

**SUPPLEMENTAL  
ENVIRONMENTAL IMPACT  
REPORT**

**Reggae Rising  
Conditional Use Permit Modification**

**SCH #92-033035**

**May 1, 2008**

## TABLE OF CONTENTS

<b>1.0</b>	<b>Introduction</b> .....	1
1.1	Purpose of the Environmental Impact Report.....	1
1.2	Scope of the Environmental Impact Report.....	1
1.3	Contents of the Environmental Impact Report.....	2
<b>2.0</b>	<b>Summary of Proposed Actions and Consequences</b> .....	3
2.1	Potential Impacts and Mitigation Measures.....	3
2.2	Major Conclusions and Areas of Interest.....	3
2.3	Effects Found Not to be Significant.....	4
2.4	Potentially Significant Environmental Effects Which Can Be Avoided.....	4
2.5	Significant Environmental Effects Which Cannot Be Avoided.....	5
2.6	Relationship of Short Term Use vs Long Term Productivity.....	5
2.7	Significant Irreversible Environmental Changes.....	5
2.8	Cumulative Impacts.....	5
2.9	Growth Inducing Impacts.....	6
2.10	Alternatives to the Proposed Action.....	6
<b>3.0</b>	<b>Project Description</b> .....	13
3.1	Existing Uses.....	13
3.2	Proposed New Uses.....	16
3.3	Relationship to the Zoning Ordinance.....	16
3.4	Relationship to the General Plan.....	16
3.5	Jurisdiction/Permit Granting Agencies.....	16
<b>4.0</b>	<b>Environmental Setting</b> .....	17
<b>5.0</b>	<b>Environmental Impacts and Mitigation Measures</b> .....	18
5.1	Less Than Significant Impacts.....	18
5.2	Potentially Significant Impacts.....	21
5.3	Aesthetic Impacts.....	22
5.4	Air Quality.....	23
5.5	Agricultural Resources.....	24
5.6	Biological Resources.....	25
5.7	Hazardous Materials and Hazards.....	28
5.8	Hydrology and Water Quality Impacts.....	29
5.9	Noise Impacts.....	32
5.10	Transportation and Circulation.....	33
5.11	Utilities and Service Systems.....	34
<b>6.0</b>	<b>Persons Consulted</b> .....	35

## LIST OF TABLES

Table 1 - Summary Impact Table.....	12
-------------------------------------	----

## LIST OF FIGURES

Figure 1 - Other Site Alternative.....	10
Figure 2 - Location Map.....	Attachment 2, Page 1
Figure 3 - Emergency Response and Medical Plan.....	Attachment 2, Page 2
Figure 4 - Traffic Flow and Parking Plan.....	Attachment 2, Page 3

Figure 5 - Solid Waste/Recycling/Toilet Plan..... Attachment 2, Page 4

Figure 6 - Water Distribution..... Attachment 2, Page 5

### **LIST OF ATTACHMENTS**

Attachment 1 Initial Study Checklist

Attachment 2 Project Plans

## **1.0 INTRODUCTION**

### **1.1 Purpose of the Supplemental Environmental Impact Report (EIR)**

The purpose of this Supplemental EIR is to identify and evaluate the potential environmental impacts of the proposed Conditional Use Permit Modification for the annual *Reggae Rising* music festival. The approved Conditional Use Permit modification allows one event to be held each year over the first weekend of August, to the year 2015 on the Dimmick Ranch and French's Camp properties. Attendance levels are set each year between 10,500 and 16,900 total persons, including all staff, volunteers and performers. The proposed Modification will allow one additional one day event on Sunday, August 31, 2008 with a maximum attendance level of 5,000 total persons, including attendees, staff, volunteers and performers. The modification will also allow a one day event on the last weekend of August in each subsequent year to the year 2015.

As provided by the California Environmental Quality Act (CEQA), a Supplemental EIR is an informational document intended for review by members of the public and concerned public agencies. For this project, Humboldt County is the lead agency and will consider certification of the Supplemental EIR and approval of the project.

Since many of the same types of potential impacts from this project were previously reviewed and discussed in the 1992 EIR and 2006 Supplemental EIR prepared for the permitted use, this report will be supplemental to both of those. The previous EIR identified that the project had potential adverse environmental impacts, however mitigation measures reduced these impacts to less than significant levels. The proposed project is anticipated to have many of the same types of environmental impacts and mitigation measures. The comment period for the Supplemental EIR will run from April 10<sup>th</sup>, 2008 to June 5<sup>th</sup>, 2008..

### **1.2 Scope of the Environmental Impact Report**

This Supplemental EIR has been prepared pursuant to State CEQA Guidelines (Section 15163). The State CEQA Guidelines (Section 15163) identify the Supplemental EIR as an appropriate environmental document if, "only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation" (§15163(a)(2) of the CEQA Guidelines). This Supplemental EIR addresses environmental impacts on a level that considers only the proposed changes to the approved project.

The CEQA Guidelines recognize the interactive nature of the planning process and the fact that some measures intended to mitigate the impacts of proposed projects may be incorporated into the project proposal. For nearly all the areas of concern, measures have been integrated into the project design to enhance and protect the environment. In some cases, measures will need to be incorporated into the project to mitigate potential impacts as yet unknown. This approach will help to ensure environmental protection in the County.

As required by the State CEQA Guidelines, a distinction is made between mitigation measures integrated into the project and mitigation measures developed in the EIR. All of the additional future mitigation measures recommended in the EIR will be incorporated into the proposed project just as the applicant-proposed mitigation measures. All these mitigation measures are also required to be identified in the Final EIR for this project.

The State CEQA Guidelines require that a Supplemental EIR describe a "range of reasonable alternatives to the project..." The Guidelines also state: "The key issue is whether the selection and discussion of alternatives fosters informed decision-making and informed public participation." The County Planning Division evaluated three different alternatives. This EIR summarizes the three alternatives and the potential environmental impacts of each alternative as compared to the proposed project.

This EIR draws from and incorporates by reference the documents included in the public record for environmental review of the approved project, including the 1992, 1998 and 2003 project approvals.

### **1.3 Contents of the Environmental Impact Report**

The EIR is composed of six chapters. Chapter 1, Introduction, provides an overview of the EIR.

Chapter 2, Summary of Proposed Actions and Consequences, briefly describes the project, discusses major issues and summarizes the project's impacts and mitigation measures. A summary impact table is included. Chapter 2 also considers alternatives to the proposed project and the probable impacts of those alternatives. This Chapter includes a description of the relationship between the short term use of the environment, and the maintenance and enhancement of long term productivity.

Chapter 3, Project Description, presents the description of the project. It describes the new project in relation to the existing approved project.

Chapter 4, Environmental Setting, describes the physical setting of the proposed project site in relation to the site of the approved project.

Chapter 5, Environmental Impacts and Mitigation, describes, for each CEQA issue identified in the Initial Study Checklist as a "potentially significant impact", a brief summary of existing conditions, impacts of the project, and mitigation measures proposed to minimize potentially significant adverse impacts.

Chapter 6, References, references the sources of information for the Supplemental EIR.

## 2.0 SUMMARY OF PROPOSED ACTIONS AND CONSEQUENCES

### 2.1 Potential Impacts and Mitigation Measures

This Supplemental EIR establishes general criteria for determining the significance of potential impacts. The potential impacts are discussed and identified for each issue area. A level of significance is determined by evaluating whether there will be impacts beyond those which will be addressed by existing and proposed requirements. For example, a potential impact may become less than significant after mitigation due to implementation of measures which serve to reduce the potential impacts. Following the discussion of potential impacts is a discussion of mitigation measures required to reduce impacts to a level of insignificance.

Impacts are defined as:

<u>Less than Significant (LS)</u>	An impact is defined as "less than significant" when there are no substantial adverse changes in the physical environment.
<u>Potentially Significant (PS)</u>	Should be considered synonymous with significant. This designation is used to indicate pre-mitigation level of significance.
<u>Significant (S)</u>	A "significant" impact is identified where an impact will have a substantial adverse impact on the environment.
<u>Significant Unavoidable (SU)</u>	Considered to have a significant adverse effect on the environment which cannot be avoided even with implementation of the mitigation measures.
<u>Beneficial (B)</u>	When the project will result in a positive change in the environment, it is identified as a "beneficial impact".

### 2.2 Major Conclusions and Areas of Interest

This Supplemental EIR examines the potentially significant environmental impacts of the proposed project. Specifically, the 1992 EIR and the 2006 Supplemental EIR evaluated potentially significant impacts on aesthetics, agricultural resources, air quality, biological resources, cultural and historical resources, geologic hazards, hydrology and drainage, land use, noise, public services, recreation transportation, utilities and other criteria.

The scope of this EIR is limited to just the review of the changes, the differences between the previous and the proposed new project. This EIR draws from and incorporates by reference the documents included in the public record for environmental review of the approved project, including the 1992, 1998 and 2003 project approvals, and the 2006 Supplemental EIR.

Impacts on aesthetics, air quality, cultural resources, geology and soils, recreation, land use planning, mineral resources and population and housing and public services are all considered less than significant.

Existing permit requirements administered by public agencies are sufficient to reduce potential impacts to a level of insignificance for impacts to agricultural resources, biological resources, hazards and hazardous materials, hydrology, and noise. Some impacts have further mitigation measures required by this Supplemental EIR. With the proposed mitigation measures in place, the project is not expected to cause any direct significant adverse environmental impacts.

### 2.3 Effects Found Not to be Significant

There are a number of areas of environmental concern on which the project would **not** have a significant impact. The Initial Study Checklist in the CEQA Guidelines provides a useful framework for consideration of environmental impacts. The complete set of Checklist Items and a discussion of responses is contained in the Initial Study Checklist (Attachment 1).

Site conditions, the proposed use and measures taken by the applicants keep many impacts of the project at less than significant levels. Impacts on aesthetics, air quality, cultural resources, geology and soils, recreation, land use planning, mineral resources and population and housing and public services are all considered less than significant.

### 2.4 Potentially Significant Environmental Effects Which Can be Avoided With Mitigation

In addition to the less than significant impacts identified above, the proposed project is expected to have impacts that could be significant, but which can be avoided or reduced to less than significant levels through mitigation measures. The proposed new Site Plan, Water Distribution Plan, Sanitary Facilities, Waste Disposal and Recycling Plan, Emergency Response, Medical and Security Plan, and Traffic Flow, and Parking Plan show the proposed project carries forward many of the same mitigation measures as the approved project one. The environmental impact analysis for the previous project is appropriately considered to address these impacts.

For example, to address the question, "*Will the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*", Mitigation Measure #4 of the approved EIR applies: "The concert music will end at 11:00 p.m. on Friday and Sunday night and 1:00 a.m. on Saturday night (Sunday morning). This will mitigate late-night event lighting and noise that will allow people residing around the concert site to get a 'good night's sleep.'"

Potential impacts due the project are addressed in this report for those impacts checked below. (Those that are not checked do not have any potentially significant impacts.):

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics                    | <input checked="" type="checkbox"/> Agriculture Resources     | <input checked="" type="checkbox"/> Air Quality              |
| <input checked="" type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                   | <input type="checkbox"/> Geology / Soils                     |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning                 |
| <input type="checkbox"/> Mineral Resources                        | <input checked="" type="checkbox"/> Noise                     | <input type="checkbox"/> Population / Housing                |
| <input type="checkbox"/> Public Services                          | <input type="checkbox"/> Recreation                           | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input checked="" type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance   |  |

The Summary Impact Table (Table 1) summarizes the potential impacts and mitigation measures for the project.

