



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: May 7, 2015

To: Humboldt County Planning Commission

From: Kevin R. Hamblin, Director of Planning and Building Department

Subject: **Substantial Conformance Review for the 2015 Northern Nights Music Festival Parking and Camping Event and One-Day Event**
Case Number MON-15-002 (Review of CUP-04-38MMM)
Assessor Parcel Numbers (APNs) 033-271-007, 033-271-005, 033-271-009

Table of Contents

	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	4
Draft Resolution	6
Maps	
Location Map	8
Zoning Map	9
Assessor Parcel Map	10
Aerial Map	11
Topo Map	12
Project Proposal Maps	13

Attachments:

Attachment 1:	Relevant Conditions of Approval (Northern Nights) with Additional Discussion	15
Attachment 2:	Relevant Conditions of Approval (One-day Event) with Additional Discussion	17
Attachment 3:	Staff Analysis of the Evidence Supporting the Required Findings	18
Attachment 4:	Applicant's Evidence in Support of Required Findings	25
Attachment 5:	Addendum to EIR (SCH# 92-033035)	62
Attachment 6:	Original EIR (SCH #92-033035) & Supplemental EIR [on CD]	Insert
Attachment 7:	Referral Agency Comments and Recommendations	69
Attachment 8:	CUP-04-38MMM Conditions of Approval	70

Please contact Emily Benvie at (707) 268-3727, or by e-mail at ebenvie@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date May 7, 2015	Subject Substantial Conformance Review for the 2015 <i>Northern Nights Music Festival</i> Parking and Camping Event and One-Day Event	Contact Emily Benvie
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Project: This project is a substantial conformance review of CUP-04-38MMM for use during a three-day outdoor music and art event known as "Northern Nights Music Festival" (NNMF) which will be held the weekend of July 17-19, 2015, and also used during a separate one day outdoor concert on August 22, 2015. While CUP-04-38MMM contains Assessor Parcel Numbers (APNs) 033-271-005, 033-271-007, and 033-271-009, APN 033-271-007, known as "County Line Ranch," is the only parcel where the project will occur within Humboldt County. The intent of the project is to review certain uses of CUP-04-38MMM to demonstrate that the land use is developed, conducted, and substantially conforms to the previously approved conditional use permit.

The majority of NNMF will be held at Cooks Valley Campground in Mendocino County, however the project specifically seeks approval for use of County Line Ranch to accommodate parking up to 2,000 vehicles and camping for up to 2,000 attendees. There will be no amplified music permitted on the project site during the NNMF event.

Additionally, the applicant proposes to use County Line Ranch for a one day concert of up to 1,000 attendees on August 22, 2015. The August event will include live music between the hours of 5 PM and 11:59 PM. Attendees, staff, and volunteers will have the option to camp overnight, however all camping will be located in Mendocino County on adjacent parcels.

The original EIR was certified in 1992 (SCH 92-033305), a Supplemental EIR was certified in 2006, an additional Supplemental EIR was certified in 2008, an Addendum to the EIR was prepared in 2009, and another Addendum to the EIR was prepared for the 2014 substantial conformance review. An additional addendum to the EIR has been prepared this year in order to address the water supply source, re-entry to the project site during the events, and entry to the one-day event beginning at 12pm rather than 2pm.

Project Location: The project is located in Humboldt County, in the Cooks Valley area, on the east side of US Highway 101, extending east from the intersection of the Cooks Valley Road with US Highway 101 on the property known as "County Line Ranch" (240 Cooks Valley Road).

Present Plan Designations: APN 033-271-007: Timberlands (T) as designated in the Humboldt County Framework General Plan. Slope Stability: Low (1) to Moderate (2) Instability

APNs 033-271-005, 033-271-009: Agricultural Lands – 40 Acres per dwelling unit (AL-40)

Present Zoning: APN 033-271-007: Agricultural Exclusive/Timber Production Zone (AE/TPZ)
 APNs 033-271-005, 033-271-009: Unclassified (U)

Assessor Parcel Numbers: 033-271-007, 033-271-005, 033-271-009

Owner/Applicant

Duncan Ley
 Outraged Orangutan LLC
 2961 Mission Street
 San Francisco, CA 94110

Agent

Dr. Peter Huson
 Blap Productions
 859 Harrison Street, Suite B
 San Francisco, CA 94107

Environmental Review: The original Environmental Impact Report (EIR) was adopted on May 14, 1992 (SCH# 92-033035). A Supplemental EIR was adopted on March 3, 2006. An Addendum to the EIR has been prepared for the project

Major Issues: None

State Appeal Status: Project is not located within the Coastal Zone.

**Substantial Conformance Review for
2015 Northern Nights Musical Festival Event Parking& Camping; One-day Concert Event**
Case Number MON-15-002
Assessor's Parcel Numbers 033-271-007, 033-271-005, 033-271-009

Recommended Planning Commission Action

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

Make all of the required findings, based on evidence in the staff report and public testimony, and find that the project proposed by Outraged Orangutan LLC/Blap Productions described in the Agenda Item Transmittal can be considered to 'Substantially Conform' to the range and intensity of uses authorized under the approved Conditional Use Permit for the site, and subject to the recommended Conditions of Approval.

Executive Summary:

This project involves a substantial conformance review determination concerning the Conditional Use Permit (CUP-04-38MMM) for the previously held 'Reggae Rising' music festival. The applicant (Outraged Orangutan, LLC) currently proposes to use a portion of the site for auxiliary camping and parking during the a three-day outdoor music and art event known as Northern Nights Music Festival (NNMF), which will be held in Mendocino County from Friday, July 17, 2015 through Monday, July 20, 2015. Parking will accommodate up to 2,000 vehicles, and camping will accommodate up to 2,000 attendees. Additionally, the applicant is proposing to hold a one day concert event on August 22nd which will accommodate up to 1,000 attendees. For both events, all project activities located in Humboldt County will be confined to APN 033-271-007, currently known as "County Line Ranch." The existing Conditional Use Permit (CUP-04-38MMM) will expire on December 31, 2015.

During the 2015 event season, the only other use proposed on the site is for overflow parking for the Reggae on the River Festival. 2015 is the third year the NNMF event is being held. The inaugural event occurred in 2013 and was confined to lands within Mendocino County immediately south of County Line Ranch. The 2014 event was also largely confined to Mendocino County, however overflow parking was permitted on County Line Ranch. This year, in association with a request to modify the Mendocino County Use Permit, the applicants are requesting the use of County Line Ranch for auxiliary parking and camping by event attendees. They are also requesting to hold a separate one day concert event on August 22, 2015. The event will take place between 5pm and 11:59pm and patrons will be allowed to enter the site as early as 12pm.

Most recently, CUP-04-38MMM (June, 2009) allowed a one day event to be held over the last weekend in August with a maximum attendance level of 5,000 persons until year 2015. However, the event has not been held since 2008. In 2010, the Planning Commission passed a resolution (Resolution 10-23) that cancelled future Reggae Rising events until all conditions of approval were fulfilled. Although the one day event has not been held since 2008, it was unaffected by the cancellation of the Reggae Rising music festival. While both events were held under the same Conditional Use Permit, Conditions of Approval were separate for each event and the one-day event did not violate any Conditions of Approval.

The intent of the current project is to exercise certain land use entitlements of the existing conditional use permit that allow the site to be occupied for a public assembly activity; this includes auxiliary parking and camping and associated infrastructure in accordance with NNMF held in Mendocino County. In addition, the applicant is requesting to exercise a reduced scale of the approved one day event allowance on the subject parcel. Neither parking and camping for NNMF nor the one day event constitute a violation of the terms of Resolution 10-23.

Several rounds of Environmental review have been previously conducted. The original Environmental Impact Report (EIR) was prepared by Humboldt County and certified in 1992 (SCH 92-033035). A Supplemental EIR, prepared in association with project modifications, was certified on March 2, 2006. An additional Supplemental EIR was certified on May 2, 2008. An Addendum to the EIR was prepared in 2009, and an additional Addendum to the EIR was prepared for the 2014 substantial conformance review. An addendum to the EIR has been prepared for this conformance review and is included as Attachment 5 of the staff report. The purpose of the addendum is to address the water supply source, the one-day event occurring on an earlier date, and entry to the one-day event beginning at 12pm rather than 2pm. It has been concluded that the current project is within the scope of the original project review and therefore should not result in new or significant environmental impacts.

Staff Recommendations: Based upon the on-site inspection, a review of Planning Division reference sources, and a review of comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for determining that the request to use portions of the property for auxiliary parking and camping areas in support of an off-site event held in Mendocino County, in addition to holding a one-day concert event with an attendance level of 1,000 persons on County Line Ranch in Humboldt County, substantially conforms with the range and intensity of uses authorized under the approved Conditional Use Permit (CUP-04-38MMM) for the site, as modified.

Alternatives:

1. The Planning Commission could elect not to approve the project. This alternative should be implemented if the Commission is unable to make all of the required findings. Planning Division staff is confident that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.
2. The Planning Commission could elect to further clarify the Conditions of Approval. This alternative should be implemented if, based on public testimony or submission of additional evidence, the Commission feels further clarifications are appropriate.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 15-**

**Case Number MON-15-002
Assessor's Parcel Numbers: 033-271-007, 033-271-005, 033-271-009**

Makes the required findings for certifying compliance with the California Environmental Quality Act and determines that the requested use of the property substantially conforms to the range and intensity of uses authorized under the approved Conditional Use Permit (CUP-04-38MMM).

WHEREAS, Outraged Orangutan LLC submitted an application and evidence in support of exercising certain uses of Conditional Use Permit 04-38MMM to be held from Friday July 17, 2015, through Monday July 20, 2015; and

WHEREAS, the applicant is seeking to exercise the parking and camping allowance portion of CUP-04-38MMM only, which will not involve holding an event on the site; and

WHEREAS, the applicant is also seeking to exercise the one-day event allowance portion of CUP-04-38MMM; and

WHEREAS, the County Planning Division has reviewed the submitted report and evidence and has referred the evidence to involved reviewing agencies for site inspections, comments and recommendations; and;

WHEREAS, on July 6, 2010, the Planning Commission adopted Resolution 10-23, which canceled the 2010 Reggae Rising event because the prior applicant (Dimmick Ranch LLC) failed to comply with required conditions of approval of the CUP; and

WHEREAS, if the applicant seeks to reinstate a full-scale multi-day event on the property they will be subject to demonstrating compliance with the terms in Resolution 10-23; and

WHEREAS, recommendations of approval of future multi-day events will be dependent on submittal of complete annual reports and proof of compliance with required conditions of approval and mitigation measures prior to selling tickets; and

WHEREAS, the approval of this project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA); environmental review for the project was completed (SCH #92-033035) and an Addendum to the EIR has been prepared.

