



COUNTY OF HUMBOLDT

For the meeting of: 6/8/2023

File #: 23-805

To: Zoning Administrator
From: Planning and Building Department
Agenda Section: Public Hearing

SUBJECT:

Salmonid Restoration Federation Conditional Use Permit
Assessor Parcel Number: 222-084-004-000 and 222-085-002-000
Record Number: PLN-2022-18036
Arcata area

A Conditional Use Permit (CUP) for constructing a 5 million gallon off-channel water storage pond and associated plumbing infrastructure designed to deliver approximately 15 gallons per minute of flow augmentation to La Doo Creek and thence Sproul Creek during the 5-month dry season to improve instream aquatic habitat. Storage will be in the one pond filled with wet-season runoff including rainwater catchment and water delivered from a small tributary. Other ancillary project components include road surfacing and stream crossing upgrades along 0.9 miles of forest road leading to the diversion and construction of a grid-intertie solar power system. Approximately 22,500 cubic yards of grading is required and will be balanced on-site. The project will encompass 7.62-acre area.

RECOMMENDATION(S):

That the Zoning Administrator:

1. Adopt the resolution (Resolution 23-__). (Attachment 1) which does the following:
 - a. Adopt the Mitigated Negative Declaration prepared for the Salmonid Restoration Federation project pursuant to Section 15074 of the State CEQA Guidelines; and
 - b. Make all required findings for approval of the Conditional Use Permit; and
 - c. Approve the Salmonid Restoration Federation Conditional Use Permit as recommended by staff and subject to the recommended conditions of approval (Attachment 1A) and subject to the Mitigation Monitoring and Reporting Program in Attachment 1B.

DISCUSSION:

Project Location: The project is located in Humboldt County, in the Garberville area, on the South side of Old Somerville Creek Road, approximately four miles South from the intersection of Old Briceland Road and Old Somerville Creek Road, on the property known as in the 3000 block of Old Somerville Creek Road being the South end of Old Somerville Creek Road.

Present Plan Land Use Designations: (both parcels) Timberland 2017 General Plan; Density: Unidentified; Slope Stability: Moderate Instability (2)

Present Zoning: Agriculture Exclusive (AE); Timber Production Zone (AE-B-5 (160), TPZ)

Environmental Review: An Initial Study/Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000-21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387).

State Appeal Status: Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

Major Issues: None

Executive Summary: The Salmonid Restoration Federation proposes to construct and manage a 5 million gallon off-channel pond and associated plumbing infrastructure. The primary objective of this project is construction a 5 million gallon of off-channel pond and associated plumbing infrastructure designed to deliver approximately 15 gallons per minute (GPM) of flow augmentation to Sproul Creek during the 5-month dry season to improve instream aquatic habitat. Storage will be filled with wet-season runoff including rainwater catchment and water pumped from a small Sproul Creek tributary. In addition to the instream flow benefits, this project will also significantly improve the community's resilience to wildfire by providing a large dry-season water source. Other ancillary project components include:

- Construction of a grid-intertied solar power system to offset the energy use and a backup power supply including battery bank, inverter, internet connection, and small control center building to support operations and monitoring capabilities.
- Upgrading access roads within the project area including road/stream crossing upgrades and gravel surfacing to provide year-round access.

These project design features are described in detail in the Basis of Design (BOD) Report and 65% Design Plans included as Attachment A of this Mitigated Negative Declaration (MND).

This project is proposed on the Wagner Land Company ownership and integrated alongside a conservation easement encompassing the entire ranch that is managed by the California Rangeland Trust. This conservation easement guarantees that the ownership will not be subdivided and will be maintained for timber harvest activities and wildlife conservation. These restrictions will be especially beneficial in this region, where small subdivisions are frequently used for cannabis cultivation with detrimental impacts to water quality and supply, as well as fish and wildlife habitat.

After construction has been completed, extensive post-project operations, monitoring and adaptive management will be conducted to ensure that the project is functioning as designed. This will be conducted by the project team (Wagner Land Company, Stillwater Sciences and Salmonid Restoration

Federation [SRF]) and with continued involvement of the Project's Technical Advisory Committee (TAC) including representatives from multiple state and federal agencies including Wildlife Conservation Board (WCB), California Department of Fish and Wildlife (CDFW), NOAA Fisheries, State Water Resources Control Board (SWRCB), and North Coast Regional Water Quality Control Board (NCRWQCB).

Site Access

The Project is located on a 7.62 acre (ac) area within the 3,348-ac Wagner Land Company ownership, approximately 4.66 miles (mi) east of Benbow, Humboldt County, California (Latitude: 40.067440, Longitude: -123.878105) (Figure 1-1). To the east of the Project is the South Fork Eel River, a tributary to the Eel River and eventually the Pacific Ocean (Figure 1-1). The Project area is in southwest quarter of Section 32, Township 4 South, Range 3 East of the Briceland, U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle. The elevation within the Project area ranges from approximately 1,600 to 1,700 feet (ft) above mean sea level.

The project can be accessed from the South side of Old Somerville Creek Road, approximately four miles South from the intersection of Old Briceland Road and Old Somerville Creek Road, on the property known as in the 3000 block of Old Somerville Creek Road being the South end of Old Somerville Creek Road.

Environmental Review

Environmental review for the proposed project included the preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000-21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387). The IS/MND was circulated from May 5, 2023 through June 5, 2023 at the State Clearinghouse. No comments were received during the circulation period. A total of 37 mitigation measures are included to mitigate potential environmental impacts to a less than significant level. The IS/MND and technical document are included as Attachment 3 and Attachment 3A to the staff report.

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 4)

RECOMMENDATIONS:

Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Conditional Use Permit.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Zoning Administrator could elect to add or delete conditions of approval. The Zoning

Administrator could elect not to approve the project, or to require the applicant to submit further evidence, or to refer the application to the Planning Commission.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Mitigation and Monitoring Report
 - C. Site Plan
2. Location Map
3. Draft Initial Study and Mitigated Negative Declaration
 - A. IS/MND Attachments
4. Referral Agency Comments and Recommendations

Applicant

Salmonid Restoration Federation
c/o: Dana Stolzman
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Eureka CA 95501

Owner

Wagner Land Company
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Stockton, CA 95297

Please contact Portia Saucedo, Planner, at 707-445-7541 or by email at psaucedo1@co.humboldt.ca.us, if you have any questions about the scheduled item.