The EIR for the approved project mentions that monitoring the compliance with and efficacy of the above-measures in undertaken by a consortium of County and resource agency personnel stationed on the concert site or conducting periodic inspections. The findings of these monitoring efforts are reviewed annually in a post-event report. Mitigation measures found lacking, or efforts which would further decrease impacts are incorporated into the following year's operation plan. This interactive monitoring program is also a requirement of this Supplemental EIR.

## **2.5 Significant Environmental Effects Which Cannot be Avoided if the Proposal is Implemented**

Section 15126(f) of the State CEQA Guidelines requires an EIR to discuss program or project effects that would be considered significant and unavoidable. CEQA Guidelines state that "a significant effect on the environment is defined as a substantial or potentially substantial adverse change in the physical conditions which exist in the area affected by the proposed project including land, air, water, minerals, flora and fauna, ambient noise and objects of historic or aesthetic significance." While the guidelines provide some elaboration of what is meant by a "significant" impact, it cannot be precisely defined.

This EIR evaluates all of the potentially significant issues and identifies where proposed new and existing requirements are not sufficient to mitigate potential impacts. Where proposed mitigation is not sufficient to reduce the impacts to less than significant levels, additional mitigation measures are proposed. There are no significant and unavoidable impacts of the proposed project.

## **2.6 Relationship Between Local Short-term Uses of Man's Environment and the Maintenance and Enhancement of Long-term Productivity**

This project involves a proposal that could potentially span a seven year time period. While that may not be a short term use relative to many other temporary events, it is short term in relation to the overall productivity of the site for agricultural and timber uses. Mitigation measures discussed in this Supplemental EIR reduce to less than significant levels the impacts of the project on the long-term use and productivity of agricultural and timber resources on the site.

## **2.7 Significant Irreversible Environmental Changes Which Would be Involved in the Proposed Action Should it be Implemented**

The proposed project involves the use of the site for an additional one month of the year, and the approval of the use for up to seven years. As the project is not expected to have any impacts on the environment the other times of the year, and the project does not permanently establish a use, the environmental changes being considered are temporary, and not irreversible.

## **2.8 Cumulative Impacts**

The CEQA Guidelines (Section 15130) require discussion of cumulative impacts when they are significant. "Cumulative impacts" refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (Section 15355).

The only specific cumulative impacts considered by this Supplemental EIR to be potentially significant are cumulative traffic/air quality impacts and water quality/biological resource impacts:

### Specific Cumulative Impacts

#### *Traffic and Air Quality*

Increasing traffic in the immediate vicinity may increase the amount of particulate matter (PM<sub>10</sub>) in the air. Since this impact is directly related to increased traffic, it must be considered as part of a cumulative impacts of the project. The increase in PM<sub>10</sub> is considered less than significant because in relation to the approved project, the proposal is expected to involve less PM<sub>10</sub> emissions because the new entrance is paved, whereas the entrance for the previous years has a dirt surface. Additionally, there are no numerical standards on which to base a determination of significance.



The water quality and biological resources impacts of the project are also potentially significant. The event involves parking of vehicles on the gravel bars along the river, and persons attending the event may choose to swim in the river, which may introduce pollutants into the river.

The biological report submitted for the 2006 event, which is attached to the 2006 EIR, did not identify any potential impacts with cars being parked adjacent to the South Fork of the Eel River, but it seems reasonable that if the cars are parked close to the river, and they happen to leak oil or other toxic substances, those pollutants could adversely impact water quality of the river. Individually, these impacts may be negligible, just a few drips of oil or coolant, but cumulatively, if you consider that a number of cars parked near the river could be leaking at the same time, this impact may potentially be cumulatively significant.

The biological report submitted for the 2006 event identified a potentially significant biological resources impact, that urea in the river can be toxic or lethal to fish when the water temperatures are high. As the event draws thousands of people to the site, and a number of them will likely go swimming in the river, it seems reasonable to assume that a few of them may not know better, or may simply choose to be idiots, and pee in the river. Individually, those unfortunate few are not likely to have much of an effect, but if there are many of them, and the water temperatures are high, they may cumulatively harm the fish in the river by creating toxic conditions.

The potential adverse specific cumulative impacts of the project will be reduced to insignificant levels by the same mitigation measures that address the potentially significant adverse impacts of the project on water quality and biological resources described later in the EIR.

#### General Cumulative Impacts

The project proposes a use for an eight (8) year time period, and the use of the site for the Reggae Rising/Reggae on the River event has been on-going for twenty four years. When viewed cumulatively, taking into account all the past events, a fair argument can be made that this project will involve general cumulative environmental impacts.

The project has beneficial cumulative impacts; there are many local non-profit and public agencies that directly benefit from the event from selling concessions at the booths on site. For example, a number of volunteer fire departments make a significant amount of their yearly budget for operations at the event. The goods and services provided by these fire districts with the funding from the event have cumulative beneficial impacts on the environment by reducing the potential hazard from wildland fires.

The project is not expected to have any potentially significant adverse general cumulative environmental impacts.

## **2.9 Growth-Inducing Impact of the Proposed Action**

The project has beneficial economic impacts on local businesses by increasing the demand for goods and services in the area. The project also has a similar beneficial impact on non-profit groups and public agencies that sell concessions at the event. Some of the businesses, non-profit groups and public agencies are likely larger than they would be otherwise, so the event has growth inducing impacts. In relation to past events, the growth inducing impacts of the proposed project are less than significant as the maximum of 5,000 additional persons at the 1-day event are not likely to translate into significant growth inducing impacts.

## **2.10 Alternatives to the Proposed Action**

The California Environmental Quality Act (CEQA) requires that a "reasonable range of alternatives" to a proposed project be considered in environmental impact reports. The evaluation of alternatives does not need to be as exhaustive as the evaluation of the project itself. Three alternative scenarios were

considered during the review of the project: 1) the "No Project" alternative, 2) the "One-Time Only" alternative, and 3) the "Alternative Site" alternative.

### **No Project Alternative**

The No Project alternative would occur if the proposed modification is withdrawn or denied. All the previous approvals, including the mitigation measures would still be in effect, and the applicants would be entitled to host the project on the same site as in previous years in basically the same form. It is recognized the No Project alternative is dependant on securing a continued lease from the French's Camp property owners, which may not be possible.

### Changes In Visual Quality

The proposed project includes mitigation measures to reduce potentially significant visual quality impacts to less than significant levels. With the No Project alternative there would be no additional visual impacts. The additional day of music in the same month as the Reggae music festival may cause more visual impacts to neighbors and travelers on Highway 101 compared to the No Project alternative.

### Loss Of Agricultural Land And Conflicts With Agricultural Uses

The existing event is confined to the first weekend in August, and after the site is cleaned up, it is available for agricultural production. With the addition of one day of music toward the end of the month, the proposed project will be eliminating the agricultural use of the site for the entire month of August. The No Project alternative would therefore have less potential for impacts resulting from a loss of agricultural land and conflicts with agricultural uses than the proposed project.

### Biological Resources

In some ways, the proposed project will also involve more potential impacts on biological resources than the No Project alternative. Biological resource impacts from people parking near the river, and swimming in the river will be extended for a day. With the proposed project, the same bridge will be used to cross the river, and there will be no camping.

### Water Quality

In some ways, the proposed project will also involve more potential impacts on water quality than the No Project alternative. Water quality impacts from people parking near the river, and swimming in the river will be extended for a day under the proposed project.

### Hazards

The proposed project includes mitigation measures to reduce to less than significant levels the potential impacts from exposure of people to the threat of wildland fires. The plot plan and Plan of Operation attached to the EIR identify the fire safety crews and equipment on site to respond to fire hazards, the emergency evacuation routes, and the Critical Incident team and medical crews. The No Project alternative would eliminate the threat of fire hazards altogether because there would be no one visiting the site other than visitors associated with the existing home on the property.

### Noise

The proposed project includes mitigation measures to reduce potentially significant noise impacts to less than significant levels. The orientation of the stage away from populated areas, and the proposed cutoff of music at midnight will both reduce the potential noise hazards. The No Project alternative would eliminate those potential noise hazards altogether because there would be no amplified music on the site other than from visitors associated with the existing home on the property.

### Traffic and Traffic Safety

The traffic movement and traffic safety measures for the existing Reggae music festival have been demonstrated to be effective at reducing the transportation impacts of the project to less than significant levels. These same mitigation measures are proposed to be used with the proposed new project. The No Project alternative would eliminate all potential traffic hazards altogether.

### Water and Wastewater Services

The measures for the Reggae music festival regarding water supply and wastewater treatment have been demonstrated to be effective at reducing potential impacts from water and wastewater services to less than significant levels. The applicants are proposing the same mitigation measures with the new project. The plot plan and plan of operation attached to the EIR describe the proposal. However, the No Project alternative would eliminate all potential traffic hazards altogether because there would be no one visiting the site other than visitors associated with the existing home on the property.

### **One-Time Only Alternative**

The One-Time Only alternative would occur if the proposed one-day event in the last weekend in August was permitted for just a single year (2008), and not allowed to occur in future years without additional discretionary permits and environmental review. All the previous approvals, including the mitigation measures would still be in effect, and the applicants would be entitled to host the project on the same site as in previous years in basically the same form..

### Changes In Visual Quality

The proposed project includes mitigation measures to reduce potentially significant visual quality impacts to less than significant levels. With the One-Time Only alternative visual impacts would be reduced even further because they would not occur at all in future years. The additional day of music in the same month as the Reggae music festival each year to the year 2015 may cause more visual impacts to neighbors and travelers on Highway 101 compared to the One-Time Only alternative.

### Loss Of Agricultural Land And Conflicts With Agricultural Uses

The existing event is confined to the first weekend in August, and after the site is cleaned up, it is available for agricultural production. With the addition of one day of music toward the end of the month, the proposed project will be eliminating the agricultural use of the site for the entire month of August, which would continue in future years to 2015. Because the One-Time Only alternative would only occur in one year, it would have less potential for impacts resulting from a loss of agricultural land and conflicts with agricultural uses than the proposed project.

### Biological Resources

In some ways, the proposed project will also involve more potential impacts on biological resources than the One-Time Only alternative. Biological resource impacts from people parking near the river, and swimming in the river will occur each year to 2015 under the proposed project, whereas with the One-Time Only alternative, impacts from people parking near the river and swimming in the river would only occur one year (2008). With the One-Time Only project alternative, the same bridges will be used to cross the river, and there will be no camping, just as with the proposed project.

### Water Quality

In some ways, the proposed project will also involve more potential impacts on water quality than the One-Time Only alternative. Water quality impacts from people parking near the river, and swimming in the river will occur each year to 2015 with the proposed project, whereas with the One-Time Only alternative, those impacts would only occur one year, in 2008. With the One-Time Only project alternative, the bridges used to cross the river will be the same, and there will be no camping, just like the proposed project.

### Hazards

The proposed project includes mitigation measures to reduce to less than significant levels the potential impacts from exposure of people to the threat of wildland fires. The plot plan and Plan of Operation attached to the EIR identify the fire safety crews and equipment on site to respond to fire hazards, the emergency evacuation routes, and the Critical Incident team and medical crews. The One-Time Only alternative would reduce the threat of fire hazards even more because after 2008, there would be no one visiting the site during the last weekend in August other than visitors associated with the existing home on the property.

### Noise

The proposed project includes mitigation measures to reduce potentially significant noise impacts to less than significant levels. The orientation of the stage away from populated areas, and the proposed cutoff of music at midnight will both reduce the potential noise hazards. The One-Time Only alternative would reduce these potential noise hazards further because after 2008, there would be no amplified music on the site during the last weekend in August other than from visitors associated with the existing home on the property.