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission makes all of the findings included in Attachment 3 of the Planning Division staff report for Case Number MON-15-002; the 2015 Substantial Conformance Review of CUP-04-38MMM based on the submitted evidence and subject to the project's existing conditions of approval.
2. The Planning Commission approves the proposed Addendum to the Supplemental EIR in Attachment 5 as required by Section 15074(b) of the CEQA Guidelines and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment.

3. The Planning Commission solely authorizes the use of event auxiliary parking and camping on APN 033-271-007 for the 2015 Northern Nights Music Festival, and holding of the one-day event with a 1,000 person attendance level, as substantially conforming to the range and intensity of uses allowed under approved Conditional Use Permit (CUP-04-38MMM).

Adopted after review and consideration of all the evidence on May 7, 2015.

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

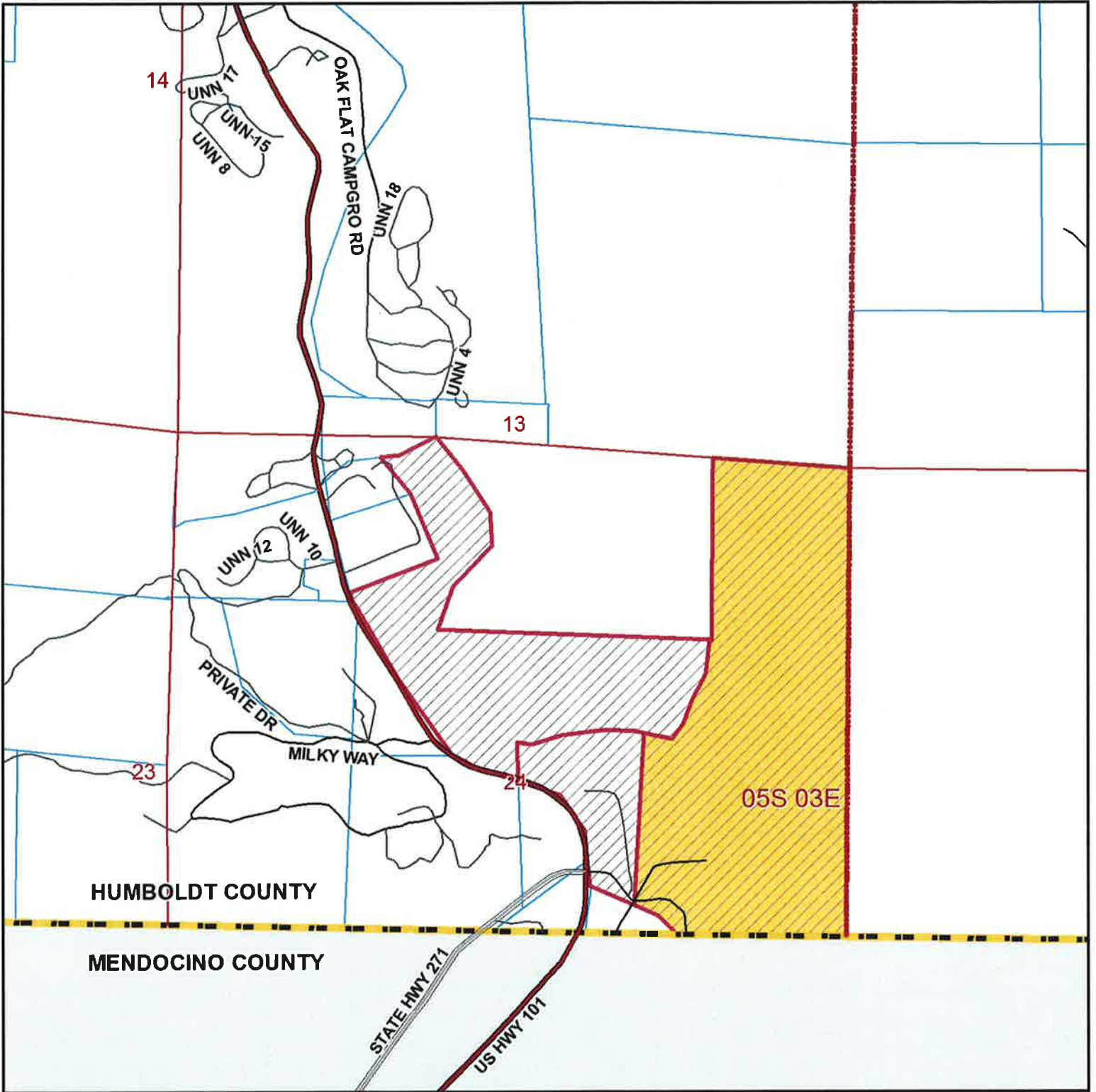
ABSENT: Commissioners:

DECISION:

Robert Morris, Chair

I, Catherine Munsee, Clerk to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

Catherine Munsee, Clerk

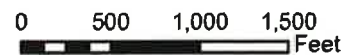


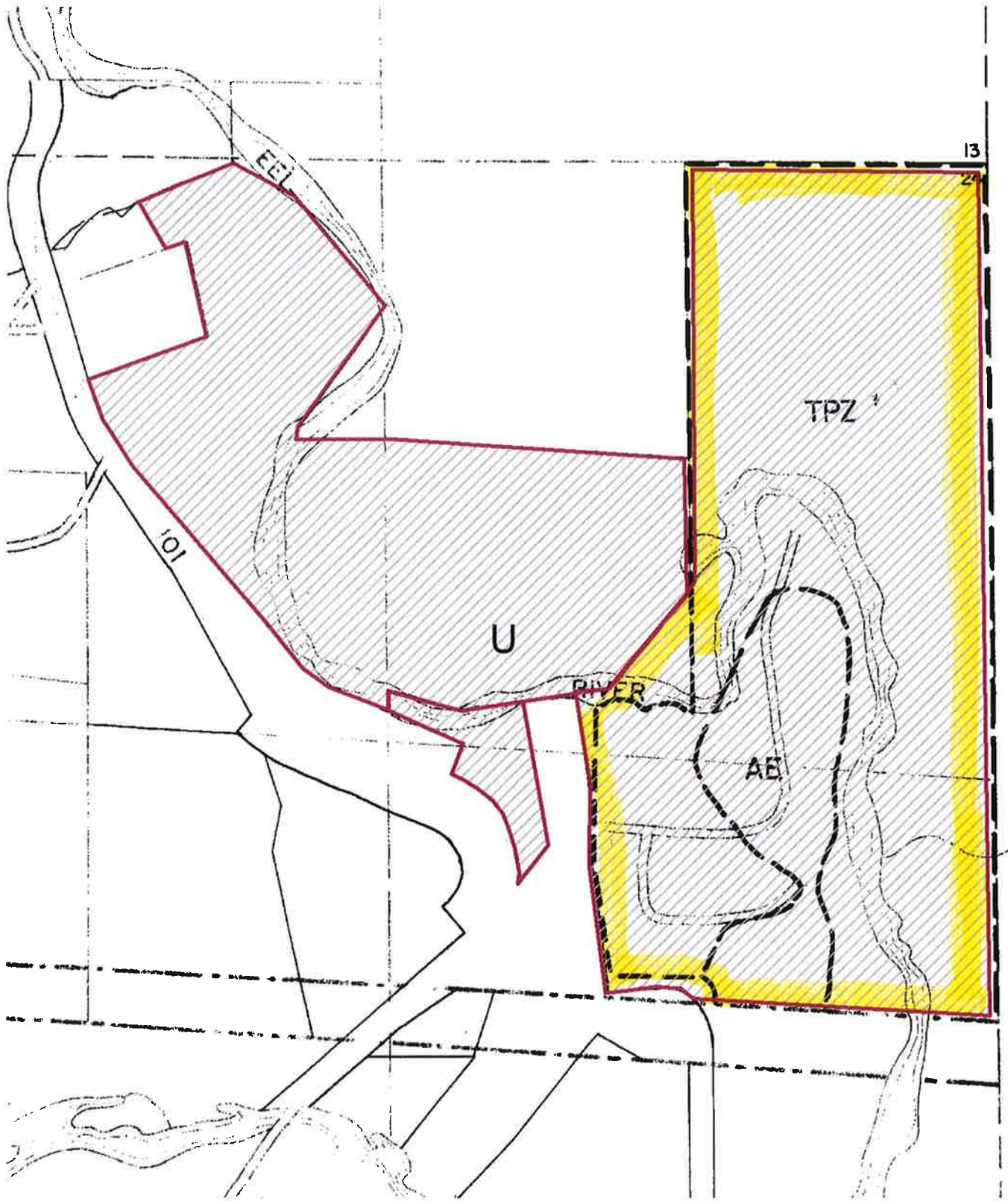
LOCATION MAP

**PROPOSED OUTRAGED ORANGUTAN
CONFORMANCE REVIEW
COOKS VALLEY AREA
MON-15-002
033-271-005, -007, -009
T05S R03E S24 HB&M (Garberville)**

**Project Area
(APN: 033-271-007) =** 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





ZONING MAP

**PROPOSED OUTRAGED ORANGUTAN LLC
 CONFORMANCE REVIEW
 CONDITIONAL USE PERMIT
 COOKS VALLEY AREA
 MON-CUP-04-38MMM
 033-271-005, -007, -009
 T05S R03E S24 HB&M (Garberville)**

