



COUNTY OF HUMBOLDT

For the meeting of: 6/3/2025

File #: 25-590

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

Vote Requirement: Majority

SUBJECT:

Adoption of Initial Study and Mitigated Negative Declaration for the Orleans Mutual Water Company Water Treatment System Upgrade and Authorization of Staff to Approve Encroachment Permit

RECOMMENDATION(S):

That the Board of Supervisors:

1. Review the attached Initial Study and Mitigated Negative Declaration (IS/MND) for the Orleans Mutual Water Company Water Treatment System Upgrade; and
2. Approve, and authorize the Chair of the Board to execute, the attached resolution which takes the following actions:
 - a. Certify that the IS/MND has been prepared in compliance with the California Environmental Quality Act (CEQA) and setting forth findings of fact and evidence to support this action;
 - b. Certify that the IS/MND was presented to the Board of Supervisors and the Board of Supervisors has reviewed and considered the information contained in the IS/MND before approving the Encroachment Permit;
 - c. Certify that the IS/MND reflects the county's independent judgment and analysis;
 - d. Adopt the IS/MND for the project;
 - e. Adopt the Mitigation Monitoring and Reporting Program for the project;
 - f. Direct Public Works to file a Notice of Determination for the IS/MND; and
 - g. Authorize Public Works to approve an Encroachment Permit to Orleans Mutual Water Company and their contractor for work on the project within county-maintained public roads with implementation of the Mitigation Monitoring and Reporting Program as a condition of approval, following the 30-day review period of the Notice of Determination.

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Safe & Healthy Communities

Strategic Plan Category: 1001 -Support and sustain partnerships between public safety and partner agencies to enhance public safety in our communities

DISCUSSION:

The Orleans Mutual Water Company owns and operates a small water treatment and distribution system on the west side of the unincorporated community of Orleans, near the Six Rivers National Forest and the Marble Mountain Wilderness Area. Attachment 1 contains a series of site location maps. The distribution system serves residences along Camp Creek Road, Placer Drive, Lower Camp Creek Road, and State Route 96 and the Karuk Tribe's Tishaniik farm. The water treatment system includes a diversion from Crawford Creek, a redwood raw water storage tank, and associated pumps and appurtenances.

The Orleans Mutual Water Company proposes a project to upgrade their system in order to improve reliability and resiliency. The project would replace water distribution mains with new piping that meets current standards, install water meters at a total of 38 water service locations, install raw water piping to the Tishaniik farm, install fire hydrants on raw water piping, construct new piping across Camp Creek that is not susceptible to damage from falling trees and wildfire, and install appurtenances at the bottom of Lower Camp Creek Road to accommodate a future intertie with the Orleans Community Services District water system.

Project construction would require excavation, trenching, backfilling, and paving on Camp Creek Road, Placer Drive, and Lower Camp Creek Road which are county-maintained roads. Such work requires issuance of an Encroachment Permit by the Land Use division of the Public Works Department.

The proposed project could have potentially significant impacts on the environment. Therefore, an Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for compliance with the California Environmental Quality Act (CEQA). Humboldt County is serving as lead agency under CEQA because the County has general governmental powers and because issuance of the Encroachment Permit is the first action taken by a public agency related to the project.

Orleans Mutual Water Company retained a consultant team who led the preparation of the IS/MND in coordination with Public Works. Supporting studies for the IS/MND included a biological resources assessment and cultural resources assessment. Preparation of the IS/MND included tribal consultation to identify potential impacts to tribal cultural resources and appropriate mitigation measures, if needed. On Jun. 6, 2024, Public Works sent consultation letters to the Yurok Tribe and Karuk Tribe. On Jun. 16, 2024, a Tribal representative from the Karuk Tribe replied via e-mail that the Karuk Tribe would like to enter consultation on the project. On Aug. 7, 2024, the Karuk Tribe and Public Works met virtually to discuss consultation on the project. On Oct. 28, 2024, the Karuk Tribe Tribal Historic Preservation Officer (THPO) sent a letter to Public Works noting that the Karuk Tribe THPO concurs with the proposed project with implementation of the Karuk Tribe Inadvertent Discovery Plan. The Karuk Tribe THPO letter and Inadvertent Discovery Plan are included as attachments to the IS/MND.