### Traffic and Traffic Safety

The traffic movement and traffic safety measures for the existing Reggae music festival have been demonstrated to be effective at reducing the transportation impacts of the project to less than significant levels. These same mitigation measures are proposed to be used with the proposed new project. The One-Time Only alternative would further reduce potential traffic hazards because after 2008, there would be traffic on the site during the last weekend in August other than from visitors associated with the existing home on the property..

### Water and Wastewater Services

The measures for the Reggae music festival regarding water supply and wastewater treatment have been demonstrated to be effective at reducing potential impacts from water and wastewater services to less than significant levels. The applicants are proposing the same mitigation measures with the new project. The plot plan and plan of operation attached to the EIR describe the proposal. The One-Time Only alternative would reduce the potential traffic hazards further because there would be no one using water or wastewater facilities on the site other than visitors associated with the existing home on the property.

### **Other Site Alternative**

The Other Site alternative would occur if the proposed project was moved to a site other than Dimmick Ranch. For the purposes of this Supplemental EIR, the only alternative site considered is the property known as "Tooby Ranch" (APN 222-191-06), which is approximately three miles north of the proposed project site (see map below in Figure 1).



### Biological Resources

Tooby Ranch is separated from the river by a two-lane paved road, Camp Kimtu Road. Given the increased distance from the site of the festival to the river, there would likely be reduced impacts to the river from people swimming compared to the proposed project. And with the Other Site alternative, there would be no bridge construction across the river necessary since access to the property is from Sprowel Creek Road, a two-lane paved road. This too would reduce the biological impacts to the Eel River compared to the proposed project.

There are, however biological resources on the Tooby Ranch property that are not found on Dimmick Ranch. For example, there is a large wetland feature at the north end of the property, and there may be rare plants on the site. Impacts to these biological features would be greater with the Other Site Alternative than with the proposed project.

### Hazards

The Other Site location is in an area of high fire hazard according to the County's Framework Plan. This is the same hazard rating that applies to the proposed project site. Accordingly, impacts associated with exposure to the threat of wildland fire are the same with both the Other Site location and the proposed project.

### Water Quality

As described in the above Biological Resource section, Tooby Ranch is separated from the river by a two-lane paved road, Camp Kimtu Road, so it is unlikely people will camp along the South Fork of the Eel River with the Other Site alternative. Given the increased distance from their main gathering area to the river, there would likely be reduced impacts to the river from people swimming compared to the proposed project. And with the Other Site alternative, there would be no bridge construction across the river necessary since access to the property is from Sprowel Creek Road, a two-lane paved road. This too would reduce the water quality impacts to the Eel River compared to the proposed project.

### Noise

The Other Site alternative will probably cause similar noise impacts as the proposed project. While there would be different people affected by exposure to noise and vibrations, there would likely be about the same number of neighbors impacted by the project at the Other Site location because the residential density of the surrounding properties is similar to the proposed project site.

### Traffic and Safety

Access to the Tooby property would likely be more difficult than the proposed project site. The most likely access to the property is along Sprowel Creek Road, a two lane paved road that narrows in some areas to 20' or less with little or no shoulders. An alternative entrance would be directly off Highway 101 on a dirt road that enters the property from the southeast side historically used to provide access for farm equipment. But this road is also narrow. It is also unpaved and steep in some areas. Probably some combination of the use of both roads would be the most practical solution.

In any case, the road improvement requirements would be more substantial with the Other Site Alternative, and there is therefore more potential for traffic and safety impacts compared to the proposed project.

### Water and Wastewater Services

This analysis assumes the same number of persons attending the Other Site Alternative as the proposed project, so the water supply and waste treatment impacts for both projects would be about the same.

### **General Conclusions Regarding the Alternatives Analysis**

The above analysis points out that mostly because of the increased use of the site by one day, and the delayed clean-up of the site of approximately one-month, the proposed project likely would have more potential impacts on Visual Quality, Loss of Agricultural Lands, Biological Resources, Hazards,

Noise, Traffic and Safety and Water Supply and Wastewater Treatment Capacity than the One-Time Only Alternative. It also has more impacts than the No Project in each of these areas.

The analysis also shows the proposed project is expected to have many of the same impacts as the Other Site Alternative except in terms of Biological Resources, and Traffic and Safety. The proposed project involves less impact in terms of traffic and safety. And while the Other Site alternative has less impacts to some biological resources, others biological resources would be potentially more significantly impacted with the Other Site Alternative than with the proposed project

**TABLE 1**  
**Impact Summary Table**

Impact	Significance Before Mitigation	Significance After Mitigation
<b>5.3 Aesthetic Impacts</b>		
5.3-A Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	PS	LS
<b>5.4 Agricultural Resources</b>		
5.4-A Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use.	PS	LS
5.4-B Conflict with existing zoning for agricultural use, or a Williamson Act contract.	PS	LS
<b>5.5 Air Quality Impacts</b>		
5.5-A Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	PS	LS
<b>5.6 Biological Resources</b>		
5.6-A Have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species.	PS	LS
5.6-B Have a substantial adverse effect on riparian habitat or other sensitive natural community.	PS	LS

**TABLE 1**  
**Impact Summary Table (continued)**

Impact	Significance Before Mitigation	Significance After Mitigation
<b>5.6 Biological Resources (continued)</b>		
5.6-C Have a substantial adverse effect on federally protected wetlands through direct removal, filling, hydrological interruption, or other means.	PS	LS
5.6-D Conflict with local policies or ordinances protecting biological resources.	PS	LS
<b>5.7 Hazards and Hazardous Materials</b>		
5.7-A Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	PS	LS
5.7-B Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wild lands.	PS	LS
<b>5.8 Water Quality</b>		
5.8-A Violate any water quality standards or waste discharge requirements?	PS	LS
<b>5.9 Noise</b>		
5.9-A Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	PS	LS
5.9-B Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.	PS	LS
5.9-C A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	PS	LS
<b>5.10 Transportation / Traffic</b>		
5.10-A Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system.	PS	LS
5.10-B Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.	PS	LS
5.10-C Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	PS	LS
<b>5.15 Utilities &amp; Service Systems</b>		
5.10-A Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.	PS	LS
5.10-B Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.	PS	LS



### **3.0 PROJECT DESCRIPTION**

A Second Modification for a Conditional Use Permit application, Case No. CUP-04-38MM; Tom Dimmick; applicant; File Nos. APN 033-271-05, -07, -09; Cooks Valley area. A second Modification of the Conditional Use Permit for the annual "Reggae Rising" music festival. The approved Conditional Use Permit modification allows one event to be held each year over the first weekend of August, to the year 2015 on the Dimmick Ranch and French's Camp properties. Attendance levels are set each year between 10,500 and 16,900 total persons, including all staff, volunteers and performers. The proposed Modification will allow one additional one day event on Sunday, August 31, 2008 with a maximum attendance level of 5,000 total persons, including attendees, staff, volunteers and performers. The modification will also allow a one day event on the last weekend of August in each subsequent year to the year 2015.

#### **3.1 Existing Uses**

The French's Camp property is a ±60 acre parcel along Highway 101 directly across from the Cooks Valley Patriot Gas Station. The Dimmick Ranch parcel is approximately 160 acres in size. During most of the year, the sites are used for rural residential purposes with accessory agricultural and timber uses and a gravel mining operation exists on the Dimmick Ranch property. The single family homes on the properties are surrounded by fences.

Agricultural uses include an orchard, pastures for sheep and horses and garden areas. Although there are mixed stands of Douglas fir, oak, madrone and redwood, the timber produced from the site in recent years has been negligible.

The South Fork of the Eel River runs through the site. There are extensive gravel bars along the river that are mostly void of vegetation except grasses.

The properties continue to the east of the river. This area is steep and forested. Access to the timber is through logging roads that extend away from the river to the east. There are springs and a creek that flow into the Eel River from the east side of the Dimmick property.

The site is situated within and adjacent to the 100 year floodplain of the South Fork of the Eel River. Vegetation cover consists of a sparse mixture of upland grasses, forbs and brush along the mostly denuded river bar. Remnants of mixed conifer - hardwood forest lie along the riparian corridor. Slopes in the vicinity range from near flat on river bar areas to in excess of 100% on the forested slopes surrounding the festival site.

During most of the year, the sites are used for rural residential purposes. There are single family residences on both properties.

However, during the first weekend in August, up to 16,900 persons arrive to listen to music. (Actually, several weeks prior to and after the event people are also there putting things up or taking things down, like the stage and lights and sound equipment.)

Participants of the music festival gain access to the site directly from Highway 101. An extensive set of traffic hazard mitigation measures are implemented to ensure public safety, including 24 hour traffic control personnel and a temporary center divide along Highway 101. The applicants coordinate traffic control with both the Sheriff and Highway Patrol; both agencies maintained numerous personnel at the site throughout the event.

Additional security is provided by security guards, staff and volunteers, coordinated by a critical incident team organized by the event sponsors. These same personnel also assist with fire protection, although the Garberville Volunteer Fire Department and California Department of Forestry and Fire Protection provide most of the fire suppression capacity. The event organizers also support CDF fighting fires in the local area during the events with water tenders and portable lights.

Medical services are provided on-site with a staff of doctors and nurses. A medivac helicopter was also available at a site just south of the event within the CalTrans Highway 101 right of way.

The project involved placement of a large temporary flat car bridge over the Eel River during the event to provide access to camping areas on the east side of the river.

An extensive water storage and distribution system was developed over the years to provide drinking and washing water to participants. The water source is a well, which is supplemented by water from the Garberville Sanitary District.

Sewage disposal is mostly handled by many, many, many portasans that are serviced daily. There is also an onsite greywater sewage disposal system, but that has not been approved by the Regional Water Quality Control Board (RWQCB). While that system is being modified to meet the State requirements, a backup system is in place, which has the greywater being stored in above ground tanks, which are pumped periodically. The waste is then transported to an approved wastewater facility.

Solid waste is hauled from the site to an approved location. The organizers developed an extensive recycling and composting program to reduce the amount of solid waste generated from the event.

Camping and parking for the participants, staff, volunteers and performers is provided in several areas on gravel bars alongside the river. A 15' – 20' setback from the river is maintained to provide pedestrian access along the river and to act as a buffer between the campsites and the river.

Event organizers advise participants of general procedures, emergency services, restrictions on the use of fireworks, and ways to minimize impacts to the river by sending them an informational flyer with the tickets when they are mailed. There are also informational signs posted along the pedestrian routes.

### **3.2 Proposed New Uses**

#### French's Camp

According to the site plan, the French's Camp site will be used during the one-day event for emergency access and overflow parking only. The river crossing will use the same temporary flatcar bridge structure as with the Reggae music festival.

#### Dimmick Ranch

The Traffic Flow, and Parking Plan show that access to the parking areas east of the river at French's Camp will be provided through the Dimmick property.

The Sanitary Facilities, Solid Waste Disposal and Recycling Plan show the location of proposed portable toilets, trash and recycling facilities. And the Water Distribution Plan shows the existing well and storage tanks used to supply water to drinking fountains at the site.

#### Accessory Off Site Uses

The Reggae music festival includes the use of overflow parking at the Benbow Golf Course. Free shuttle service throughout the event is provided between the concert site and the golf course by the organizers. That event also includes a camping area on the Bowman property on the other side of the County line. The conditional use permit issued by the Mendocino Planning Commission for the camping area is maintained by the organizers.

The State Park property to the north (Richardson Grove State Park) is also rented for emergency access to the event.

None of these off-site accessory uses are proposed with the proposed one-day event.

#### *Traffic Flow*

The traffic flow and camping and parking plan shows how participants of the music festival will access the event on the Dimmick Ranch property. As before, an extensive set of traffic hazard mitigation measures will be used to ensure public safety, including 24 hour traffic control personnel, and a temporary center divide along Highway 101. The Plan of Operations details the traffic mitigation measures that will be used.