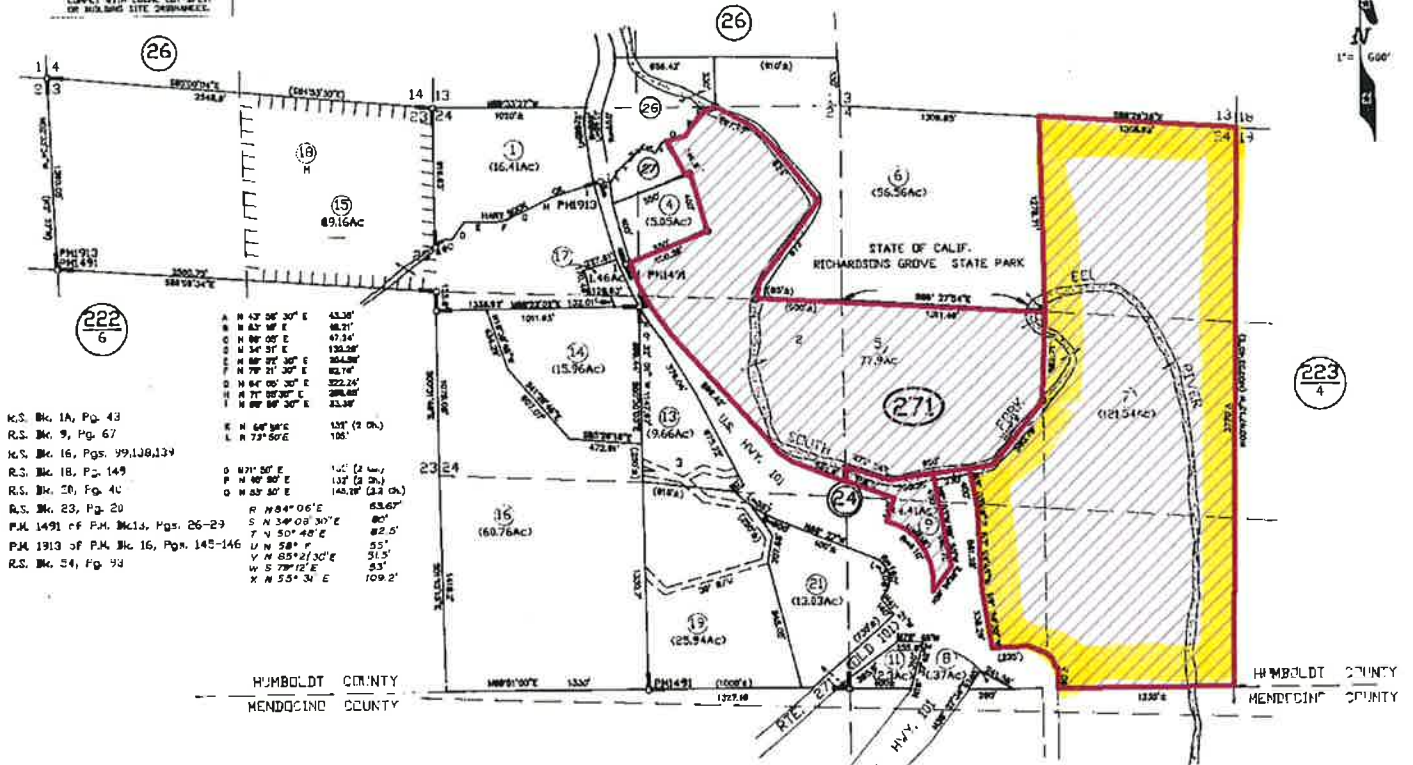
PROJECT SITE = 



MAP NOT TO SCALE

ASSESSOR'S PARCEL MAP
 1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
 2. NO LIABILITY IS ASSURED FOR THE ACCURACY OF THE DATA SHOWN.
 3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR HOUSING SITE ORDINANCES.

SEC. 24 & N 1/2 OF NE 1/4 SEC.23, T.5S., R.3E. H.B. & M. 33-27



A	N 47° 30' 30" E	43.30'
B	N 82° 18' E	68.34'
C	N 89° 05' E	47.34'
D	N 34° 31' E	138.28'
E	N 89° 24' 30" E	38.40'
F	N 79° 21' 30" E	82.74'
G	N 84° 05' 30" E	322.24'
H	N 71° 02' 30" E	298.80'
I	N 89° 58' 30" E	33.30'
K	N 68° 30" E	137' (1 Ch.)
L	N 73° 50" E	105'
O	N 71° 50" E	137' (1 Ch.)
P	N 89° 50" E	137' (1 Ch.)
Q	N 83° 30" E	142.89' (1.2 Ch.)
R	N 84° 06' E	83.07'
S	N 59° 05' 30" E	80'
T	N 50° 48' E	82.5'
U	N 58° 48' E	55'
V	N 85° 21' 30" E	51.5'
W	S 78° 12' E	83'
X	N 55° 34' E	109.2'

K.S. Bk. 1A, Pg. 43
 R.S. Bk. 3, Pg. 67
 K.S. Bk. 16, Pgs. 99,108,139
 R.S. Bk. 18, Pg. 149
 R.S. Bk. 20, Pg. 40
 R.S. Bk. 23, Pg. 20
 P.M. 1491 of P.M. Bk.13, Pgs. 26-29
 P.M. 1913 of P.M. Bk. 16, Pgs. 142-146
 R.S. Bk. 54, Pg. 93

NOTE - Assessor's Block Numbers Shown In Ellipses
 Assessor's Parcel Numbers Shown In Circles.

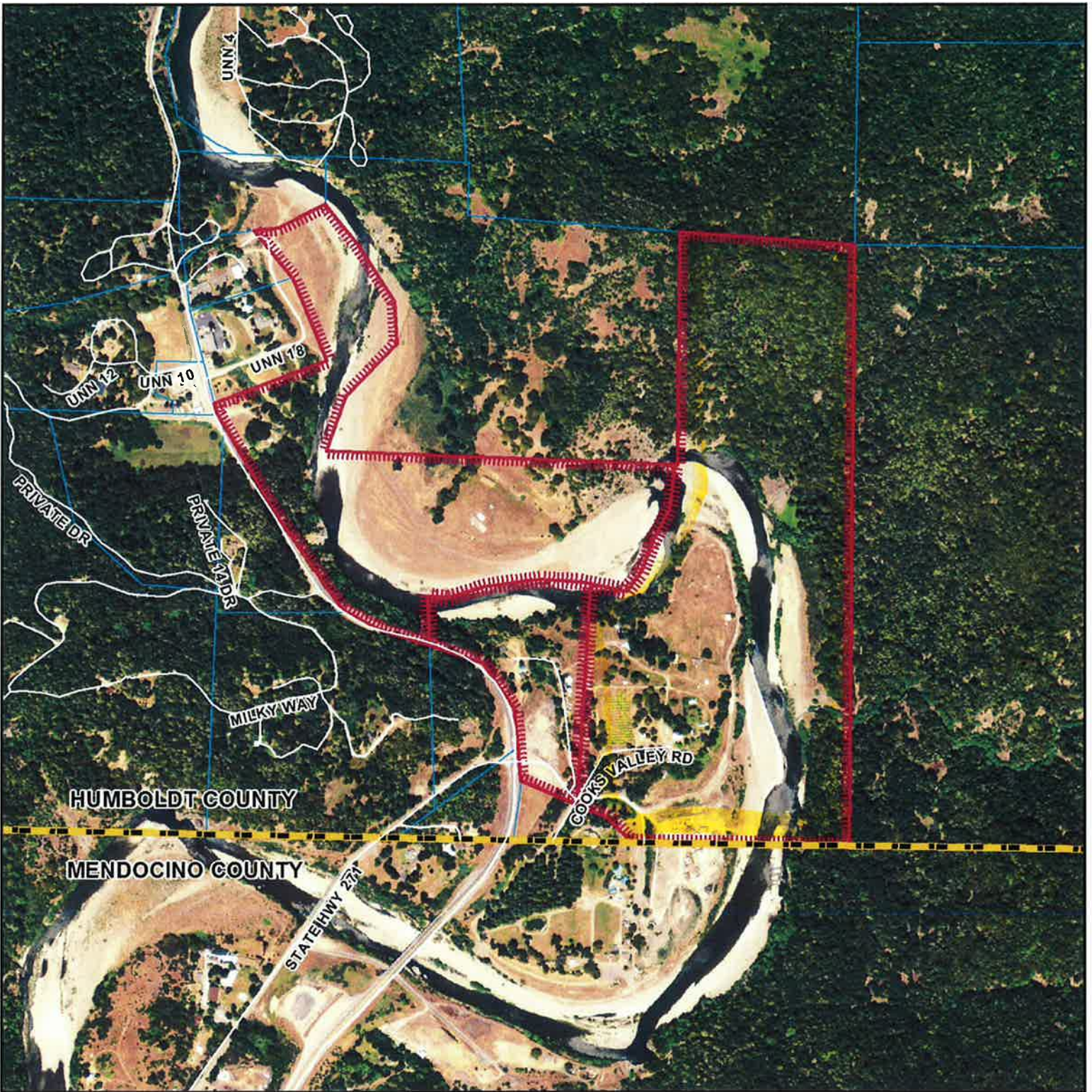
Assessor's Map Bk. 33, Pg.27
 County of Humboldt, CA.

