

**MCKINLEYVILLE COMMUNITY SERVICES DISTRICT MAD RIVER FLOODPLAIN AND PUBLIC ACCESS
ENHANCEMENT PROJECT EXTENSION**

Application Number PLN-2021-17477

Assessor's Parcel Number 506-341-017, 508-021-006, 508-021-007, and County road rights-of-ways

Recommended Commission Action

1. Describe the application as a public hearing;
2. Request that staff present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and adopt the Resolution to take the following actions:

Make all of the required findings, based on evidence in the staff report, and approve the application(s) for the Conditional Use Permit extension subject to the recommended conditions, and approve the project subject to the recommended conditions.

Executive Summary: A Conditional Use Permit (CUP) for McKinleyville Community Services District for habitat restoration, establishing public access, and road modifications.

Habitat Restoration

Habitat Restoration would include removing infrastructure in the floodplain to restore a more natural connection to the Mad River and thereby increase the quantity and quality of available salmonid habitat on the Mad River watershed and includes 1) Decommission and revegetate 4.25 acres of infrastructure in the floodplain currently being utilized as percolation ponds; 2) after decommissioning the ponds, establish 2.0 acres of new wetland within the depression, 1.4 new acres of open water to be used as off-channel rearing refugia habitat for salmonids, and 0.5 new acres of riparian habitat; 3) establish a 1,775 foot channel to connect the river to the pond increasing accessibility for juvenile fish and to avoid stranding in the decommissioned pond footprint; and 4) off-channel refugia will be created by reconnecting the river to the floodplain through the project area and establishment of natural features.

Public Access

Public Access would include: 1) a ADA compliant access to an overlook of the Mad River from the paved School Road Trail; 2) a trail from the overlook to the floodplain and a defined river access point; 3) instructional and interpretive signage and bench resting sites; 4) parallel parking along School Road to include an ADA parking stall and five additional parking spots. Parking to include a safe turnaround for traffic circulation.

Road Modifications

Road Modifications would include from the westerly end of School Road (a county-maintained road) from Ocean Drive (a county-maintained road) to Verwer Avenue (a non-county-maintained road) constructing a turnaround area prior to Verwer Avenue; establishing no parking anytime zones to facilitate vehicles using the turnaround area; signing and striping the no parking zones; placing rocks, bollards, logs, or other materials to channelize traffic and control parking; constructing curbs, dikes, swales, and ditches to control storm water runoff; improving storm water quality by constructing/using best management practices; landscaping and replanting of areas disturbed by construction; signage directing the public to the river access; enhancing road signage along School Road and Ocean Drive; and reconfiguring how Verwer Avenue intersects School Road. Additional public road right of way may need to be acquired from the property to the south of School Road (APN 508-021-007, McKinleyville Community Services District) in order to construct the turnaround as well as relocating existing fencing to accommodate the turnaround area. Additionally, the project includes modifications to the southerly end of Verwer Avenue at School Road. These include reconfiguring the road within the existing right of way; placing rocks, bollards, logs, or other materials to channelize traffic and control parking; landscaping and replanting of areas disturbed by construction; repairing the road; and installation of a gate and

appurtenances. These appurtenances include, but are not limited to, signage that addresses the use of the Verwer Avenue. Improvements to Verwer Avenue will be funded and constructed by others.

This ambitious project will enhance valuable fish and wildlife habitat as well as enhance public access and recreation opportunities while preserving open space. The origin of the project began in 2012 while MCSD staff conducted permitted county storm drain maintenance because of the flooding caused to its pasture lands. California Department of Fish and Wildlife was called with reports of wetlands being drained. A warden and environmental scientist from the Department contacted our Staff to inquire and requested a site visit. After they determined that the work being conducted was appropriate, conversations continued between CDFW and District Staff about future use of the site and the planned decommissioning of the percolation ponds. The potential for the pond conversion to off stream habitat and grant funding opportunities were discussed that day and later developed into grant applications. The funding for project design and compliance came from: CDFW FRGP; CA State Coastal Conservancy; and USFWS Coastal Program. California Trout Inc was the fiscal sponsor for these funds and MCSD obtained a Habitat Conservation Fund grant that supported design. A project team was developed including multiple local firms and collaboration with the Wiyot tribe. Agency representatives served on the technical review committee from CDFW, SCC, and NOAA.

Residents of the Verwer Court neighborhood at the west terminus of School Road contacted the applicant and county representatives to explore ways to better control traffic circulation and provide a turnaround for westbound traffic seeking to use the new public trail access. This involved a site meeting with the neighborhood and on-going work by Bob Bronkall, Deputy, Director of Public Works, working with property owners to fashion a suite of road modifications to lessen the impact to the neighborhood. MCSD and the project sponsors have participated in these discussions and the proposed measures have become part of the project.

The Mad River Floodplain and Public Access Enhancement Project is consistent with the McKinleyville Area Plan (MCAP) and the Humboldt County Zoning Code (HCC) for the following reasons: 1) fish and wildlife habitat restoration and public access facilities are principally permitted and compatible uses in the Natural Resource (NR) land use designation and zone, and are conditionally permitted uses in Agriculture Exclusive Zone and AEP land use designation, 2) the proposed development complies with all development standards of the zone, and 3) the proposed development, with inclusion of road modifications, will not have adverse impacts on the neighborhood or the environment. A consolidated Coastal Development Permit was processed by the California Coastal Commission.

Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all responding referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Conditional Use Permit.

This is a two-year extension and, if granted, the extension will expire on December 8, 2023.

All responding referral agencies have recommended approval of the project. It is staff's opinion having reviewed the application and supporting evidence that **the findings and conditions of the project, effective December 8, 2020, have not changed significantly based on the following staff analysis and are applicable to the proposed extension because:**

1. The proposed use is consistent with Agriculture Exclusive/Prime Lands (AEP), Density: 20 to 60 acres per dwelling unit; Natural Resources (NR); McKinleyville Area Plan (MCAP), 2017 General Plan land use designation, for which the original project was evaluated, and has not changed;

2. The proposed use is consistent with the zoning designations Agricultural Exclusive: 60 acres minimum (AE-60), Flood Hazard Area (F), Streams and Riparian Corridor Protection (R), Natural Resources (NR), for which the original project was evaluated, and has not changed;
3. The applicable development standards, for which the original project was evaluated, have not changed.
4. All other standards and requirements to which the project is subject, and as administered by other departments or agencies have not changed; and
5. The Planning Commission found the proposed project is consistent with Section 15096 (Process for a Responsible Agency) of the CEQA Guidelines, that all significant environmental impacts have been addressed in the MND for the project, and that no new changes or alterations have been made that require additional environmental review, and make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed McKinleyville Community Services District Mad River Floodplain and Public Access Enhancement Project Conditional Use Permit subject to the recommended conditions.

Staff Recommendations: Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Conditional Use Permit Extension.

Alternatives: Several alternatives may be considered: 1) The Planning Commission could elect to add or delete conditions of approval. 2) The Planning Commission could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

Note: The original staff report and supporting documentation, including environmental review documents, are on file with the Planning Division and available for public inspection.