Traffic control will be coordinated with both the Sheriff and Highway Patrol, and both agencies will maintain numerous personnel at the site throughout the event.

### *Emergency Response, Medical and Security*

In addition to the Sheriff and Highway Patrol staff at the site, additional emergency response and security will be provided by security guards, staff and volunteers, coordinated by a critical incident team. A special crew works specifically on stopping fireworks. That plus the increased signage and public information nearly eliminated the illegal use of fireworks in recent events. These same measures will be implemented in future events as well.

Fire protection for the event will be provided by the Piercy Volunteer Fire Department as well as Cal Fire. All vegetation in the parking areas will be mowed prior to it being used.

the Emergency Response, Medical and Security Plan shows the location of the proposed medical assistance areas with a staff of doctors and nurses. The plan also shows the location of the medivac helicopter site just south of the event within the CalTrans right of way where a helicopter will be on call.

### *Water Supply and Distribution*

The Water Distribution Plan shows the proposed water distribution system. Water supply for the Dimmick Ranch property will be from the Garberville Water Company.

### *Sanitary Facilities, Solid Waste Disposal and Recycling*

The Sanitary Facilities, Solid Waste Disposal and Recycling Plan shows the proposed location of toilets, trash receptacles and recycling facilities on the Dimmick Ranch property.

### *Parking*

Parking for the participants, staff, volunteers and performers will be provided at the Dimmick Ranch site as shown on the proposed Traffic Flow, and Parking Plan. No camping is proposed. Overflow parking will be provided at the French's Camp site.

### *Gravel Mining Operation*

The gravel mining operation will be shut down prior to the event and will not commence until after the event. Mining structures on the property will be fenced off to prevent access, and the aggregate materials stored on the site will be graded flat.

## **3.3 Relationship to the Zoning Ordinance**

The proposed temporary event is allowed by the Zoning Ordinance with a conditional use permit (CUP). The project involves the modification of the approved Use Permit to allow changes identified earlier in this section. The Dimmick Ranch site is zoned Agricultural Exclusive (AE) and Timber Production (TPZ). Approval of the CUP depends on the Planning Commission making a finding the project is consistent with the AE and TPZ zoning districts.

## **3.4 Relationship to the General Plan**

The Dimmick Ranch site has a Timberlands (T) as designated in the Humboldt County Framework General Plan. Approval of the CUP depends on the Planning Commission making a finding the project is consistent with the Timberlands Plan designation.

## **3.5 Jurisdictional/Permit Granting Agencies**

As the lead agency for this project, Humboldt County will be responsible for considering certification of the EIR, and approval of the Conditional Use Permit. In addition to Humboldt County, there are a number of other jurisdictional and permit-granting agencies that have control over specific environmental concerns in the planning area. The following is a listing of agencies and their authority, jurisdiction or area of environmental concern. Each of those agencies may utilize this EIR:

### Federal Agencies

National Marine Fisheries Service: Administers Endangered Species Act as it pertains to marine species.

U.S. Fish and Wildlife Service: Administers Endangered Species Act.

U.S. Environmental Protection Agency: Issues permits for point source discharges.

U.S. Army Corps of Engineers: Controls dredge and fill of U.S. waters including wetlands under Section 404 of the Clean Water Act; controls navigable waters under Section 10 of the River and Harbors Act; establishes wetlands boundaries.

### State Agencies

State Lands Commission: Responsible for tidelands and historic waterways.

California Department of Transportation: CalTrans is responsible for the management of the Statewide transportation network.

The Native American Heritage Commission: Mandated to preserve and protect places of special religious or cultural significance pursuant to Section 5097 et seq. of the Public Resources Code.

California Department of Fish and Game: Reviews fish and wildlife issues.

California Department of Forestry and Fire Protection (CDF): Responsible for wildland fire protection and for regulation of timber production.

The California Regional Water Quality Control Board: Concerned with the effects of wastewater disposal on water quality and supply.

Air Resources Board. Responsibility for establishing State air quality standards, maintaining oversight authority in air quality planning, developing programs for reducing emissions from motor vehicles, developing air emission inventories, collecting air quality and meteorological data, and approving State implementation plans.

### Regional Agencies

Air Quality Management District: Monitors air quality and has permit authority over certain types of facilities, including dry-cleaning plants, service stations, land fills, sewage treatment plants and industrial plants as examples.

### Local Agencies

Humboldt County Community Development Services, Sheriff, Division of Environmental Health.

Special Districts: The Piercy Fire district is responsible for fire protection along with CDF.

## **4.0 ENVIRONMENTAL SETTING**

The event is presently held in the Cooks Valley area on the east side of US Highway 101 approximately at the intersection of Cooks Valley Road with US Highway 101 on property known as "French's Camp" (675 Highway 101) and "Dimmick Ranch", which is adjacent and to the south.

The project site is situated within and adjacent to the 100 year floodplain of the South Fork - Eel River. Vegetation cover consists of a sparse mixture of upland grasses, forbs and brush along the primarily denuded river bar. Remnants of mixed conifer - hardwood forest lie along the riparian corridor. Slopes in the vicinity range from near flat on river bar areas to in excess of 100% on the forested slopes surrounding the festival site.

Properties surrounding the project and the Eel River are utilized for highway-commercial, timber projection, open space, recreational campground and public park uses.

## **5.0 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

### **5.1 Less Than Significant Impacts**

A number of mitigation measures are identified in the EIR for the approved project which keep most of the potential impacts at less than significant levels. The proposed new Site Plan, Water Distribution Plan, Sanitary Facilities, Waste Disposal and Recycling Plan, Emergency Response, Medical and Security Plan, and Traffic Flow, and Parking Plan are designed to keep these same impacts at less than significant levels in much the same manner as the approved set of plans.

Following is a list of areas of environmental impacts contained in the attached Initial Study, and the specific mitigation measures called for in the approved EIR to address these impacts: All these items are considered to have less than significant impacts as a result of the project:

Will the project:

- 1a) Have a substantial adverse effect on a scenic vista?
- 1b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 1c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 2c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
- 3a) Conflict with or obstruct implementation of the applicable air quality plan?
- 3c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 3d) Expose sensitive receptors to substantial pollutant concentrations?
- 3e) Create objectionable odors affecting a substantial number of people?
- 4d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 4f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
- 5a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
- 5b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- 5c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- 5d) Disturb any human remains, including those interred outside of formal cemeteries?
- 6a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?
  - ii) Strong seismic ground shaking?
  - iii) Seismic-related ground failure, including liquefaction?

- iv) Landslides?
- 6b) Result in substantial soil erosion or the loss of topsoil?
- 6c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- 6d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 6e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- 7a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 7b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 7c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 7d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 7e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- 7f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- 8b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 8c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- 8d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- 8e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- 8f) Otherwise substantially degrade water quality?
- 8g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 8h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 8i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 8j) Inundation by seiche, tsunami, or mudflow?
- 9a) Physically divide an established community?

- 9b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 9c) Conflict with any applicable habitat conservation plan or natural community conservation plan?
- 10a) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?
- 10b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?
- 11c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 11e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- 11f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?
- 12a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 12b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- 12c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
- 13a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
- i. Fire protection?
  - ii. Police protection?
  - iii. Schools?
  - iv. Parks?
  - v. Other public facilities?
- 14a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- 14b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?
- 15c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 15g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
- 16c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 16d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

- 16e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 16f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 16g) Comply with federal, state, and local statutes and regulations related to solid waste?
- 17a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 17b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

## **5.2 Potentially Significant Impacts**

The following section includes an analysis of potentially significant environmental impacts resulting from the project. The State CEQA Guidelines (Section 15146) state:

The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR.

- (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicated with greater accuracy.

A number of measures in the proposed project design serve to mitigate potentially significant environmental effects to less than significant levels. Likewise County regulations and the regulations of other agencies will reduce impacts to less than significant levels. The discussion of each environmental impact section is organized in the following manner:

### Setting

This discussion describes the physical setting of the project site as it exists before the proposed project. The information will assist the reader in understanding the project impacts.

### Potential Impacts

A set of criteria is set forth establishing the rules upon which the decisions regarding the significance of an impact are based. Each potential impact is discussed separately.

### Mitigation Measures

Mitigation measures are identified for each potential impact. A distinction is made between mitigation in the proposed project itself and mitigation measures identified by this EIR.

### Findings

A determination states whether the impact has been reduced to less than significant levels.



## 5.3 Aesthetic Impacts

### Setting

The range of visual resources at the project site and surrounding area is wide, varied, and numerous. Views include hills, ridgelines, inland water features, forests, agricultural features, and idyllic rural communities, and a combination of all of these features. Views are distant and proximate, panoramic and discrete. There are perhaps very few areas of the County where scenic beauty is not more evident.

The scenic value of these natural resources, viewed both from within or from outside, is of great importance. The rural character of the project site and surrounding area is defined by the topography and the views afforded as a result of those natural landforms. The interspersed heavily vegetated areas, such as forests, with open spaces and agricultural lands, as viewed from the changing topography, defines the scenic beauty for which the County is known.

A scenic road is defined as a roadway that in addition to its transportation function, provide opportunities for the enjoyment of natural and scenic resources. Scenic roads direct views to areas of exceptional beauty, natural resources or landmarks, or historic and cultural interest. Although no highways in Humboldt County are "officially designated" as California State Scenic highways near the project site, Highway 101, which runs adjacent to the project site is eligible for official designation.

### Potential Impacts, Mitigations, & Findings

#### CRITERIA USED TO DETERMINE SIGNIFICANCE

#### **IMPACT 5.3-A**            The project may create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The project will extend the sources of light and glare from the stage for one day each year, which could adversely affect day or nighttime views in the area.

#### **Mitigation Measures**

Implementation of measures serve to mitigate potential impacts reduce these impacts. The stage is oriented away from Highway 101 and developed residences in the Piercy area, which is on the opposite side of the highway as the event, so the main source of light from the event is shielded by the stage structure. Also the stage will be separated from the highway by a number of mature trees, which will help shield nighttime views. And the stage is more than 40 feet lower in elevation than the highway, so no direct lighting of properties on the opposite side of the highway will occur as the stage is less than 40 feet in height.

The lights for traffic areas and parking will be extended for one day each year, which will impact the residents of the Piercy area. However, this impact is considered less than significant because of the short duration; the lights will be significant between the hours of 8:00 – 12:00 p.m., which is the cutoff time for the music.

#### **Finding**

Overall, mitigation measures reduce Impact 5.3-A (New Sources of Light and Glare) to a level of insignificance.

## 5.4 Air Quality

### Setting

#### Ambient Air Quality Standards and Existing Air Quality

The Federal Clean Air Act establishes air quality standards for several pollutants and requires areas that violate these standards to prepare and implement plans to achieve the standards by certain deadlines. Federal standards are divided into primary standards, which are designed to protect the public health, and secondary standards, which are intended to protect the public welfare from effects such as visibility reduction, soiling, nuisance, and other forms of damage.

California has adopted ambient air quality standards that are more stringent than many of the federal standards. The California Clean Air Act of 1988 requires that areas violating the California standards prepare plans describing the steps to be taken to attain the California ambient standards.

Motor vehicles represent the largest potential source of air emissions associated with the project both through emissions and through the transport of dust particles.

#### Particulate Matter (PM<sub>10</sub>)

Health concerns associated with suspended particles focus on those particles small enough to reach the lungs when inhaled. Few particles larger than 10 microns in diameter reach the lungs. Consequently, both federal and State air quality standards for particulate matter have been revised to apply only to these small particles (designated as PM<sub>10</sub>).