PROJECT SITE = 

ASSESSOR PARCEL MAP

**PROPOSED OUTRAGED ORANGUTAN LLC
 CONFORMANCE REVIEW
 CONDITIONAL USE PERMIT
 COOKS VALLEY AREA
 MON-CUP-04-38MMM
 033-271-005, -007, -009
 T05S R03E S24 HB&M (Garberville)**

MAP NOT TO SCALE

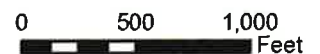


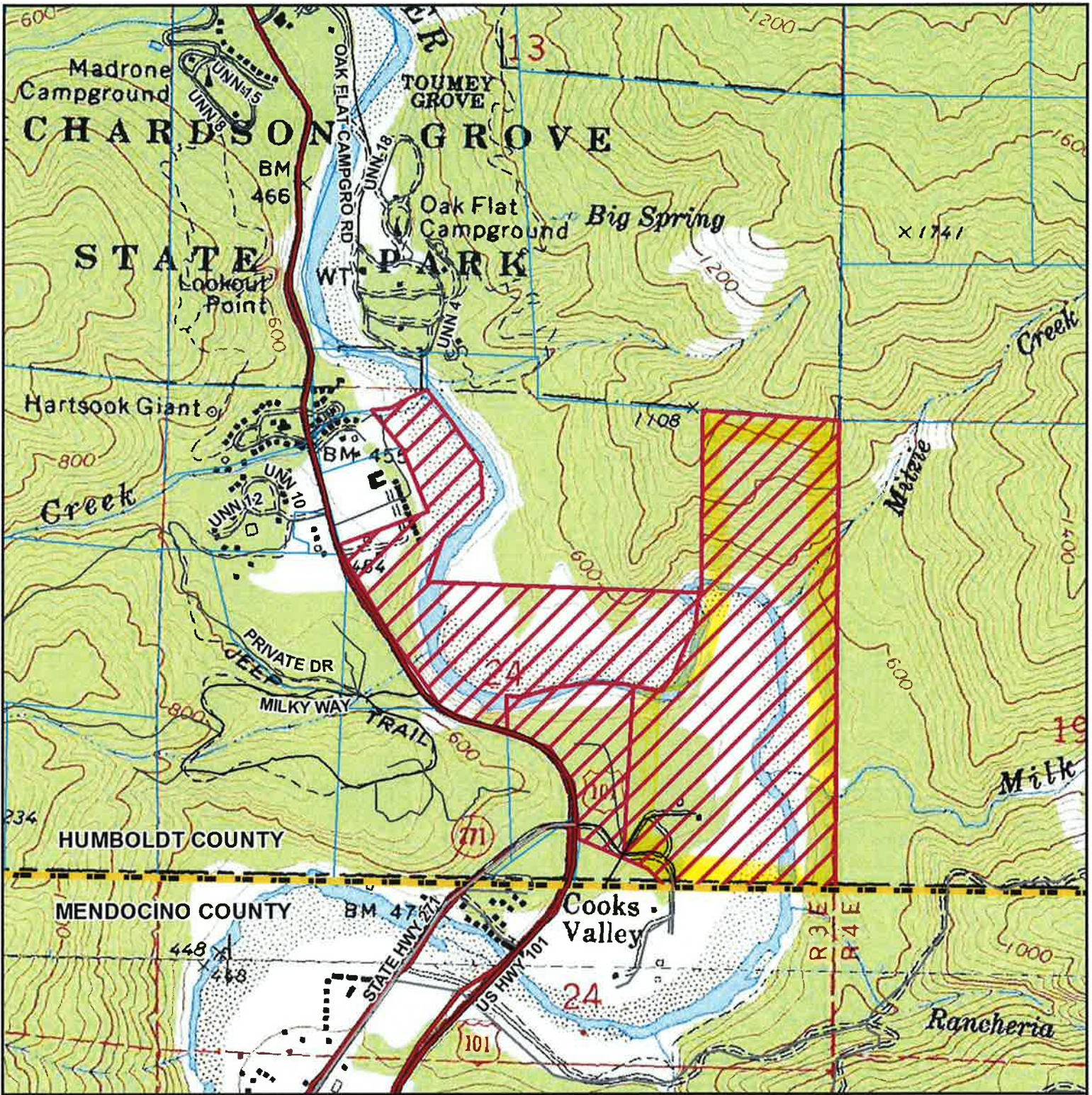
AERIAL MAP

**PROPOSED OUTRAGED ORANGUTAN LLC
 CONFORMANCE REVIEW
 CONDITIONAL USE PERMIT
 COOKS VALLEY AREA
 MON-CUP-04-38MMM
 033-271-005, -007, -009
 T05S R03E S24 HB&M (Garberville)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



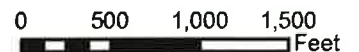


TOPO MAP

**PROPOSED OUTRAGED ORANGUTAN LLC
 CONFORMANCE REVIEW
 CONDITIONAL USE PERMIT
 COOKS VALLEY AREA
 MON-CUP-04-38MMM
 033-271-005, -007, -009
 T05S R03E S24 HB&M (Garberville)**

Project Area = 

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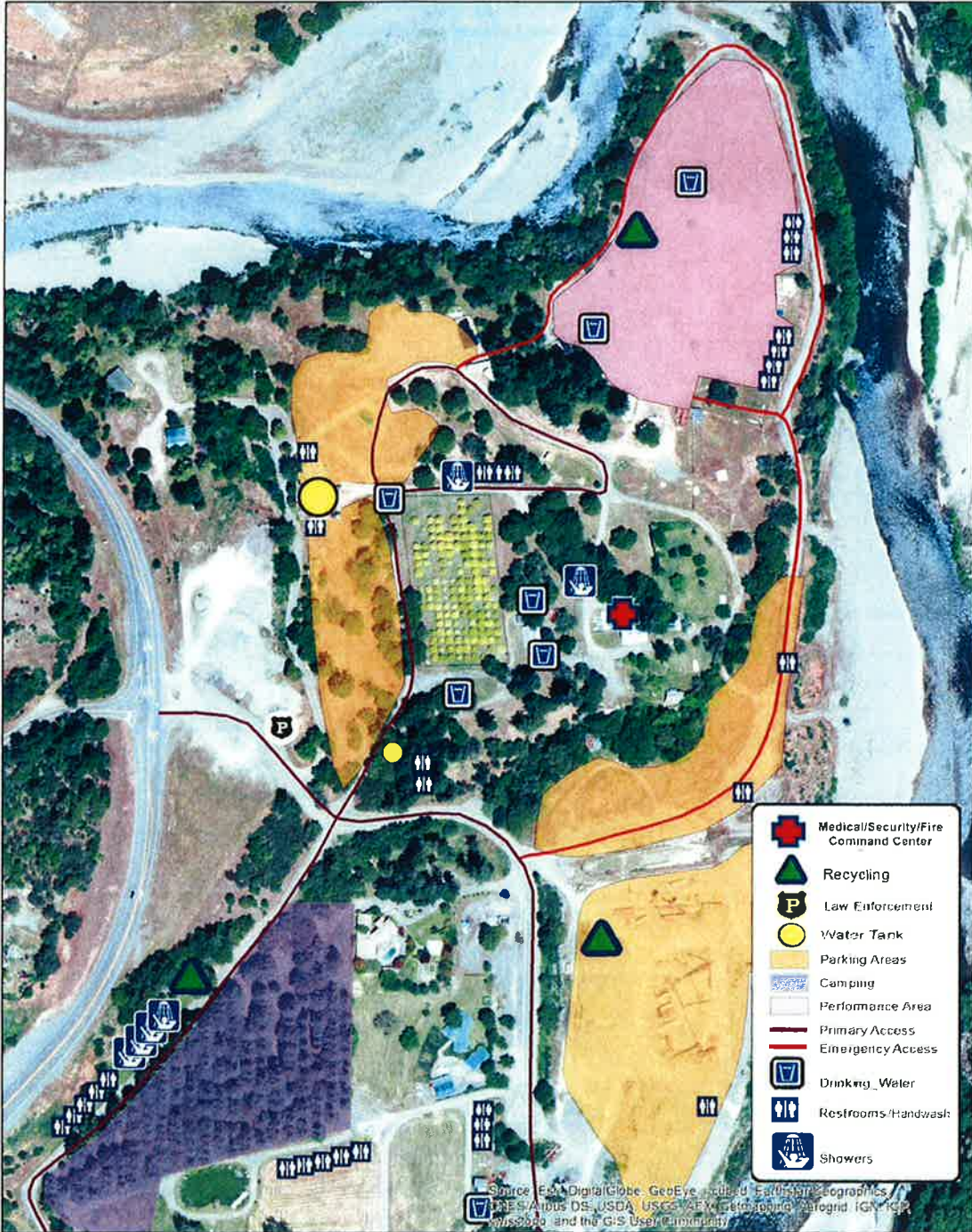




Northern Nights Music Festival 2015 Supplemental Camping & Parking Site Map County Line Ranch

REVISED
2-25-15

RECEIVED
FEB 25 2015
Humboldt County
Planning Division



COUNTY LINE RANCH - ONE DAY EVENT
SITE MAP

ATTACHMENT 1

CONDITIONS OF APPROVAL FOR THE 2015 NORTHERN NIGHTS MUSIC FESTIVAL EVENT PARKING AND CAMPING;

Approval of the 2015 event parking and camping is conditioned on the same Conditions of Approval applied to CUP 04-38MMM, except as noted in Informational Notes 1 and 2.

A. Conditions of Approval

All of the Conditions of Approval applied under authorization of CUP-04-38MMM remain in full force and effect.

B. Informational Notes

The following Informational Notes have been added to the project Conditions to provide clarification on commitments made by the applicant and to clarify the relationship between the terms of the modified Use Permit (CUP-04-38MMM) applicable to the current proposal.

1. The project shall be developed and conducted in accordance with the *Plan of Operations* submitted to Humboldt County by the current applicant, 'Outraged Orangutan LLC'. Where applicable, the project shall maintain conformance with the *Plan of Operations* submitted for the CUP-04-38MMM event, as referenced in Condition of Approval #1.
2. Because this project is specifically seeking the authorization of event parking and camping only, some of the conditions of approval of CUP-04-38MMM do not apply. These include the following numbered conditions: "2, 3, 4, 5, 6, 7, 8, 11, 13, 14, 15, 16 and 17."
3. Applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies. This includes compliance with the Department of Public Works Land Use Division's conditions of approval listed in their referral response and certification of the Neighborhood Traffic Management Plan by a licensed traffic engineer. Additionally, applicant is required to provide the Division of Environmental Health with sufficient information to demonstrate potable water will be provided to individuals at the Humboldt County campground area during the event.

4. Condition of Approval Number10 states the requirements of the post event report. Because the current proposal is solely for camping and parking, not all requirements are applicable. Specifically, the following applies:
 - a. Provide an assessment of the effectiveness of the traffic and camping plan and applicable mitigation measures.
 - b. Provide written correspondence from agencies participating in monitoring within Humboldt County and/or affected by parking and camping event activities (i.e. Planning Division, Division of Environmental Health, Sheriff's Office, California Highway Patrol, California Department of Transportation) Responses to all concerns and issues identified pertaining to parking and camping shall be provided, and appropriate measures to be undertaken at the following year's event as needed.