The Draft IS/MND included a Mitigation Monitoring and Reporting Program (Appendix F) which contains mitigation measures to ensure that the project would not have significant adverse environmental impacts.

The Draft IS/MND was submitted to the State Clearinghouse for a 30-day public review period from Nov. 12, 2024, through Dec. 13, 2024. Four comment letters were received during the public review period. Attachment 2 contains the Final IS/MND, which includes a written summary of the response to comments and specified revisions to the Draft IS/MND, along with Appendix 1 (comment letters) and Appendix 2 (Revised IS/MND). The revisions to the Draft IS/MND were limited to a clarification of the County Code, clarifications to two mitigation measures (BIO-3 and BIO-4), and a spelling correction. BIO-3 was edited to remove provisions for in-stream work since in-stream work is not part of the proposed project. BIO-4 was edited by changing the word “preferred” to “minimum” in reference to a setback distance. These revisions did not constitute substantial modifications. The IS/MND determined that incorporation of the identified measures in the Mitigation Monitoring and Reporting Program into the project would mitigate the effects to a point where clearly no significant effect on the environment would occur.

Attachment 3 contains a resolution with the findings necessary to adopt the IS/MND and incorporate the Mitigation Monitoring and Reporting Program into the project.

Attachment 4 contains the proposed Encroachment Permit for work within county-maintained roads. The mitigation measures in the Mitigation Monitoring and Reporting Program of the IS/MND are referenced in the Encroachment Permit as mandatory requirements. The Orleans Mutual Water Company will be responsible for implementing all mitigation measures identified in the IS/MND for compliance with CEQA.

Public Works recommends that the Board of Supervisors approve the attached resolution (Attachment 3) which would adopt the IS/MND for the project, direct Public Works to file a Notice of Determination, and authorize Public Works to issue the associated Encroachment Permit after the 30-day review period for the Notice of Determination.

If the IS/MND and Encroachment Permit are approved by the Board of Supervisors, then the Orleans Mutual Water Company will be able to pursue grants and/or financing to construct the project. Orleans Mutual Water Company will also need an encroachment permit from Caltrans for work within the state highway.

SOURCE OF FUNDING:

Road Fund (1200-331) and private funding

FINANCIAL IMPACT:

<i>Expenditures (Fund, Budget Unit)</i>	FY24-25	FY25-26 Projected*	FY26-27 Projected*
<i>Budgeted Expenses</i>	<u>\$2,500</u>		
<i>Additional Appropriation Requested</i>			
<i>Total Expenditures</i>	<u>\$2,500</u>		

**Projected amounts are estimates and are subject to change.*

<i>Funding Sources (Fund, Budget Unit)</i>	FY24-25	FY25-26 Projected*	FY26-27 Projected*
<i>General Fund</i>			
<i>State/Federal Funds</i>			
<i>Fees/Other</i>	<u>\$2,500</u>		
<i>Use of Fund Balance</i>			
<i>Contingencies</i>			
<i>Total Funding Sources</i>	<u>\$2,500</u>		

**Projected amounts are estimates and are subject to change.*

Narrative Explanation of Financial Impact:

The cost for staff time to support the development of the IS/MND and tribal consultation was approximately \$2,500. The Orleans Mutual Water Company paid their consultant separately and paid the filing fee for the IS/MND.

STAFFING IMPACT:**Narrative Explanation of Staffing Impact:**

Work on this project was performed by existing Public Works staff.

OTHER AGENCY INVOLVEMENT:

Karuk Tribe

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisor could choose not to adopt the IS/MND for compliance with CEQA and could choose not to approve the Encroachment Permit for the proposed project. These alternatives are not recommended because Public Works believes the IS/MND has a strong technical basis and is sufficient for compliance with CEQA, and because the proposed work within county-maintain roads is consistent with standard practice.

ATTACHMENTS:

- 1 - Site Location Maps
- 2 - Final Initial Study and Mitigated Negative Declaration for the Orleans Mutual Water Company Water Treatment System Upgrade Project
- 3 - Resolution adopting the Initial Study and Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Orleans Mutual Water Company Water Treatment System Upgrade Project, and authorizing Public Works to Approve the Encroachment Permit for the Project

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4 - Encroachment Permit

PREVIOUS ACTION/REFERRAL:

Meeting of: N/A

File No.: N/A