State and federal PM<sub>10</sub> standards have been set for 24-hour and annual averaging times. The State 24-hour PM<sub>10</sub> standard equals 50 micrograms per cubic meter ( $\text{æg}/\text{m}^3$ ) and the federal 24-hour standard is 150  $\text{æg}/\text{m}^3$ . The State annual PM<sub>10</sub> standard is 30  $\text{æg}/\text{m}^3$  on an annual geometric mean whereas the federal annual PM<sub>10</sub> standard equals 50  $\text{æg}/\text{m}^3$  on an annual arithmetic mean. Federal and State 24-hour PM<sub>10</sub> standards may not be exceeded more than 1 day per year whereas both annual standards may not ever be exceeded.

According to the *Particulate Matter (PM<sub>10</sub>) Attainment Plan* adopted by the North Coast Unified Air Quality Management District (AQMD) May 11, 1995, several violations of the California PM<sub>10</sub> ambient standard have resulted in Humboldt County being classified as a PM<sub>10</sub> non-attainment area. Both the 24-hour and annual California PM<sub>10</sub> standards are violated on a regular basis in the Humboldt County. However, a violation of the federal PM<sub>10</sub> ambient standards has not been recorded in Humboldt County, primarily because the federal PM<sub>10</sub> standards are much less stringent than the California standards. The non-attainment designation indicates that the PM<sub>10</sub> levels in Humboldt County are a potential threat to public health.

Humboldt County PM<sub>10</sub> emissions are generated by a variety of sources. The primary sources of particulate matter in Humboldt County are road dust and residential fuel combustion (fire places and wood stoves). Motor vehicle traffic generates particulate and PM<sub>10</sub> emissions by lifting into the air dust and dirt particles that settle onto roadways and parking lots. Other significant sources of PM<sub>10</sub> emissions are industrial wood and paper plants, and slash burning.

### Potential Impacts, Mitigation, & Findings

#### CRITERIA USED TO DETERMINE SIGNIFICANCE

**IMPACT 5.4-A** The project may violate an air quality standard or contribute substantially to an existing or projected air quality violation.

Increasing traffic in the immediate vicinity may increase the amount of particulate matter (PM<sub>10</sub>) in the air. The increase in PM<sub>10</sub> is considered less than significant because there are no numerical standards on which to base a determination of significance.

The watering of the site for the event and the application of "Dust Off", a biodegradable dust control product sprayed on roads, will improve the air quality by reducing the amount of PM<sub>10</sub> emissions.

#### **Mitigation Measures**

Conditions of approval require conformance with the proposed site plans and Plan of Operation which involve watering of roads and parking areas, and applying a biodegradable dust control product.

#### **Finding**

Overall, mitigation measures reduce Impact 5.4-A (Air Quality) to a level of insignificance.

### **5.5 Agricultural Resources**

#### **Setting**

Presently, the agricultural use of the Dimmick property is limited. Most of the property is zoned for and used for timber production; all the property to the east of the river is in timber production, approximately 75% of the land area of the site.

As shown on the site map, agricultural production on the remainder of the property on the west side of the river is constrained by an existing residence, a gravel mining operation, a large river bar, and the influence of Highway 101, which borders the property to the east. Nonetheless, policies in the Framework Plan, zoning requirements of the AE zone district and other regulations serve to protect agricultural lands from impacts of other uses.

#### **Potential Impacts, Mitigation, & Findings**

##### **CRITERIA USED TO DETERMINE SIGNIFICANCE**

**IMPACT 5.5-A** The project may convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

**IMPACT 5.5-B** The project may conflict with existing zoning for agricultural use, or a Williamson Act contract.

While the use of the site for the proposed events will prevent agricultural and timber production use of the property during the event and for several weeks both before and after the event to allow for setup and cleanup of the event, the proposed temporary use allows for agriculture and timber production on the property throughout the rest of the year.

No part of the event will occur on the east side of the river, so the majority of the timber lands will remain unaffected by the event. The timberlands on the west side of the river will not be significantly affected by the event. No trees are proposed to be removed, and several of the existing trees will be limbed, which could stimulate growth of seedlings.

The watering of the site for the event will improve the soil conditions for agricultural use. The measures taken to encourage agricultural use of the site are consistent with the Agricultural Exclusive zoning.

#### **Mitigation Measures**

Conditions of approval require conformance with the proposed site plans and Plan of Operation which states that no trees will be removed for the event, and no permanent structures for the event will be constructed on-site. Watering of the site will be sufficient to promote the production of grasses. Conditions of approval for the Reggae music festival require that no temporary structures be allowed

for the event more than 4 weeks before or 4 weeks after the event, which will minimize the area and duration of the impact of the event on agricultural and timber production uses.

### **Finding**

Overall, mitigation measures reduce Impact 5.5-A (Direct Farmland Conversion), 5.5-B (Conflicts with Agricultural Zoning) to a level of insignificance.

## **5.6 BIOLOGICAL RESOURCES**

### **Setting**

A number of biological communities characterize the project site and surrounding areas. These communities include mixed evergreen forest, oak woodlands, douglas fir forest, old growth and coast redwood forest, grassland, and riparian. The Framework Plan, and the Natural Resources and Hazards Report contain detailed descriptions of each of these habitats..

The County, the State Department of Fish and Game and the federal Army Corp of Engineers all share discretionary authority over the biological resource areas of the site associated with the South Fork of the Eel River, which runs through the site, and is the namesake of the event.

The Framework Plan and zoning ordinance guides the County in these decisions. Policies and implementation measures for Streamside Management Areas (SMAs) protect stream resources, preserve existing and native vegetation, and protect and enhance fish and wildlife habitats. The SMAs on the project site extend 100' on either side of the river.

As described in the Biological Report, the SMAs on the project site are characterized by rock outcroppings and extensive gravel bars that are deposited each year from flood waters. There are few wetland areas on the site as the sand, gravel and large rocks that make up the banks of the river do not provide soils sufficient for plant cover, although some willow seedlings and grasses do manage a living on the gravel bars.

The California Department of Fish & Game (CDFG) has developed a list of "special status species." Plant or animal species may be identified as "special status species" even if they are not officially listed as threatened or endangered. "Special Status" species fall under one or more of the following categories:

1. Officially listed or proposed for listing under the State of California and/or the Federal Endangered Species Acts;
2. State of California or Federal candidate species for possible listing;
3. A California Department of Fish and Game Species of Special Concern;
4. Species that may be considered endangered or rare under Section 15380(d) of CEQA guidelines;
5. A Bureau of Land Management, U.S. Fish and Wildlife Service or U.S. Forest Service Sensitive Species;
6. Species listed in the California Native Plants Society's Inventory of Rare and Endangered Vascular Plants of California;
7. Species that are biologically rare, very restricted in distribution, or declining throughout their range but not currently threatened with extinction;

8. Population(s) of species in California that may be peripheral to the major portion of a species' range but are threatened with extinction in Humboldt or California;
9. Species closely associated with a habitat that is declining in California at an alarming rate (e.g. wetlands, riparian, old growth forests, desert aquatic systems, native grasslands, valley shrub land habitats, vernal pools, etc.).

A number of "special status species" exist in the South Fork of the Eel River on the project site. These are detailed in the attached Biological Study.

## **Potential Impacts, Mitigations & Findings**

### CRITERIA USED TO DETERMINE SIGNIFICANCE

**IMPACT 5.6-A** The project may have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species

**IMPACT 5.6-B** The project may have a substantial adverse effect on riparian habitat or other sensitive natural community.

**IMPACT 5.6-C** The project may have a substantial adverse effect on federally protected wetlands through direct removal, filling, hydrological interruption, or other means.

**IMPACT 5.6-D** The project may conflict with local policies or ordinances protecting biological resources

Alteration of the natural habitat may occur when undeveloped land is converted to other uses. Changes in the diversity of plant and animal species will occur during development due to removal of vegetation or by activities that result in the direct harm to species. The indirect impacts of the proposed project on the diversity of plants and animals may constitute a significant impact where sensitive habitat areas lack regulatory protection, or where the project conflicts with those protection measures.

As documented in the biological report attached to the 2006 Supplemental EIR, the proposed project will have fewer impacts on biological species as the approved project. Potentially significant impacts of the project to the SMAs and the sensitive species in the river are generated from the construction of a bridge across the river to allow access from the Dimmick property to the French's Camp property. This bridge is installed for the Reggae music festival, and will be simply left in place for the proposed project. There is no evidence that letting a metal bridge remain over the river for an additional four weeks of the year until the end of August will have any more impacts to the biological resources on the site. In fact, the bridge does provide shade, which could help, in a rather minimal way, some of the biological resources in the river that are harmed by high water temperatures.

Also, camping by attendees is allowed within the SMA during the Reggae music festival, but is not allowed with the proposed project. The attendees may use the river for swimming, but since the gates don't open until 2:00 pm, there are not likely to be many who have time to swim in the river before the music begins, and after that, it will be late afternoon, and too cold for most people to want to swim.

The event involves parking of vehicles on the gravel bars along the river, and persons attending the event may choose to swim in the river, which may introduce pollutants into the river.

The biological report submitted for the 2006 event did not identify any potential impacts with cars being parked adjacent to the South Fork of the Eel River, but it seems reasonable that if the cars are parked close to the river, and they happen to leak oil or other toxic substances, those pollutants could adversely impact water quality of the river. As mentioned previously in the Cumulative Impacts section, individually, these impacts may be negligible, just a few drips of oil or coolant, but

cumulatively, if you consider that a number of cars parked near the river could be leaking at the same time, this impact may potentially be cumulatively significant.

Also, as mentioned in the cumulative impacts section of this EIR, the biological report submitted for the 2006 event identified a potentially significant biological resources impact, that urea in the river can be toxic or lethal to fish when the water temperatures are high. As the event draws thousands of people to the site, and a number of them may go swimming in the river, and some, maybe just a few, may pee in the river. If there are enough of them, and the water temperatures are high, they may cumulatively harm the fish in the river by creating toxic conditions.

### **Mitigation Measures**

Numerous policies in the Framework Plan and zoning ordinance aim at avoiding any alteration of the diversity of species in sensitive biological communities. Existing policies directed toward Streamside Management Areas protect valuable riparian habitat. Protection of the riparian habitat will also indirectly result in reducing impacts to water quality from erosion, pollutants and stormwater run-off.

The proposed temporary bridge is going to be the exact same structure as the bridge used for the Reggae music festival held the first weekend in August. The placement of the bridge is done in a manner consistent with requirements of the Department of Fish and Game and Army Corps of Engineers, which will ensure the placement of the temporary bridge across the river involves no impacts to sensitive species, wetlands or riparian areas that are more significant than the existing bridge crossing. Roads are identified as an allowed use in the SMA requirements

There will be no camping allowed with the proposed project, so no impacts from campers on sensitive species, wetlands or riparian areas will occur.

Waiting to open the gates to the event until 2:00 p.m. will also likely reduce the number of swimmers to a negligible amount, thereby reducing the impact to the river from people swimming.

### **Finding**

#### Further Mitigation Required

Conditions of approval for the project include the requirement for an annual report, where additional mitigation measures may be added as necessary to address unforeseen impacts of the project. Water testing required for the Reggae music festival over the years has not shown any significant water quality impacts from that event, and the impacts to water quality from the proposed project are expected to be less because it is shorter, it doesn't allow for camping, and it is later in the day, so there will likely be far fewer swimmers. Also there will be fewer cars because attendance levels are a maximum of 5,000 persons, rather than the 16,900 persons allowed for the Reggae music festival.

Conditions of approval also require all cars be parked more than 100 feet from the daily high water flow during the event, and any car with visible leaking fluids are prohibited from parking on the river bars. These measures will reduce the potential for toxic substances entering the water to less than significant levels. This will also help reduce the impacts of the project on biological resources associated with the river to less than significant levels.