The post event report for Northern Nights Music Festival may be combined with the post event report for the one-day event.

5. The applicant shall coordinate with law enforcement personnel from the Humboldt and Mendocino County Sheriff's office(s). This includes providing financial compensation for services rendered during any oversight and management of the event. Failure to coordinate with local law enforcement may impact future permit approvals.
6. The water quality plan referenced in Condition of Approval Number11 shall not apply for the 2015 event. Because the event largely occurs in Mendocino County, the approved use permit (#U 5-2013) includes a condition of approval that adequate water quality testing and analysis be conducted. Therefore, the applicant is not required to perform the additional testing as outlined in CUP-04-38-MMM. However, the applicant shall be required to expand the existing water quality testing program to the northernmost extent of County Line Ranch (APN 033-271-007) and include the results in the 2015 post event report submitted to Humboldt County.

ATTACHMENT 2

CONDITIONS OF APPROVAL FOR THE 2015 ONE DAY CONCERT EVENT;

Approval of the 2015 Event is conditioned on the same Conditions of Approval applied to CUP 04-38MMM, except as noted in Informational Notes 1-3.

A. Conditions of Approval

All of the Conditions of Approval applied under authorization of CUP-04-38MMM remain in full force and effect.

B. Informational Notes

The following Informational Notes have been added to the project Conditions to provide clarification on commitments made by the applicant and to clarify the relationship between the terms of the modified Use Permit (CUP-04-38MMM) applicable to the current proposal.

1. The project shall be developed and conducted in accordance with the *Plan of Operations* submitted to Humboldt County by the current applicant, 'Outraged Orangutan LLC.' Where applicable, the project shall maintain conformance with the *Plan of Operations* submitted for the CUP-04-38MMM event, as referenced in Condition of Approval Number 1.
2. Condition of Approval Number 2 references a Memo submitted in 2009 by the Division of Environmental Health. Because this Condition was addressed in 2009, the current applicant is responsible for ensuring wastewater is stored and disposed of in a way that meets current Environmental Health standards. Applicant shall address this in the post-event report. Additionally, applicant is required to provide the Division of Environmental Health with sufficient information to demonstrate potable water will be provided to individuals at the Humboldt County campground area during the event.
3. Condition of Approval Number 8 references a Memo submitted in 2009 from Calfire. Because this Condition was addressed in 2009, the current applicant is responsible for ensuring current Calfire standards are met.
4. The water quality plan referenced in Condition of Approval Number 5 does not apply. Based on the annual report from the 2008 one-day event, a water quality test was not conducted as it was determined to be unnecessary. Because the event took place in the evening, patrons did not swim in the river. The same is expected for the 2015 event. Additionally, access will not be provided to attendees for recreational activities in the river and vehicles will not be parked in close proximity to the river bar. However, the post event report will need to include a discussion of whether impacts to water quality may have resulted despite these efforts.

ATTACHMENT 3

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

Standard of Review

This substantial conformance review is being conducted to determine whether the requested use of the property for auxiliary parking and camping during an off-site event, in addition to a one-day event with 1,000 attendees, can be considered consistent with the approved Conditional Use Permit (CUP-04-38MMM) and associated Conditions of Approval. A discussion of how the current request relates to each of the required findings made pursuant to Humboldt County Code Section 312-17.1 during approval of the Conditional Use Permit (and subsequent modifications) is included below.

1. General Plan Consistency. The following table identifies the evidence which supports finding that the proposed project is in conformance with all applicable policies and standards in found in the Humboldt County Framework General Plan (FW).

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Summary of Evidence
Timber Lands §2523.1D (FW)	To allow development of uneconomic or marginally viable agricultural lands.	Site is located within the 100-year flood plain of the Eel River, surrounded by steep terrain with marginal productive soils and limited grazing potential. No portions of the site require grading or vegetation removal. The site will be cleaned after the event, and during most of the year is available for agricultural use.
Land Use §2721 (FW) – Timber Production	Primary and compatible uses include Recreational uses under the control of the owner which will not significantly detract from or inhibit timber or agricultural production on the project site or adjoining lands.	The only parcel within Humboldt County where project activities will occur is on APN 033-271-007, which has a "Timber Production" (T) land use designation. Development of a recreational concert venue, including associated parking, camping and infrastructure, is consistent with the identified character and intended compatible uses in the T land use designation. The site is cleaned after each event, and during most of the year (October – June), the site is not being used for concert events, and is available for agricultural use. After the use permit expires in 2015, conditions of approval require the site be restored.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Summary of Evidence
Flood Hazard, §3291.3 (FW)	Agricultural lands in floodplains shall be retained for agricultural uses.	Soils and slope are marginal for cropping, grazing or timber production (see FW §2523.1D, above). The project is a temporary use of the floodplain area for approximately 5 days, with no structural coverage. The current proposal does not preclude agricultural use during remainder of the year.
Fire Hazard, §3291.4 (FW)	Implementation of recognized fire protection practices.	The project site has a "high" fire hazard rating according to the General Plan Flooding and Fire Hazard Map. The applicant has provided an Emergency Response plan in the <i>Plan of Operations</i> for both the Northern Nights Music Festival (NNMF) and One-Day Event. In addition, Piercy Volunteer Fire Department will supervise on site fire safety support during both events.
Noise Hazard, §3291.5 (FW)	Identify and evaluate potential noise problem areas.	No amplified music is permitted or proposed to occur for the parking and camping in association with NNMF. However, the one-day event will include amplified music beginning at 5:00 pm and ending at 11:59 pm. Exposure to attendees is voluntary and not at severe levels. The orientation of the performance staging and speakers direct the amplified music away from Highway 101. Additionally, surrounding landforms (steep cliffs) serve to buffer and attenuate noise exposure off-site, and significant ambient noise levels pre-exist from the traffic on US 101.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Summary of Evidence
Solid Waste, §3291.8 (FW)	Provide for healthy, safe, economical waste disposal systems; minimize environmental impact of waste handling and disposal.	<p>The NNMF site plan has identified waste and sanitary facilities that will be located in parking and camping areas. Waste will be sorted and otherwise managed at Cook's Valley Campground in accordance with the approved Mendocino County Conditional Use Permit.</p> <p>The One Day Event will have a minimum of one portable toilet for every 75 patrons, which will be located throughout the event area and will include handwashing stations. Additionally, waste disposal facilities will be provided throughout the event area and will be monitored by a "Green Crew" to ensure disposal facilities are properly emptied and recyclables are properly sorted. There will be a minimum of one 32-gallon trash container for every 50 people.</p> <p>For both events, wastewater will be stored in tanks and hauled to an appropriate waste water facility.</p>
Water Resources, §3361 (FW)	Regulate development that would pollute watershed areas; ensure projects located within state-designated wild, scenic, or recreational river basins are consistent with Wild and Scenic Rivers Act guidelines.	Both site plans are designed to avoid potential sources of water pollution before they enter the river. Conditions of existing use permit approval require cars to be 100 feet setback from the daily high water flow of the river. Furthermore, based on the plan of operations for both events, no camping or parking will be allowed on the river bar. In addition to parking regulation, waste disposal and sanitary facilities will be placed throughout event sites in order to prevent inappropriate disposal of all forms of waste. Waste will then be appropriately sorted and disposed of. In addition, outreach will be conducted prior to and during the event to encourage attendees to minimize their environmental impacts on the surrounding area, including protection of water quality. Finally, the applicants have committed to restoring the sites to pre-site condition following the events. With all of these measures in place, the project should not impede or prevent the recreational enjoyment of this segment of the Eel River.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Summary of Evidence
Sensitive and Critical Habitats, §3420 (FW)	To protect designated sensitive habitats and cultural resources.	The subject parcel is located along the South Fork - Eel River and adjacent to the Humboldt Redwoods State Park. Site visits from previously approved events under CUP-04-38 by staff, State Parks, California Department of Fish and Game, United States Fish & Wildlife Service, and United States Army Corps of Engineers biologists and ecologists indicated that, provided the event is conducted in accordance with the provisions within the <i>Plan of Operation</i> and approved site plans, no significant impacts to biological resources will occur as a result of this project. The proposed use is limited to auxiliary parking and camping for the NNMF event, and a one-day event with 1,000 attendees. Based on the limited scope of this project in comparison to past approvals, no new impacts are anticipated.
Historical and Archaeological Resources, §3510 (FW)	Protection of cultural resources.	The site is located along and adjacent to the Eel River floodplain where historical resources have been subject to past inundation scouring, and/or depositional coverage. Based on past review, it has been determined that there was a low possibility of historical resources, and further studies were not recommended. The project involves no grading, construction or other development that would disturb cultural resources.

