

ATTACHMENT 2

**CEQA ADDENDUM TO THE
MITIGATED NEGATIVE DECLARATION**

**Mitigated Negative Declaration (MND)
Adopted by the Humboldt County Board of Supervisors in January 2011**

**APN's 201-311-026 & 201-311-028;
Alton Area
County of Humboldt**

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April 2023

Background

Modified Project Description and Project History –

Both parcels were the subject of a prior owner-initiated Zone Reclassification and General Plan Amendment request which was approved by the Board of Supervisors on January 10, 2012.

This action resulted in a change to the General Plan land use designation from Commercial General (CG) to Industrial General (IG) as well as a Zone Reclassification from Commercial Highway with a Qualified combining zone to Limited Industrial (ML). The Q-zone limited allowed uses to Amusement Parks and Recreational Facilities. This was based on the fact that at the time of adoption of the community plan, the site was already being used as a closed track railroad amusement park. At the time of the 2012 zone reclassification request, the tourist attraction had been vacant for over a decade and redevelopment of the property was being sought by a new owner. Soon after the rezone was approved, the property was redeveloped with a storage yard and office building for a fence contracting business. Construction of a 7,500 square foot shop building was begun in September of 2022 and is now nearing completion. The property owner is now seeking to change the zoning of the parcels to Heavy Commercial to allow a nearby Alton area business to relocate to and operate from the property.

Project Description:

A Zone Reclassification to change the zoning of two neighboring parcels from Limited Industrial (ML) to Heavy Commercial (C-3) and Heavy Commercial with the Streamside management Areas and Wetlands Combining Zone (C-3/WR). Both parcels were the subject of a prior owner-initiated Zone Reclassification and General Plan Amendment request which was approved by the Board of Supervisors on January 10, 2012. A Zone Reclassification is again being requested to allow for relocation of a neighboring Alton area business (Reynolds RV Repair) to the property. Operating since 2008 from a nearby parcel (APN 201-322-011) less than a quarter mile to the east, the business primarily engages in the storage, repair, servicing, and customization of recreational vehicles as well as sales of RV parts. A Conditional Use Permit is required to permit retail sales under the proposed C-3 zoning. This rezoning is being brought forward together with an earlier request (PLN-14245-ZR / ZR-18-009) to remove a Qualified "Q" zone from neighboring parcels east of the project site. The entirety of both parcels was mistakenly designated "Open Space" in 2017 during the Countywide General Plan Update. A General Plan Amendment is included to fix this mapping error and return the Industrial General land use designation to eastern portions of the site.

Agency Input

The project was referred to various agencies for review and comment on January 25, 2023. None of the agencies raised any concerns or objected to the proposed rezone request.

Energy

Existing commercial development on the parcel currently receives grid power from PG&E. In March 2023, a separate electrical service was installed to serve the new shop building.

Timber Conversion & Fire Safety

The site is not host to any commercial timberland and is located within an area where structural fire protection is available and provided through the Fortuna Fire Protection District. The property is located outside of the State Responsibility Area (SRA) for Fire Protection.

Water Resources

An existing on-site well supplies water to the property. The Division of Environmental Health raised no concerns or objections to the proposal. Supplying water to the business being relocated is not expected to result in a dramatic increase in water use nor exceed the available supply.

Biological Resources

Western portions of the site (APN 201-311-026) are host to a wetland area lying between the Highway and former railroad grade. A condition of approval is included requiring that the applicant prepare and submit a Development Plan which clearly identifies the wetland area and labels it "unbuildable" and record a Notice of Development Plan to provide constructive notice to future property owners and tenants.

The project was referred to the California Department of Fish & Wildlife (CDFW) in January 2023. The project site was also discussed with CDFW staff during a meeting on March 21, 2023. To date no comments or concerns have been received.

Tribal Cultural Resource Coordination

The project is located within the Bear River Band tribal aboriginal territory. The project was referred to the Bear River Band THPO and the Northwest Information Center (NWIC) on January 25, 2023. The NWIC responded with a recommendation that the lead agency contact the local Native American tribe(s) regarding tradition, cultural, and religious heritage values. A response was received from the Bear River Band THPO in early February 2023, recommending inadvertent discovery protocols. The project is conditioned to adhere to inadvertent discovery protocols in the event that cultural resources are encountered during project activities.

Access

The project site is accessed by Hillcrest Drive, which intersects with State Highway 36 on its south side, approximately 2000 feet east of the junction of Highway 36 with the Old State Highway. A condition of approval requiring improvement of the driveway to the s

Hillcrest Drive is developed to the equivalent of a Category 4 road standard. The roadway can accommodate the cumulative increase in traffic from the new use associated with this project and all other uses on neighboring parcels as it is expected not to exceed 200 vehicle trips per day. The Land Use division of the Department of Public Works have reviewed the proposal and are recommending approval. Public Works also recommended that since the non-county maintained road is accessed by State HWY 36, the project should be referred to CalTrans. The project was referred to CalTrans on August 7, 2020, and no comments or concerns have been received from that agency.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the project is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. The project will allow an existing nearby RV business to relocate to and operate from the site. Because this commercial use is part of the environmental baseline for this area and the project site has already been fully developed, new project-related impacts are not expected to result. Additionally, compliance with the recommended conditions of approval will ensure all project-related impacts to a less than significant level.

In reviewing the application for consistency with the previously adopted MND, the County considered the following information and studies, among other documents:

- Site Plan received January 19, 2023
- Document - Basis/Context for Zone Reclassification

Other CEQA Considerations

Staff suggests no changes for the revised project.

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT

See Purpose statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the MND was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will allow an existing nearby RV business to relocate to and operate from the site.
2. As the project site is already nearly fully developed, new project-related impacts are not expected to result.
3. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

CONCLUSION

Based on these findings it is concluded that an Addendum to the certified MND is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the MND, remain in full force and effect on the original project.