The above factors and additional mitigation measures required render Impacts 5.6-A (Candidate, Sensitive and Special Status Species), 5.4-B (Riparian Habitat or Other Sensitive Community), 5.6-C (Wetlands) and 5.6-E (Conflict With Biological Resource Protection Policies) less than significant. Given these mitigation measures, the proposed project is consistent with Plan and zoning ordinance policies which serve to protect biological resources.

## 5.7 Hazardous Materials and Hazards

### Setting

#### Fire Hazards

Like most of the County, the proposed project site contains substantial forest fire risks and hazards. The rugged terrain, hot dry climate in the summer months, and large areas of forestland combine together to create a substantial fire risk.

Wildland fire protection in the area is the responsibility of the California Department of Forestry and Fire Protection (CDF), while local fire departments in Garberville and Piercy provide fire protection for structures.

These agencies, as well as the California Highway Patrol and County Office of Emergency Services are also responsible for emergency response and emergency evacuation of the area.

### Potential Impacts, Mitigation Measures, & Findings

#### CRITERIA USED TO DETERMINE SIGNIFICANCE

**IMPACT 5.7A** The project may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**IMPACT 5.7B** The project may expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Significant potential sources of fire from the event are from fireworks from careless and overzealous attendees and from parking lots, where at a previous event, a brushfire started when someone parked their car over an area that was not mowed, and the grasses contacting the hot muffler of the car led to ignition.

There is also a potentially significant impact on the ability for emergency responders to evacuate the surrounding area in the event of a catastrophic emergency event, such as a wildland fire or earthquake. The evacuation of up to 5,000 persons at the site could impair the ability to evacuate other surrounding areas.

#### Mitigation Measures

The Plan of Operation attached to this Supplemental EIR states that in addition to the Sheriff and Highway Patrol staff at the site, additional emergency response and security will be provided by security guards, staff and volunteers, coordinated by a critical incident team. A special crew will work specifically on preventing fireworks from being lit. That plus the increased signage and public information have eliminated the illegal use of fireworks recently. These same measures will be implemented in the proposed events as well.

As in previous years, the fire suppression resources at the site will be made available off-site as necessary to provide additional fire protection in the local area during the event.

As shown on the Emergency Response, Medical and Security Plan, the event organizers also have two fire watch camps on the east side of the Eel River.

All vegetation in the parking areas will be mowed prior to it being used.

Piercy Volunteer Fire Department and Cal Fire will provide fire protection at the site.

The Emergency Response, Medical and Security Plan shows the location of the proposed medical assistance areas with a staff of doctors and nurses. The plan also shows the location of the medivac

helicopter site just south of the event within the CalTrans right of way where a helicopter will be on call.

The Critical Incident Team will also coordinate implementation of the emergency response plan. Conditions of approval require conformance with the Plan of Operation and with the conditions of approval of CDF, which address fire prevention and emergency response.

### **Finding**

Implementation of the above mitigation measures reduces Impacts 5.7-A (Emergency Response) and 5.7-B (Wildland Fires) to a level of insignificance.

## **5.8 Hydrology and Water Quality**

### **Setting**

A dominant feature of the project site is the South Fork of the Eel River. The proposed project involves parking and camping within 100 feet of the river, and swimming is allowed. The 1999 U.S. EPA Total Maximum Daily Load (TMDL) study summarized the physical and biological setting in the South Fork of the Eel River planning watershed as follows.

#### **Sedimentation Problems**

“The main channel of the South Fork Eel River has filled with sediment substantially since 1964, a process known as stream aggradation. The U.S. Army Corps of Engineers measurements of aggradation show four sections of the river increased in elevation from 1.6 feet to approximately 11 feet between 1968 and 1998 (USACE, 1999.). The elevation at one cross section decreased by 1.3 feet. The Army Corps report states that channel widening also appears to be continuing (1992 compared to 1996) although the trend is less evident. These types of channel changes result from both local and upstream sediment inputs.

Sedimentation of tributary streams in the South Fork Eel has also reached notable levels. Sediment from Cuneo Creek, a tributary of Bull Creek, has buried two bridges with more than 10 meters of sediment and the channel widened from 10s to 100s of meters (LaVen, 1987 and Short, 1987.) The 1964 flood resulted in widening of Bull Creek by up to 400 feet (Jager and LaVen, 1981.) Because such precise historical measurements of stream changes are rarely undertaken, there is uncertainty about the spatial extent of similar channel changes within tributaries of the South Fork Eel. DFG observers (DFG, 1996 and DFG, 1996-1998) find that some channel changes (e.g. filling of pools with sediment) that reduce the habitat complexity needed by salmon, are frequent.

With or without changes in the channel from increases in coarse sediment, salmon are negatively affected by the additions of fine sediment. Fine sediment smothers spawning sites, reducing the ability of salmon to reproduce successfully.

#### **Temperature Problems**

Temperature directly governs almost every aspect of the survival and life history of Pacific salmon (Berman, 1998.) Temperature is such as an important requirement of fish that coho and chinook salmon, and steelhead are known as “cold water fish”. Many physiological processes of salmon are affected by temperature including metabolism, food requirements, growth rates, developmental rates of embryos and young, timing of life-cycles such as adult migration, emergence from gravel nests, proper life stage development and sensitivity to disease (Spence et al, 1996.)



In general, the types of effects are usually divided into lethal and sublethal effects. These effects are relevant for all the life stages of salmon. However, in the South Fork Eel, the most sensitive period is the summer rearing period, when young coho and steelhead stay in freshwater streams while they mature.

Stream temperatures have been measured at many locations in the South Fork Eel. It is well documented that many locations in the South Fork Eel have summer temperatures that exceed the tolerances of cold water species. Prior to this TMDL, neither the natural geographic extent of cool temperatures nor the role of human activities in reducing the amount of good cool water habitat for salmon had been established. The role of shading in preventing stream temperature increases is well established for forested ecosystems in the Pacific Northwest. However, prior to this TMDL, the role of changes in riparian vegetation has not been widely investigated for the South Fork Eel. For the South Fork Eel, given that many streams have become wider and shallower and many riparian areas have been cleared for roads or timber production, human induced changes are thought to play a large role. This TMDL evaluates the role of vegetation changes in altering natural stream temperatures for the South Fork Eel.”

The biological report for the Reggae Music festival (Attachment 3 of the 2006 Supplemental EIR) describes how the uses may impact the water quality of the Eel River.

### **Potential Impacts, Mitigations & Findings**

#### CRITERIA USED TO DETERMINE SIGNIFICANCE

#### **IMPACT 5.6-A** The project may violate water quality standards or waste discharge requirements

As documented in the attached biological report, the proposed project will have many of the same impacts on water quality as the approved project.

Potentially significant impacts of the project to the water quality of the river are generated from the construction of a bridge across the river to allow emergency access from the Dimmick property to the French’s Camp site. The proposed temporary bridge is going to be the exact same structure as the bridge used for the Reggae music festival held the first weekend in August. The placement of the bridge for the Reggae music festival is done in a manner consistent with requirements of the Department of Fish and Game and Army Corps of Engineers, which ensures the placement of the temporary bridge across the river involves no significant impacts to water quality.

There will be no camping allowed with the proposed project, so no impacts from campers on the water quality will occur.

The event involves parking of vehicles on the gravel bars along the river, and persons attending the event may choose to swim in the river, which may introduce pollutants into the river.

As described in the cumulative impacts section earlier in this EIR, the biological report submitted for the 2006 event, which is attached to the 2006 EIR, did not identify any potential impacts with cars being parked adjacent to the South Fork of the Eel River, but it seems reasonable that if the cars are parked close to the river, and they happen to leak oil or other toxic substances, those pollutants could adversely impact water quality of the river. Individually, these impacts may be negligible, just a few drips of oil or coolant, but cumulatively, if you consider that a number of cars parked near the river could be leaking at the same time, this impact may potentially be cumulatively significant.

The biological report submitted for the 2006 event identified a potentially significant water quality impact, that urea in the river can be toxic or lethal to fish when the water temperatures are high. As the event draws thousands of people to the site, and a number of them will likely go swimming in the

river, it seems reasonable to assume that a few of them may not know better, or may simply choose to be idiots, and pee in the river. Individually, those unfortunate few are not likely to have much of an effect, but if there are many of them, and the water temperatures are high, they may cumulatively harm the fish in the river by creating toxic conditions.

Waiting to open the gates to the event until 2:00 p.m. will likely reduce the number of swimmers to a negligible amount, thereby reducing the impact to the river from people swimming.

And conditions of approval for the project include the requirement for an annual report, where additional mitigation measures may be added as necessary to address unforeseen impacts of the project. Water testing required for the Reggae music festival over the years has not shown any significant water quality impacts from that event, and the impacts to water quality from the proposed project are expected to be less because it is shorter, it doesn't allow for camping, and it is later in the day, so there will likely be far fewer swimmers. Also there will be fewer cars because attendance levels are a maximum of 5,000 persons, rather than the 16,900 persons allowed for the Reggae music festival.

Conditions of approval also require all cars be parked more than 100 feet from the daily high water flow during the event, and any car with visible leaking fluids are prohibited from parking on the river bars. These measures will reduce the potential for toxic substances entering the water to less than significant levels. This will help reduce the water quality impacts of the project to less than significant levels.

#### **Mitigation Measures**

Numerous policies in the Framework Plan and zoning ordinance aim at avoiding any water quality impacts. Existing policies directed toward Streamside Management Areas protect water quality.

The proposed temporary bridge is going to be the exact same structure as the bridge used for the Reggae music festival. The placement of the bridge will be done in a manner consistent with requirements of the Department of Fish and Game and Army Corps of Engineers, which ensures the placement of the temporary bridge across the river involves no significant impacts to water quality of the river.

#### **Further Mitigation Required**

Conditions of approval for the project include the requirement for an annual report, where additional mitigation measures may be added as necessary to address unforeseen impacts of the project. Water quality testing required for the Reggae music festival over the years has not shown any significant water quality impacts from that event, and the impacts to water quality from the proposed project are expected to be less because it is shorter, it doesn't allow for camping, and it is later in the day, so there will likely be far fewer swimmers. Also there will be fewer cars because attendance levels are a maximum of 5,000 persons, rather than the 16,900 persons allowed for the Reggae music festival.

Conditions of approval require all cars be parked more than 100 feet from the daily high water flow during the event, and any car with visible leaking fluids are prohibited from parking on the river bars. These measures will reduce the potential for toxic substances entering the water, and will reduce the impacts of the project on water quality to less than significant levels.

The potential impacts to water quality from wastewater treatment capacity are addressed in Section 5.11 of this Supplemental EIR (Utilities and Service Systems).

#### **Finding**

With the additional mitigation in this Supplemental EIR, Impacts 5.8-A (Water Quality) are rendered less than significant.

## 5.9 Noise

### Setting

The generally used description of noise is the day-night average sound level (Ldn). The day-night average sound level is the average sound level over a 24-hour time period. Ldn is expressed in decibels (dB), which is the standard measure of sound pressure. Since the human ear can detect noise at some frequencies more easily than noise at other frequencies, filters used with sound level measuring equipment suppress frequency ranges that the ear cannot readily detect. Measurements of noise normally use the "A" filter, since it was designed to match the frequency sensitivity of the human ear. Hence, noise levels are normally expressed as "A-weighted" levels. All sound or noise levels in the General Plan are A-weighted levels, abbreviated as dB or dBA. Also, all discussion of Ldn assumes that Ldn is measured in A-weighted decibels.