2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and 3. The proposed development conforms to all applicable standards and requirements of these regulations. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Relevant Zoning Section(s)	Summary of Applicable Requirement	Summary of Evidence
AE Zone, HCC §314-7.1; TPZ Zone HCC §314-7.2, Assemblages of Persons and Vehicles, HCC §314-62.1	Assemblages of persons and vehicles are allowed in any zone provided a Conditional Use Permit is secured and the use is consistent with the General Plan.	The project application requests a conformance to Conditional Use Permit 04-38-MMM for NNMF auxiliary camping and parking, and a one-day event with 1,000 attendees.
Off-Street Parking Requirements, HCC §314-109	Prescriptive requirements for the number, size and location of off-street parking spaces based upon building site footage and/or occupation.	<p>Based on a review of the entire scope of NNMF, which includes activities in Mendocino County, parking has been calculated to accommodate one car per every two people. The same ratio is used for the one-day event.</p> <p>If considering solely activities in Humboldt County, parking has been calculated to accommodate one car for every person during NNMF. This is based on the fact that the applicant is requesting parking for 2,000 persons and camping for 2,000 persons.</p> <p>Because the EIR calculated parking demand as one car per every 3.5 people, the project can be considered to provide ample parking for both NNMF and the one-day event. However, ultimate determination of adequacy of the required spaces provided for NNMF remains the responsibility of Mendocino County, who has assumed the role of lead agency in the permitting of the NNMF event.</p>

4. Public Health, Safety and Welfare: The following table identifies the evidence which supports finding that the proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
Public Health, Safety and Welfare §312-17	The proposed development will not be detrimental to the public health, safety and welfare, or materially injurious to properties or improvements in the vicinity.	All of the reviewing referral agencies who provided a response have recommended approval or conditional approval of the substantial conformance review request. The California Highway Patrol has specified that they are entering into a reimbursement contract for services during both events. The proposed use is consistent with the type of development in the area, and is consistent with the range of uses allowed under the general plan for this area. Coordination with local law enforcement is essential to holding a safe and successful event of this magnitude. The majority of the NNMF event will be conducted within the jurisdiction of Mendocino County, and as such will be within the jurisdiction of the Mendocino County Sheriff's Office. Additionally, the Humboldt County Sheriff's Office will provide necessary services which will be compensated for by the applicant. The Plan of Operation and post event report for the 2014 event both refer to positive feedback received from Mendocino County Law Enforcement and Garberville Highway Patrol. Piercy Volunteer Fire Department has approved the currently proposed project. Since these agencies will once again provide the primary support for fire, policing, and traffic control matters, staff believes that there is no evidence before the Department that the proposed use of the property under MON-15-002 will be detrimental to the public health, safety or welfare.

5. Impact on Residential Density Target: The following table identifies the evidence which supports finding that the proposed project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
312-17.1.5 Housing Element Densities	The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the mid point of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	The proposed use will have no impact on the residential density target. The County Line Ranch property is zoned Agricultural Exclusive (AE) and Timberland Production Zone (TPZ) and is already occupied by an existing residence that will remain in use. Therefore, the project will not reduce the residential density for the parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

6. Environmental Impact

Section 15164 of the CEQA Guidelines allows addendums to be used in lieu of a supplemental or subsequent EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. A subsequent EIR, in accordance with Section 15162 of CEQA, was not required for this project. The proposed project does not require any substantial revisions to the previous EIR as the proposed use for this project has considerably less environmental impacts than previous uses. The only information that has changed for this project is the event date, water supply source, and entry to the one-day event beginning at 12pm rather than 2pm. There are no substantial changes occurring with respect to the circumstances under which the project was undertaken. There is no substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known at the time and could not have been known with the exercise of reasonable diligence that would require a new or additional environmental review. The mitigation measures for the previously approved EIR are still applicable for this project and would continue to substantially reduce one or more significant effects on the environment. An Addendum has been prepared for the project and is included as Attachment 4. A CD has been included as Attachment 5, which includes digital copies of the original Environmental Impact Report and Supplemental (SCH# 92-033035), prepared for the music festival and in association with subsequent modifications.

ATTACHMENT 4

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

**CUP-04-38MMM Renewal Request for a 3-day Camping and Music Event on County Line Ranch
July 17-20, 2015**

Appendix A: 2014 Annual Report Prepared for Humboldt County

Appendix B: 2015 Humboldt County Plan of Operation for NNMF and One Day Event



To: Emily Benvie
Humboldt County Planning Department
3015 H St.
Eureka, CA 95501

From: Duncan Ley & Dr. Peter Huson
Outraged Orangutan/BLAP Productions
2961 Mission Street
San Francisco, CA 94110

Date: 9/25/2014

Re: Post Event Report for Northern Nights Music Festival 2014

Northern Nights Music Festival
Cook's Valley Campground
83950 County Road 442E
Piercy, CA 95587
July 18th, 19th & 20th 2014

Ms. Benvie,

Please find the attached post event report for the Northern Nights Music Festival event (CUP-04-38MMM) which took place on July 18th, 19th & 20th 2014 on Cook's Valley Campground located at 83950 County Road 442E, Piercy, CA 95587.

Please feel free to contact us with any questions or concerns.

Respectfully,

Dr. Peter N. Huson
x _____ Date: 9-25-14

Peter Huson, Ph.D
Project Engineer
Northern Nights Music Group/BLAP Productions
peter@blapproductions.com

CUP-04-38MMM:

The 2014 Northern Nights Music Festival demonstrated that land use entitlements of the existing conditional use permit (CUP-04-38-MMM) could be exercised safely, responsibly & successfully. In 2014, this included the temporary parking of vehicles on County Line Ranch throughout the duration of the event

The 2014 Northern Nights Traffic Plan was reviewed and stamped by a licensed traffic engineer of Whitlock & Weinberger Transportation, Inc. A copy of the plan can be found in Appendix A. Additionally, correspondence between Humboldt & Mendocino County Planning Departments provided guidance on managing the event in two counties, including the placement of additional restroom facilities & fire extinguishers to critical areas along the river and parking lots that would mitigate potential negative impacts to the environment.

Total number of parked cars on County Line Ranch lower lot reached 351 cars and additional 162 cars were parked in the upper lot for a grand total of 513 cars at peak hours.

Non-profits including the Piercy Volunteer Fire Departments, Southern Humboldt School districts, The Eel River Recover Project, KMUD Radio, Southern Humboldt Community Park and more, were beneficiaries of the event. Various local & "on-the-way" service providers all saw increases in business & exposure, and attendance population demonstrated that over 70% of patrons brought tourism capital from outside the region.

The following correspondence has been received from Garberville CHP & MCSO. HCSO did not provide dedicated staff to the event. Piercy VFD have not replied due to a very high level fire season, and their comments will come at a later date. Additional examples of local press can be found in Appendix B.

"As far as the event, it went very well. You and your staff do a great job." –
Commander Brett Fabbri, California Highway Patrol, Garberville Area

"All reports are that things were very smooth and went well. Speak to you next year." – **Lieutenant Kirk Mason, Mendocino County Sheriff's Office, Willits Division**

Overall we are very pleased with the outcome of the event, thankful to Mendocino & Humboldt Counties for the opportunity to showcase the arts in such a beautiful area and look forward to producing Northern Nights Music Festival for years to come.

APPENDIX A

TRAFFIC CONTROL PLAN



July 15, 2014

Dr. Peter Huson
Project Engineer
BLAP Productions
859 Harrison Street, Suite B
San Francisco, CA 94107

**Whitlock & Weinberger
Transportation, Inc.**

475 14th Street
Suite 290
Oakland, CA 94612

voice 510.444.2600
web www.w-trans.com

Traffic Control Plan for the 2014 Northern Nights Music Festival (NNMF)

Dear Dr. Huson:

This letter provides a summary of the Traffic Control Plan for the 2014 Northern Nights Music Festival, which will take place starting on Friday July 18 and conclude on Monday July 21. It is our understanding that some of the plan elements have been reviewed and accepted by the CHP and Caltrans and that an encroachment permit has already been issued. Other elements of the plan, which have been developed by Stop and Go Traffic Control and BLAP Productions, and were reviewed and enhanced by W-Trans, are summarized in this letter.

This letter provides the key traffic control elements in one document to help you administer the Traffic Control Plan.

Traffic Control Start: Thursday, July 17, 2014 at 12:00 p.m. (Noon)

Traffic Control End: Monday July 21, 2014 at 2:00 p.m.

THURSDAY JULY 17, 2014 (PRIOR TO EVENT)

The only traffic allowed into the site on Thursday July 17 (one day prior to the event) will be staff, volunteers and vendors. No items shall be placed within the County road right of way without specific approval and issuance of an encroachment permit from the Department of Transportation. The permit should be available at the event site in the event it is requested at any time.

Traffic Control on US 101

- Northbound traffic on US 101 will use the right turn lane at the intersection of US 101 and SR 271/ Valley Road.
- Southbound traffic on US 101 will use the left turn lane.

Early Arrivals Information Campaign

- Early arrivals shall be discouraged by prohibiting the line-up of cars along US 101 before the official gate opening to the public on Friday July 18.
- To discourage early arrivals, the following will be used:
 - CMS signs on US 101 (See Map 1 for placement)
 - Information placed on the official event website
 - E-mails sent to attendees, event organizers, sponsors, vendors, staff, and the media
 - Social media posts (Facebook, Twitter and/or others as appropriate)
 - Announcements on local radio stating "Public camping is prohibited on Thursday July 17"

FRIDAY JULY 18, 2014 – SUNDAY JULY 20, 2014 (DURING EVENT)

By 7:00 a.m. on Friday July 18, put out signs, cones and have personnel in the field. Most of the traffic to the event will be paying patrons. The gates to the public will open at 8:00 am on Friday, July 18. If there is a need to open the gates early for safety concerns then staff should be in place to handle this. All NNMF traffic on US 101 will be directed to traffic lanes on Valley Road and into the Cook's Valley Campground for processing.

Traffic Control on US 101 (see Map 1)

Traffic control on US 101 in Piercy, CA in the vicinity of Cook's Valley Campground will consist of field personnel, the use of additional traffic control devices such as cones and signs, and a temporary extension of the southbound left turn lane approaching SR 271/Valley Road.

Personnel

- One person shall be placed at the intersection of US 101 and SR 271/Valley Road to direct traffic during the periods of heavy traffic. The largest concentration of traffic is expected on Friday afternoon and early evening.
- When traffic is heavy, the field personnel at the US 101 and SR 271/Valley Road intersection should ask for an additional person to assist them with traffic control at this intersection.
- Periodic monitoring of traffic should occur throughout the NNMF to see if additional personnel are needed at this intersection.
- All traffic personnel should wear a fluorescent orange vest, have a fluorescent flag, a whistle, and have a walkie talkie at all times.
- All traffic personnel should receive training on traffic safety
- Traffic personnel at this intersection should give priority to traffic movements so that traffic back-ups on US 101 are minimized in both directions.

Traffic Control

- The US 101 southbound left turn pocket at SR 271/Valley Road shall be lengthened as directed by CHP, Sherriff's Department or CalTrans. This will allow for additional stacking of southbound vehicles turning left onto Valley Road.

