intended to improve agricultural drainage and convey backwater into fields during higher flow events contribute to agricultural flooding. Project actions would daylight Orton Creek and restore its natural flow pathway to Swain Slough and the mainstem Elk River. This action will help maintain the viability of the agricultural resources in the project area.

Commencing shortly after the arrival of the first white settlers, the conversion of the Elk River Estuary to grazing lands began. Dikes, culverts, drainage ditches, roads, levees and tide gates were added to make these low-lying, tidally influenced areas productive grazing lands. The proposed project will restore full tidal action to some areas in the lower Elk River basin and will result in the loss of some grazing land. In addition, the various estuary enhancement actions proposed will result in the loss of some grazing lands where grazing animals will be excluded from streams and reclaimed tidal wetlands. This change from agricultural use to natural resource use is justified for the following reasons:

1. Grazing animals in the Elk River, tributary creeks and sloughs contribute pollution, primarily fecal coliform and sediment, to waters that enter Humboldt Bay. This project will reduce these grazing related water quality impacts and protect aquaculture in Humboldt Bay.
2. Sea level rise is adding and will continue to add tidal back pressure to drainage systems in the estuary. The proposed project will improve tide gates, add eco-levees, restore and add tidal drainage channels, and improve the function of the area's vegetation and implement measures to increase the estuary's resilience to predicted sea level rise. The project includes areas of planned retreat to help maintain the viability of the estuary and surrounding farmlands.
3. Years of sedimentation from forestry practices and development in the upper Elk River basin have reduced the effectiveness of existing drainage systems in the area. This has led to an increase in nuisance flooding which has reduced the agricultural value of the lands in the project area. The project will improve drainage systems, which will result in increased and sustained agricultural production in the project area.
4. The management of invasive species and upgrades to fencing and livestock watering facilities

will improve the agricultural productivity of the agricultural lands in the project area.

5. A new earthen eco-levee and augmentation of an existing levee will prevent saltwater inundation in areas maintained for agriculture.

As evidenced by landowners, vegetation community assessments, wetland delineation and aerial imagery, the parcels proposed for conversion to natural landscape, including to riparian corridor, are necessary for water conveyance and retention because parcels in the central portion of the project area are losing their agricultural productivity due to poor drainage, more frequent flooding, growth of less suitable forage, and less suitable lands for grazing animals. The conversion of these lands to a natural landscape and riparian corridor will improve drainage of the surrounding area and increase agricultural productivity of the project area. The determination that the proposed actions are consistent with General Plan Policy AG-P6 of the General Plan are supported in greater detail with the **Attachment 4A**, Agricultural Conversion Analysis, submitted with the application.

Historic and Cultural Resources: In June of 2023, William Rich and Associates prepared “A Cultural Resources Investigation for the Elk River Watershed Stewardship Program: Sediment Remediation and Habitat Rehabilitation Recovery Plan Humboldt County, California” A component of this floodplain restoration project will involve the demolition of unused and deteriorated farm buildings within the proposed Elk River rural historic district. A description of these buildings is provided in the cultural resources report for the project area (William Rich and Associates 2023) and is on file and confidential.

The field survey and investigation resulted in the identification and recordation of the proposed Elk River Valley Rural Historic District (WRA-01), which encompasses 627.3 acres and most of the proposed project area but also extends upriver to the south. This district includes two working dairy farms, one beef cattle ranch, the ruins of five farmstead building clusters, one commercial and four agricultural/residential; as well as cattle grazing fields, levees, drainage ditches, roadways and other historic-period features. This proposed district was recorded on California Department of Public Resources (CDPR) 523-series archaeological site record forms under the name “WCR-01 Elk River Valley Rural Historic District”. The result of this recordation is to mark the historical significance of the area, and to secure the area’s people, places in things within the arc of history as the area transitions back to its historic role as a natural resource from its recently significant role as an agricultural resource. The structures slated for removal as part of the restoration project are summarized below.

Fleckenstein Ranch (Cluster 4). This building cluster is at 5431 Elk River Road, on the east side of Elk River Road and east of /Swain’s Slough. This cluster has been recorded as a historic resource (P-12-003215). The recordation of the barn within Elk River Valley Rural Historic District will capture the architectural contribution to the district made by this barn; and as it is likely to collapse naturally soon, its removal during the proposed project is not expected to constitute an adverse effect on the proposed rural historic district. Demolition of the barn also eliminates the threat to human life which could result from its unintended collapse.

Hinch/Dutra Ranch (Cluster 2). This building cluster consists of a single standing building which served as a milking parlor and is the sole remaining standing building of the old Hinch/Dutra dairy farmstead, which passed into the ownership of the State of California in 2020. The cultural resources report determined that this building does not contribute to the significance of this rural historic district and is proposed for removal under the proposed floodplain restoration project. This Structure was recorded as part of (P-12-003215).