Because decibels are logarithmic units of measure, changes in decibels can be somewhat difficult to interpret. A change of three decibels, for example is hardly noticeable, while a change of five decibels is quite noticeable. An increase of ten decibels is dramatic and is perceived as a doubling of the noise level. An increase of ten decibels (from 50 dB to 60 dB) increases the percent of the population highly annoyed at the noise source by about seven percent, while an increase of 20 dB (from 50 dB to 70 dB) increases the percentage by approximately 25%.

Amplified music is perhaps the most significant source of noise in the area during the event. The main stage area is at Dimmick Ranch as shown on the plot plan.

Humboldt County Code restricts the creation and continuation of loud, unnecessary, or unusual noise. This ordinance, enforced by the County Sheriff's Department, prohibits excessive noise levels.

Just as the amplified music creates noise, it will also create vibration.

### Potential Impacts, Mitigation Measures, & Findings

#### CRITERIA USED TO DETERMINE SIGNIFICANCE

**IMPACT 5.9-A**            The project may potentially result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

**IMPACT 5.9-B**            The project may potentially result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

**IMPACT 5.9-C**            The project may potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

The project will add a day of music each year, which will be source of music and vibration from the stage. For those living closest to the site, noise levels may exceed those allowed by the general plan at during the event.

Traffic noise along Highway 101 is expected to increase somewhat over the traffic noise levels from the previous event as there will be more traffic to and from the site.

#### Mitigation Measures

Implementation of measures serve to mitigate potential impacts reduce these impacts. The stage is be oriented away from Highway 101 and developed residences in the Piercy area, which is on the opposite side of the highway as the event, so the main source of noise and vibration from the event

will be shielded by the stage structure. The house located at Dimmick Ranch will likely experience excessive noise levels, however as they are leasing the site to the applicants for the event, they have some control over the noise levels they are exposed to.

Also the stage will be separated from the highway by a number of mature trees, which will help shield noise and vibrations. And the stage area is more than 40 feet lower than the highway, so there will be no direct amplified music or vibrations from the stage to Piercy residents living close to the highway.

The temporary nature of the event helps to mitigate the noise and vibration impacts as well. There is a general understanding that music events of this nature are noisy, and people are willing to tolerate those excessive noise levels for brief periods of time. Gates don't open until 2:00, and the performance will end at midnight, so the source of noise and vibration will occur for less than 10 hours during the year.

Traffic noise impacts for the residents of the Piercy area will be somewhat more intense as there will be more cars traveling to and from the site. However, noise from traffic is less at lower speeds, and when people enter onto the site from the highway, parking staff require cars to slow down to no more than 15 miles per hour.

### Findings

Implementation of the above mitigation measures reduces Impacts 5.9-A (Excessive Noise) and 5.9-B (Excessive Vibration), and 5.9-C (Substantial Temporary Noise Increase) to a level of insignificance.

## 5.10 Transportation And Circulation

### Setting

The Traffic Flow plan shows Highway 101 provides almost direct access to the entrance; there is a small County Road ("Cooks Valley Road") that extends perhaps ½ mile from the highway to the subject property. Highway 101 at the proposed entrance is 4 lanes wide with 2 lanes northbound and 2 lanes southbound.

Highway 271, which is a two lane road to the west of Highway 101, leads into the rural community of Piercy.

The proposed new entrance configuration, the traffic flow, and parking areas are the same as the Reggae music event. The entrance will be in an area where Highway 101 is 4 lanes, which will allow for continuous through traffic.

### Potential Impacts, Mitigations & Findings

#### CRITERIA USED TO DETERMINE SIGNIFICANCE

<b>IMPACT 5.10-A</b>	<u>Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system.</u>
<b>IMPACT 5.10-B</b>	<u>Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.</u>
<b>IMPACT 5.10-C</b>	<u>Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).</u>

The Plan of Operation and the Traffic Flow plan include mitigation measures to reduce the impacts of an increase in traffic, the impacts to the level of service and impacts to public safety from traffic.

### Mitigation Measures and Findings

The Plan of Operation and the Traffic Flow plan include mitigation measures to reduce the impacts of an increase in traffic and the impacts to the level of service to less than significant levels. The applicant is proposing the same basic traffic control measures as they use for the Reggae music festival.

#### Finding

With the mitigation identified above, Impact 5.10 A, 5.10-B, and 5.10-C are reduced to a level of insignificance.

### 5.11 Utilities and Service Systems

#### Setting

The Garberville Water Company, which provides public water services to the area, will be providing all the potable water supply for the event.

The Plan of Operation and Sanitary Facilities Plan identify the location and extent of portasans proposed to be provided on the site. These portasans will be distributed throughout the French's Camp and the Dimmick Ranch as detailed on the Plan. The event will be serviced by mobile pumping trucks and the solid waste is stored in a 100,000 gallon solid waste hauling tanker truck that delivers it to the approved disposal center.

A grey water wastewater system was installed on the Dimmick Ranch, however this system has not yet been approved for use by the RWQCB. A backup system that was used for the 2007 Reggae music festival involves the use of a 20,000 water storage tank, which is occasionally pumped, and the waste is hauled to an approved location.

#### Potential Impacts, Mitigations, & Findings

##### CRITERIA USED TO DETERMINE SIGNIFICANCE

**IMPACT 5.11-A**      The project may exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

**IMPACT 5.11-B**      The project may require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

The applicant proposes mitigation measures in the Plan of Operation and the Water Supply and Sanitary Facilities Plan to reduce the impacts of the project on water supply and wastewater treatment capacity. For example, it is proposed that portasans will be provided on the site by B&B of McKinleyville. And the Garberville Water Company has agreed to provide potable water for the event. Also, the applicants are proposing to use a greywater wastewater system that was installed on the Dimmick Ranch.

The RWQCB and the County Health Department, which both oversee the testing and development of individual water supplies and on-site sanitation, have not yet received sufficient information from the applicants to establish that the proposed new on-site greywater system meets State standards. A backup system that was used last year for the Reggae music event will be used instead, should the applicants not get approval of the on-site greywater sewage disposal system from the RWQCB and Health Department.

#### Mitigation Measures

With the mitigation identified above, Impact 5.11 A (Wastewater Treatment Capacity, and 5.11-B (Water Supply) are reduced to less than significant levels.

### **Finding**

The proposed mitigation measures serve to reduce Impact 5.11-A (Wastewater Treatment Capacity) and 5.11-B (Water Supply) to less than significant levels.

### **6.0 PERSONS CONSULTED**

Briona Dresher, Regional Water Quality Control Board  
Dave Spinoza, Division of Environmental Health  
Jeremy Monroe, California Department of Forestry  
Steve Horvitz, State Parks  
Jesse Robertson, CalTrans  
Carol Bruno, People Productions  
Joe Moran, People Productions  
David Moss, People Productions  
Frank Lynch, Mendocino County Planning

## ATTACHMENT 1

### Initial Study Checklist

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
<b>1. AESTHETICS .</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2. AGRICULTURE RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3. AIR QUALITY.</b> Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
<b>4. BIOLOGICAL RESOURCES.</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>5. CULTURAL RESOURCES.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6. GEOLOGY AND SOILS.</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>7. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>8. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>9. LAND USE AND PLANNING.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10. MINERAL RESOURCES.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
<b>11. NOISE.</b> Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12. POPULATION AND HOUSING.</b> Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13. PUBLIC SERVICES.</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
<b>14. RECREATION.</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>15. TRANSPORTATION/TRAFFIC.</b> Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>16. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**17. MANDATORY FINDINGS OF SIGNIFICANCE.**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## **Discussion of Checklist Responses**

### **1. AESTHETICS**

Finding: a) The project will not have a substantial adverse effect on a scenic vista. Less Than Significant Impact.

Discussion: The proposed modification will allow an additional one-day event each year, with a maximum attendance level of 5,00 total persons, including attendees, staff, volunteers and performers. During the already approved 4-day event, the project already has a considerable visual impact on areas within view of the immediate vicinity, which is a scenic vista. There are no permanent structures proposed which could impair a scenic vista. And the increase of use as proposed will not significantly impact the visual impacts to the scenic vista relative to the approved use which lasts for 4 days, and allows up to 16,900 persons,.

Finding: b) The project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No Impact.

Discussion: The project will not result in the construction or demolition of any permanent structures, so it does not have any potential impacts which would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Finding: c) The project will not substantially degrade the existing visual character or quality of the site and its surroundings. Less Than Significant Impact.

Discussion: There are no permanent structures proposed which could impair the existing visual character. The proposed modification will allow an additional one-day event each year, with a maximum attendance level of 5,00 total persons, including attendees, staff, volunteers and performers. During the already approved 4-day event, the project already has a considerable but temporary visual impact on areas. The proposed increase of use is small compared to the approved use, which lasts for 4 days, and allows up to 16,900 persons, so it will not significantly impact the visual character relative to the approved use

Finding: d) The project may create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Potentially Significant Impact.

Discussion: The project will extend the sources of light and glare from the stage at existing site for an additional day each year, which could adversely affect day or nighttime views in the area. This will make more sources of light for persons living in or visiting the area. This issue is further discussed in the EIR

### **2. AGRICULTURAL RESOURCES**

Finding: a) The project may convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring program of the California Resources Agency, to non-agricultural use; and b) the project may conflict with existing zoning for agricultural use, or a Williamson Act Contract.. Potentially Significant Impact.

Discussion: The use of the site for the proposed additional event will prevent agricultural and timber production use of the property during the event and for several weeks both before and after the event to allow for setup and cleanup. This issue is further discussed in the EIR

Finding: c) The project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use. No Impact.

Discussion: Aside from the changes described above, there are no other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

### **3. AIR QUALITY**

Finding: The project will not a) conflict with or obstruct implementation of the applicable air quality plan; c) result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors; d) expose sensitive receptors to substantial pollutant concentrations; or e) create objectionable odors affecting a substantial number of people. No Impact

Discussion: The addition of one one-day events each year does not conflict with or obstruct implementation of the adopted air quality plan. Nor does the project result in a cumulatively considerable net increase of any criteria pollutant. There are no hospitals or retirement homes nearby that include a substantial number of sensitive receptors. The project will not create objectionable odors affecting a substantial number of people.

Finding: b) The project may violate any air quality standard or contribute substantially to an existing or projected air quality violation; Potentially Significant Impact.

Discussion: Increasing traffic in the immediate vicinity may increase the amount of particulate matter (PM<sub>10</sub>) in the air. This issue is further discussed in the EIR

### **4. BIOLOGICAL RESOURCES**

Finding: a) The proposed project may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, and b) The proposed project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the department of Fish and Game or U.S. Fish and Wildlife Service, c) The proposed project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (Including, but not limited to, marsh vernal pool, coastal, etc.) through direct removal filling, hydrological interruption, or other means, e) conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance.. Potentially Significant Impact.

Discussion: Alteration of the natural habitat may occur when undeveloped land is converted to other uses. Changes in the diversity of plant and animal species will occur during development due to removal of vegetation or by activities that result in the direct harm to species. The indirect impacts of the proposed project on the diversity of plants and animals may constitute a significant impact where sensitive habitat areas lack regulatory protection, or where the project conflicts with those protection measures. This issue is further discussed in the EIR

Finding: d) The proposed project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites nor f) conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation

Plan, or other approved local, regional, or state habitat conservation plan. Less Than Significant Impact.

Discussion: The stream channel will be protected by requiring conformance with the permits issued by the Department of Fish and Game and the Army Corps of Engineers. The habitat conservation plans administered by federal and State agencies owning the surrounding park lands do not prohibit or otherwise address the proposed use.

## 5. CULTURAL RESOURCES

Finding: The proposed project will not a) cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5; b) cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5; c) directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or d) disturb any human remains, including those interred outside of formal cemeteries. No Impact.