Cones

- Cones will be used to discourage on-street parking and keep traffic in the proper lanes.
- Cones should be placed alongside US 101 in the northbound and southbound directions approaching the intersection with SR 271/Valley Road.
- Cones should be placed on northbound US 101 all the way to the intersection of SR 271/Valley Road. This will encourage motorists to turn properly at the intersection and not beforehand.
- All cones shall be reflective.

Signs

- Changeable Message Signs (CMS) should be placed as noted on Map 1, as follows:
 - on US 101 approximately 1,000 feet north of the SR 271/Valley Road intersection for southbound traffic.
 - on US 101 approximately 1,000 feet south of the SR 271/Valley Road intersection for northbound traffic.
- Care should be taken so that all signs are placed in a manner that is visible to motorists and well in advance of any decision making points.

- "No Parking" signs should be placed on US 101 north and south of the SR 271/Valley Road intersection to alert US 101 traffic that parking is not allowed on shoulders or along roadways within Cook's Valley Campground.
- "NNMF Special Event" signs shall be placed on US 101 for both northbound and southbound traffic.
- All traffic signs shall be clean and legible and of good quality.
- All traffic signs shall be reflective.

Notes

- All traffic control shall be reviewed and monitored on a 24-hour basis by a qualified professional of Stop and Go Traffic Control.
- Any necessary adjustments shall be corrected immediately.
- Any modification requested by the CHP, Sherriff's Department or CalTrans shall be performed immediately.
- During placement and removal of all traffic devices, traffic control shall be done in accordance with the California MUTCD (Manual on Uniform Traffic Control Devices).

Traffic and Parking Control in Cook's Valley Campground (see Map 2)

Personnel

On-site traffic control will allow traffic entering from 101 to move into the site and parking area without excessive delays to traffic on 101. Traffic control personnel will be assigned to effectively prohibit early arrivals from lining up along the highway the night/early morning before the event. Early arrivals will not be accommodated.

- There should be at least 8 field personnel dedicated to traffic and parking operations at any one time, indicated by the pink dots on Map 2.
- Personnel should be mobile and shift positions as needed (after the parking in GA-1 is fully loaded, then shift personnel to GA-2, and so on).
- Lead Personnel/Contacts
 - Derek Spence (Operations Manager) & Keith Bowman (Land Owner)
 - Encroachment - Wes Nally (Stop N Go Traffic) & Kelly Shultz (Cal Trans)
 - Support Leads – Shiloh (Traffic) & Sherie (Parking)
- All personnel should have walkie talkies on them at all times (cell phone reception may not be reliable)

Location of primary and secondary entry/exit gates

- The primary entrance to the NNMF is at Box Office.
- During the busiest arrival period (Friday afternoon and early evening) there should be multiple lanes approaching the Box Office to increase stacking area as well as to expedite the check-in process at the Box Office.
- Vehicles will be stopped at the Box Office to pick up their credentials and parking passes.
- Personnel assigned as "processing runners" will go to the cars with scanners to check people in.
- Vehicles will then be guided by flaggers to Parking in GA1, then GA2, GA3, etc.
- The primary exit is through GA-5 into GA-6 and out.
- The secondary entrance/exit is near the Cook's Valley Campground entrance (GA 7) following the green dotted line on Map 2.

Parking

- Parking lots should be loaded from the rear of lot first, then forward towards the lot entrance.

- Parking lots should be loaded in order, starting with GA 1, then GA 2, etc. Once a lot is full, personnel should move to the next lot, and block off access to the full lot.
- RV & Car camping parking will require a special escort from the main entrance.
- Parking management should include the use of CMS Boards, cones, arrows, field personnel, printed parking passes, and flaggers.
- Parking enforcement should include the use of “No Parking” signs, enforced by warning the drivers when needed.
- No parking should be permitted on internal roadways or in any non-designated areas.
- All cars will have parking pass with a name & number so that PA announcements can be made for warning if needed.
- Towing of vehicles can be used if the vehicle is not moved in a timely manner.

Emergency Vehicle Access and Loading (Map 3)

- The location and access points for emergency vehicles and loading are noted on Map 3.
- The green dotted line near the entrance and GA-7 as well as the main entrance will have 24 hour in/out access for loading, staffing, shuttles and emergency vehicles.

Off-Site Parking and Shuttles

- Shuttle service will be offered from off-site parking lots by a licensed transportation company from North of Redway to the site to provide a safe means of transportation for the local community and to encourage out-of-town attendees to utilize local travel hospitality options.
- The 2014 locations will be at the Benbow Inn and the Best Western Humboldt House Inn in Garberville.
- Southbound shuttle buses transporting attendees will access the NNMF site at the SR 271/Valley Road intersection and turnaround within the site near the Will Call Office.
- The shuttle buses will run continuously from:
 - 9:00 a.m. until 2:00 a.m. on Friday July 18
 - 9:00 a.m. until 2:00 a.m. on Saturday July 19
 - 9:00 a.m. until 12:00 a.m. (Midnight) on Sunday July 20
 - 8:00 a.m. until 12:00 p.m. (Noon) on Monday July 21
- Information on off-site parking for hotel guests and locals should be announced using:
 - the official event website
 - e-mails sent to attendees and the media
 - Social media posts (Facebook, Twitter and/or others as appropriate)
 - Announcements on local radio stating “Off-site parking is available at the Benbow and Best Western Hotels.”

Re-Entry Policy

- During the event, patrons will be allowed to leave the event only as necessary and only by vehicle.
- Patrons will be prohibited from leaving the premises as pedestrians, and this will be enforced by highway security staff and/or CHP.
- The General Store will have reasonable prices to discourage attendees from leaving the property for additional supplies.

MONDAY JULY 21, 2014 (AFTER EVENT)

The campground shall close no later than 12:00 p.m. (Noon) on Monday July 21. All traffic control elements in the campground as well as on US 101 should be removed by 2:00 p.m.

Thank you for giving us the opportunity to summarize the Traffic Control Plan. Please contact me with any questions.

Sincerely,



Mark Spencer, PE
Principal

MS/MEX098.L1

Enclosures: Map 1 - US 101 Traffic Control Plan
Map 2 - NNMF Circulation and Parking Plan
Map 3 - NNMF Emergency Access and Loading Plan