Albee Ranch (Cluster 5). This cluster of four buildings is at 5625 Elk River Road, on the east side of the Elk River Road is the remnants of a historic homestead. The removal of the small barn/garage within the site will not adversely affect the ability of the historic district to convey its significance, as this barn/garage and the building cluster is not a contributing element to the historic nature of the district.

Prior Ranch (Cluster 6); Residence, and agricultural outbuildings. This building complex is considered a contributor to the newly identified WRA-01 Eel River Valley Historic District. Located on APN 304-191-001, the parcel is owned by the applicant, California Trout Inc. The complex consists of a residence and agricultural buildings including a large barn. The applicant has evaluated the structures for the possibility of restoration and rehabilitation for future use. The house was determined to be too deteriorated for rehabilitation, and the applicant has determined that demolition is the most feasible option. The small agricultural structures have also been determined to be beyond repair, and their continued existence poses a liability based on the attractive nuisance of trespassers. The Barn is currently under evaluation for structural integrity, and possible future use for the maintenance and operation of the restoration area. The structure may be restored and used, or if that is not feasible it will be demolished and the site will be restored. If removed, prescribed mitigation measures should be followed. To mitigate the adverse effect of this loss, as a contributor to the Historic District, it is required that mitigation documentation be completed and submitted for archival curation at regional repositories of historical information including as Cal Poly Humboldt Library Humboldt Room, Humboldt County Historical Society, Humboldt County Library - Humboldt Room, as well as the North West Information Center. (**Condition of Approval A-9**). If the project is implemented as planned, and with the inclusion of the recommended mitigation measures for documentation, it is determined that the proposed restoration project will result in no adverse effect per Section 106 NHPA and a less than significant impact per CEQA

Tribal Cultural Resources: Archaeological research in this general region has hypothesized a continuous prehistoric cultural chronology for more than 7,100 years. For thousands of years the Wiyot have lived near the shores of Humboldt Bay and its sloughs, marshes, and nearby rivers. Hiksori is the Wiyot name for both the Elk River and for a large village that was located at the river's mouth. This village was the site of a massacre of Wiyot people that occurred in 1860. Tribal consultation on the project was initiated in 2022 as a component of the cultural resource report, William Rich and Associates, that was completed in 2023. The Wiyot Tribe owns land in the project area, APN

305-181-004, and has been a participant in the Elk River Estuary Working Group since 2016. The Tribe is also listed as an applicant on the permit application. The County of Humboldt sent out project specific referral requests to the Wiyot Tribe, The Bear River Band of the Rohnerville Rancheria, the Blue Lake Rancheria, and the Northwest Information Center on 11/19/25. On 11/28/25 the Bear River Band of the Rohnerville Rancheria responded to the referral and requested the inclusion of the standard inadvertent discovery protocol for tribal cultural resources (**Conditions of Approval C - 1 and 2**). On 1/27/26 staff sent the Wiyot Tribe Tribal Historic Preservation Officer (THPO) an email asking for input on the proposed project. An emailed response from the Wiyot THPO voices no additional concerns about the project and did not request additional conditions. The applicant's representative stated that cultural resource monitors would be appropriate for ground disturbing activities and they would be in contact with the Wiyot THPO through the project's implementation.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval. (Attachment 5). The California Coastal Commission will consider a Coastal Development Permit for the coastal portions of the project.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. Continue the project for additional consideration

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Site Plan Summary
 - C. Project Parcels and Owners
 - D. General Plan Land Use Designation, Present Zoning, and Coastal Zone Jurisdiction
 - E. Project Description
2. Location Maps
3. CEQA Notice of Determination
4. Applicant's Evidence in Support of the Required Findings
 - A. Agricultural Conversion Analysis
 - B. Aquatic Resources Delineation Report
 - C. Vegetation and Aquatic Resources Monitoring Plan
 - D. Biological Resources Report
5. Referral Agency Comments and Recommendations

A. Humboldt County Department of Public Works - Land Use Division

6. Consolidated Final Restoration Projects Statewide Order Program Environmental Impact Report

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https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders/2022/srgo-

Applicant:

California Trout Inc.
Attn: Darren Mierau
1380 9th Street
Arcata, CA 95521

Owners:

Refer to Attachment 1C

Agent:

GHD, Inc.
Attn: Andrea Hilton
PO Box 1010
Eureka, CA 95502

Please contact Andrew Whitney, Planner, at awhitney2@co.humboldt.ca.us or 707-268-3735 if you have questions about this item.