Discussion: The North Coast Information Center did not identify any known archaeological sites in the project area. The following standard condition will be included as one of the conditions of approval for the project to limit the potential of impact to cultural resources. *“If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to a halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine the appropriate treatment of the remains.”* There are no mapped historical or paleontological resources or geologic features or human remains on the property.

## 6. GEOLOGY AND SOILS

Finding: a) - i) The proposed project will not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42. No Impact.

Discussion: According to the Geologic Hazards maps of the Framework Plan, the project is mostly located in an area of low instability. There are steep hillsides on the property, but the proposed uses will occur on the river bars and other relatively flat areas of the property. Additionally, the project site is not located in a special studies zone or mapped in a potentially active fault zone according to the Special Study Maps prepared by the State of California. The project will not expose people or structures to substantial adverse effects from a fault rupture.

Finding: a)ii The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking. No Impact.

Discussion: According to the Geologic Stability Rating Map, the soils on the project site are classified as relatively stable. The project site is located in Seismic Zone 4, with a seismic Zone factor of 0.4, per Figure 16-2 and Table 16-1 of the 1998 Uniform Building Code (UBC). However, building design standards, which meet or exceed the requirements of the UBC, for this seismic zone, will mitigate against the potential adverse effects from this hazard.



Finding: a)iii The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure and liquefaction. No Impact.

Discussion: The soils at the site are not in an area mapped as conducive to liquefaction and subsidence (See (ai)and (aii) above). In addition, the site is not located in an area identified with the potential for liquefaction.

Finding: a)iv The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving landslides. No Impact.

Discussion: The slope of the property is mild - less than five percent (5%). With the combination of a mild slope and the relatively stable soils at the project site (see a)ii above) there is no significant risk of landslides as a result of the project.

Finding: b) The project will not result in soil erosion or loss of topsoil. No Impact.

Discussion: The proposed development will be on parts of the site with mild slope (see a)iv above) which has little potential for erosion. Existing access roads will be used to access the event and new temporary road construction will be limited to areas along or on top of the flat river bar. The proposed activities will not increase the soil erosion or loss of top soil.

Finding: c) The project will not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. No Impact.

Discussion: The slope of the property is mild, and it is not in an area of mapped geologic hazards.

Finding: d) The project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. No Impact.

Discussion: There are no known expansive soils in the project area, and none are expected on this site.

Finding: e) The project does not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater. Less Than Significant Impact.

Discussion: The proposed greywater wastewater disposal system would dispose waste water from hand washing areas. However the system design has not been approved by the RWQCB. Alternately, the applicants are proposing to dispose the greywater at an approved off-site location. The Division of Environmental Health administers the Basin Plan for the area, and will ensure the necessary requirements are met prior to the event.

## **7. HAZARDS AND HAZARDOUS MATERIALS**

Finding: a) The proposed project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. No Impact.

Discussion: The type of activities that are proposed for the project do not involve transport, use or disposal of hazardous materials.

Finding: b) The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. No Impact.

Discussion: The type of activities that are proposed for the project do not involve transport, use, or disposal of hazardous materials (solvent, oils, fuels, etc.). Diesel Fuel used at the site is brought to the site as needed in properly equipped delivery trucks.

Finding: c) The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No Impact.

Discussion: The project site does not involve any activities that would result in hazardous emissions or the handling of hazardous materials.

Finding: d) The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it not create a significant hazard to the public or the environment. No Impact.

Discussion: The project site is not included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5.

Finding: e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? No Impact.

Discussion: The project site is located approximately three miles from the nearest public airport, and is not in an approach or transition zone nor is it designated as an area that has a limited risk. Therefore, the project is expected to have less than a significant impact.

Finding: f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area. No Impact.

Discussion: The project is not within the vicinity of a private airstrip. The project site is more than three (3) miles from a public airstrip.

Finding: g) The project may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Potentially Significant Impact.

Discussion: The evacuation of 5,000 persons from the site may divert substantial emergency crews from the surrounding areas. This item is discussed in the Supplemental EIR.

Finding: h) The project may expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Potentially Significant Impact.

Discussion: Significant potential sources of fire from the event are from fireworks from careless and overzealous attendees and from parking lots, where at the 2005 event, a brushfire started when someone parked their car over an area that was not mowed, and the grasses contacting the hot muffler of the car led to ignition. This item is discussed in the Supplemental EIR.

## **8. HYDROLOGY AND WATER QUALITY**

Finding: The project may violate any water quality standards or waste discharge requirements. Potentially Significant Impact.

Discussion: As described in the biological report submitted for the approved project on file with the Planning Division, the proposed project will likely have many of the same impacts on

water quality as the approved project. Potentially significant impacts of the project to the water quality of the river are generated from the construction of a bridge across the river to allow access from the Dimmick property to the French's Camp property. Also, attendees use the river for swimming. This item is discussed in the Supplemental EIR.

Finding: The project would not b) substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). No Impact.

Discussion: The proposal would not result in a change in the quantity of ground water, either through direct additions or withdrawals.

Finding: The project would not c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or of-site; d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or f) Otherwise substantially degrade water quality. No Impact.

Discussion: There are no permanent structures proposed that would alter the drainage of the site. Road construction will only occur on gravel river bars.

Finding: g) The project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other hazard delineation map. No Impact.

Discussion: No permanent structures are proposed.

Finding: h) The project would not place within a 100-year flood hazard area structures which would impede or redirect flood flows. No Impact.

Discussion: See (g) above.

Finding: i) The project will not result in the exposure of people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; j) inundation by seiche, tsunami, or mudflow. No Impact.

Discussion: There is no hazard in the project area or from the project itself from flooding, including flooding as a result of the failure of a levee or dam, or by seiche, mudflow or tsunami.

## **9. LAND USE AND PLANNING**

Finding: The project will not a) physically divide an established community; b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; c) conflict with general plan designation or zoning. No Impact

Discussion: The proposed project will not result in the construction of any permanent structures. The proposed project is allowed by the zoning ordinance and land use plan.

## 10. MINERAL RESOURCES

Finding: The project would not: a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. No Impact

Discussion: The Division of Mines and Geology has noted that the 'Classification and Designation of Mineral Lands' per the Surface Mining and Reclamation Act) Section 2790 'Minerals of Regional Significance' and associated mapping has not occurred for Humboldt County.

Finding: b) The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. Less Than Significant Impact

Discussion: There is an in stream gravel mining operation on-site. Conditions of approval for the Reggae music festival require the mining use does not occur during the event, the gravel piles from the mining operation will be graded flat for parking and camping areas, and the mining equipment left on the site will be fenced off from the event. As conditioned, the project will not, therefore, result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

## 11. NOISE

Finding: The project may a) expose persons to or generate of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and b) Expose persons to or generate excessive groundborne vibration or groundborne noise levels, and d) the project may result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Potentially Significant Impact.

Discussion: The project will extend the source of music and vibration from the stage for an additional day of the year. This will make it more noisy for persons living near the project site; and for those living closest to the site, noise levels may exceed those allowed by the general plan at some times during the event. This issue is further discussed in the EIR.

Finding: c) The project will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. No Impact.

Discussion: The proposed project will not result in any permanent increases in ambient noise levels because it is one temporary event each year that each last for one day.

Finding: e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels. No Impact.

Discussion: The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

Finding: f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels. No Impact.

Discussion: The project is more than three (3) miles from the nearest private airstrip.

## 12. POPULATION AND HOUSING

Finding: a) The proposed project would not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). No Impact.

Discussion: The proposed project will only induce a temporary population increase in the immediate vicinity during the one-day events. Much of the increase will be accommodated in camping and parking areas developed on-site. The project does not exceed population projections.

Finding: b) The proposed project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. No Impact.

Discussion: The proposed project does not include the displacement of any existing housing.

Finding: c) The proposed project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. No Impact.

Discussion: The proposed project would not displace any people.

## 13. PUBLIC SERVICES

Finding: The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including fire protection, police protection, schools, parks and other public facilities. Less Than Significant Impact.

Discussion: The proposed project will cause a temporary increase in the need for fire and police protection in the area, which is addressed by the security and emergency response plan. There are no permanent structures proposed that would require new school, park or other public facilities.

## 14. RECREATION

Finding: a) The project would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Less Than Significant Impact.

Discussion: The approved project temporarily increases the use of the nearby Humboldt Redwoods State Park. The proposed project would not have any more impact than the approved project as the facilities are typically already at capacity during the summer months.

Finding: b) The project will not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. No Impact.

Discussion: The proposed project does not include recreational facilities, and as it is a temporary event, it will also not require the construction or expansion of recreational facilities.

## 15. TRANSPORTATION / TRAFFIC

Finding: a) The project may cause a significant increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase

in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections); b) the project may exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways; and d) the project may substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Potentially Significant Impact.

Discussion: The increase in traffic levels to and from the site from up to 5,000 persons may cause significant traffic impacts. This issue is further discussed in the EIR.

Finding: c) The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. No Impact

Discussion: Based on the project description, the proposed project will not result in a change in air traffic patterns or locations, nor will it increase air traffic significantly. Most people arrive at the site by driving.

Finding: e) The project would not result in inadequate emergency access. Less Than Significant Impact.

Discussion: The proposed project includes a security plan and emergency response plan that provide adequate emergency access.

Finding: f) The project would not result in inadequate parking capacity. No Impact.

Discussion: The Parking Plan shows that parking for the event is served by on-site parking.

Finding: g) The project would not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts and bicycle racks). No Impact.

Discussion: There would be a minor temporary increase in traffic during the event, but not at a level that conflicts with adopted policies and plans for alternative transportation. The proposed use makes extensive use of buses to shuttle people from off site parking areas to the event site.

## 16. UTILITIES AND SERVICE SYSTEMS

Finding: a) The project may exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, and b) the project may require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Potentially Significant Impact.

Discussion: The RWQCB have not yet approved the proposed greywater sewage disposal system. This issue is further discussed in the EIR.

Finding: c) The project would not require or result in the construction of new storm water drainage facilities, the construction of which could cause significant environmental effects. No Impact.

Discussion: The proposed project does not involve the construction of any permanent structures that might generate stormwater runoff.

Finding: d) The project would not have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed. No Impact.

Discussion: The Garberville Water Company has agreed to provide potable water for the event. No new or expanded entitlements will be necessary.

Finding: e) The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. No Impact

Discussion: The applicants have contracted with B&B for wastewater disposal. The service provided has been adequate in the past, so it is likely the modified project can be accommodated as well.

Finding: f) The project would not be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. No Impact

Discussion: Solid Waste from the modification will be disposed at an approved location as in past years. There is no evidence the increase in solid waste from the proposed project expansion will exceed the capacity of the selected location.

Finding: g) The project would not comply with federal, state, and local statutes and regulations related to solid waste. No Impact.

Discussion: The project will not produce products or by-products that violate any federal, state or local statutes or regulations related to solid waste. Garbage and other waste pickup will follow existing county guidelines for recycling and disposal of waste.

## 17. MANDATORY FINDINGS OF SIGNIFICANCE

Finding: a) The project will not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Less Than Significant Impact.

Discussion: Water quality and biological resource impacts with the project are considered in the EIR, and with the proposed mitigation measures and the further mitigation measures required, the impacts of the proposed project on water quality and biological resources are reduced to less than significant levels.

Finding: b) The project will not have significant impacts that are individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects). Potentially Significant Impact.

Discussion: The water quality and biological impacts considered in the EIR are potentially significant because of their potential cumulative effects. This issue is further discussed in the EIR.

Finding: c) The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. Less Than Significant Impact.

Discussion: There is no evidence the proposed addition of a one-day event each year will cause any adverse effects on humans directly or indirectly. No hazardous emissions or significant increases in light, noise, traffic, wastewater or solid waste will result from this project.

**ATTACHMENT 2**

**Project Plans**