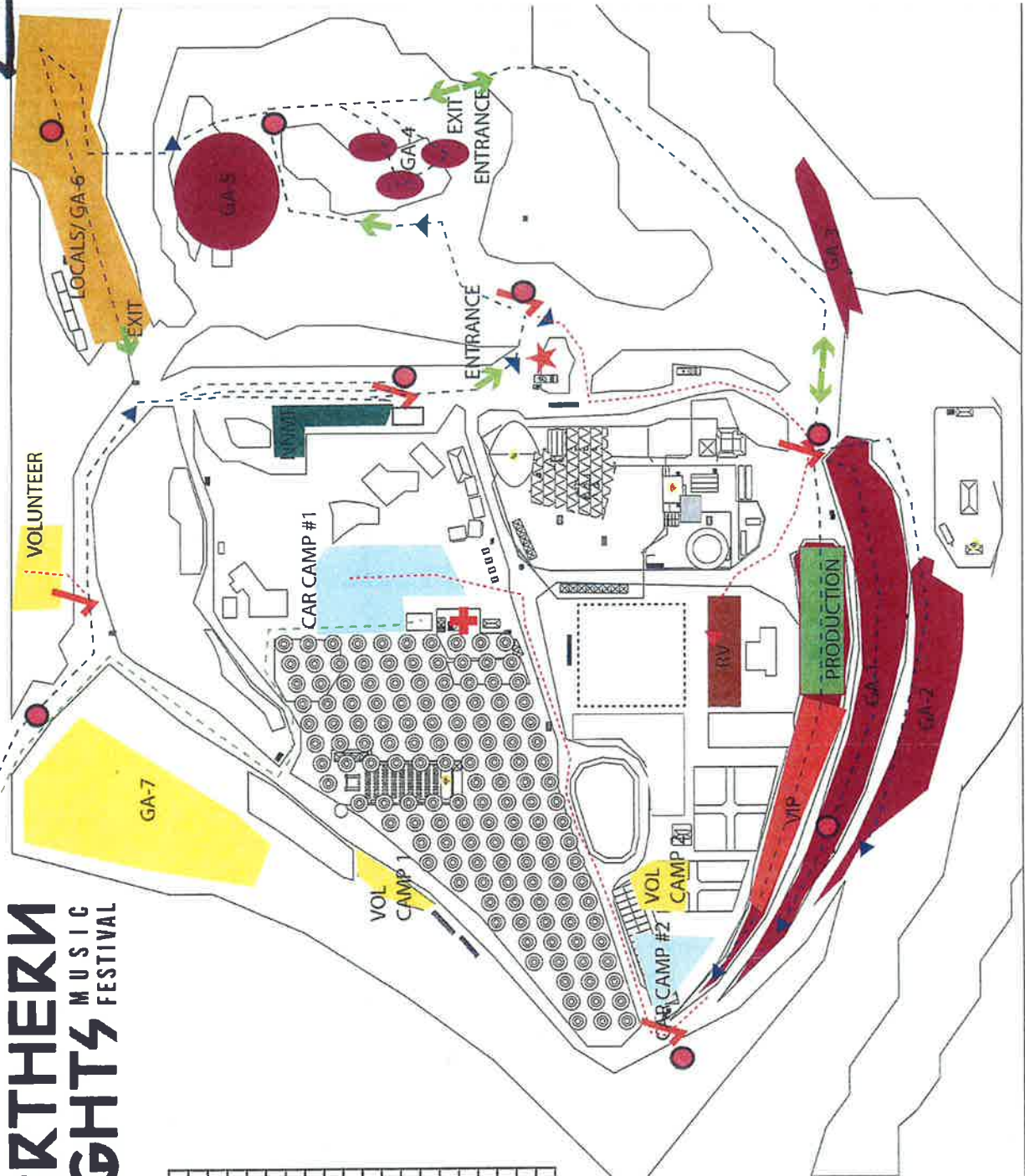


MAP 1



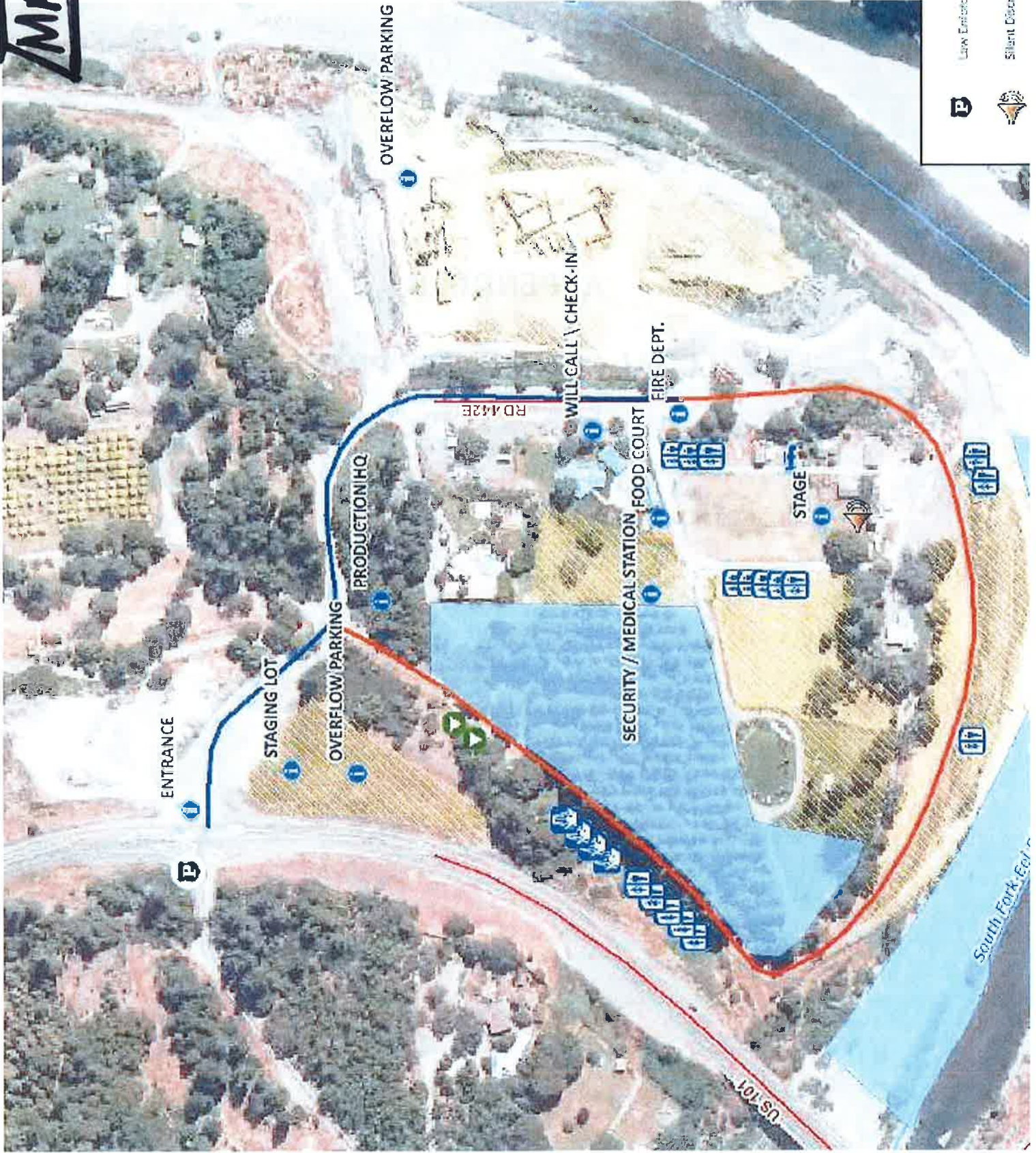
MAP 2

NORTHERN NIGHTS MUSIC FESTIVAL



CAR PATH	- - - -
CAR PATH / ESCORT	- - - -
BAR	[Red circle icon]
ENTRANCE/EXIT	[Red arrow icon]
PANEL FENCE	[Red dashed line icon]
LIGHT TOWERS	[Light tower icon]
RECYCLE STATIONS	[Recycling symbol icon]
21-ID CHECK	[Red star icon]
WATER STATIONS	[Water tap icon]
FOOD	[Red circle icon]
PARKING STAFF	[Yellow triangle icon]
SOUND STAGE	[Speaker icon]
SECURITY ZONE	[Red star icon]
SEC RIGNEY	[Red star icon]
SEC TONIC	[Red star icon]
SEC VIBE	[Red star icon]
CHECK POINT	[Red checkmark icon]

MAP 3



- Low Entice
- Silent Disco

APPENDIX B
LCOAL COMMUNITY PRESS

Attendees interested in the Eel River

Redwood Times

POSTED: 08/01/2014 02:14:35 PM PDT

0 COMMENTS

Attendees interested in the Eel River

The Eel River Recovery Project (ERRP) would like to thank the Northern Nights Festival for allowing us to operate a concession stand at this year's lively event. Generous donations of oysters from Coast Seafood, snapper filets from Pacific Choice Seafood, and bagels from Los Bagels allowed us to serve fine, local products and to have a successful fundraiser that supports our important monitoring and education efforts.

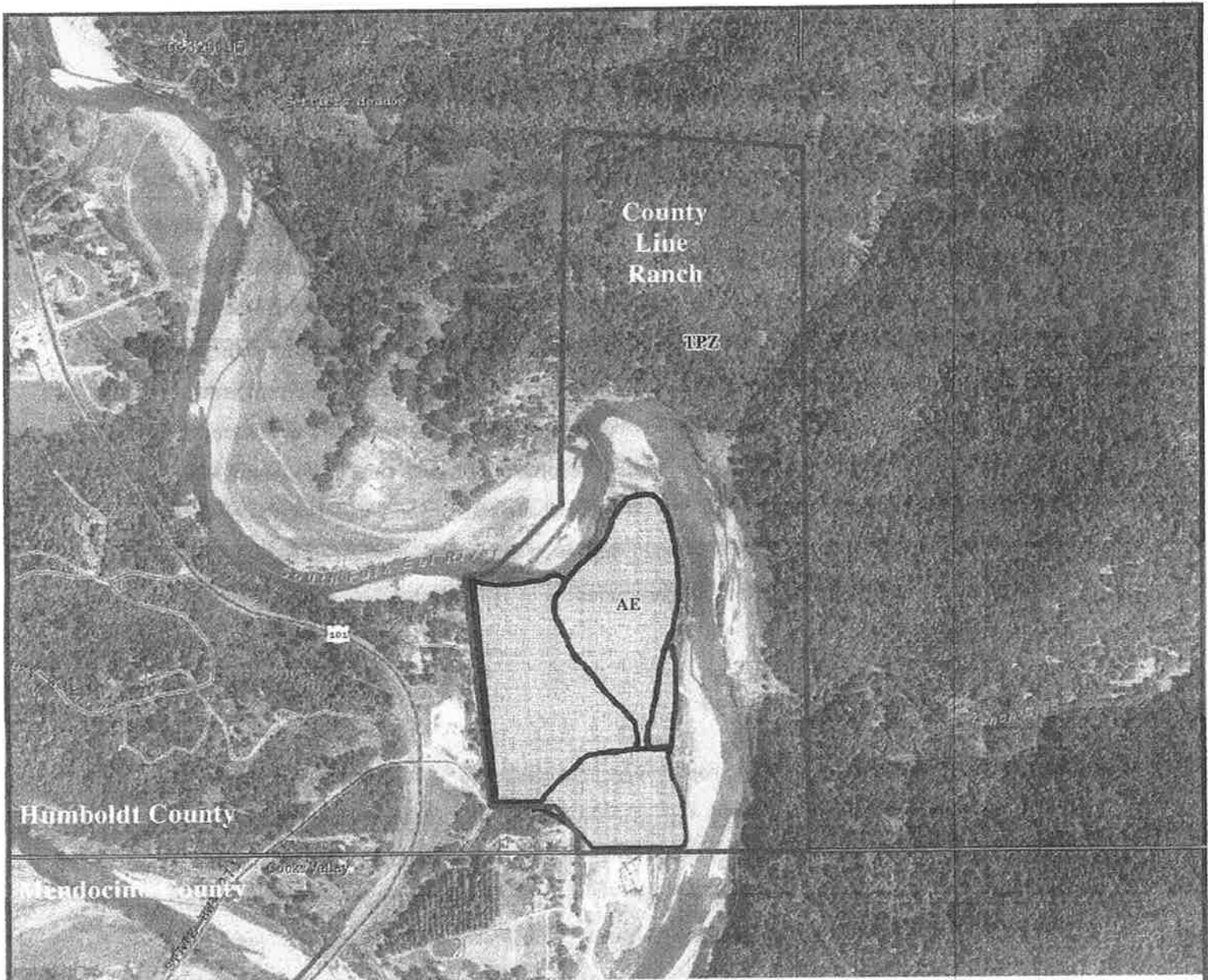
Volunteer energy at the event was tremendous, and special thanks are extended to Jeff Hedin for encouraging our participation and building us a new booth that will serve us well into the future. Familiar faces joined first time volunteers to provide the energy to serve hundreds of bagels, fish tacos, and barbecued oysters. The Recovery Project greatly appreciates the contributions of volunteers Jeff Wells, Vida Hoyes, Nonae Sears, Willie Grover, Kathy Honzek, and Adam Zwick.



The young attendees at the event were friendly and intelligent. They were also very interested in the status of the Eel River's health and how we can work together to improve it. We very much appreciated their support.

Pat Higgins, ERRP volunteer coordinator

**CUP-04-38MMM Request for Use of County Line Ranch for Northern
Nights Music Festival Supplemental Camping and Parking on July 17th-
19th, 2015 and for a One Day Concert on August 22nd, 2015**

The following is proposed for a substantial conformance review of Conditional Use Permit CUP-04-38MMM on County Line Ranch (APN 33-271-07), for use during a three-day outdoor music and art event known as Northern Nights Music Festival on the weekend of July 17-19, 2015 and during a one day outdoor concert on August 22nd, 2015. The use(s) are proposed in conjunction with Mendocino County CUP (UM 2013/4). The intent is to exercise certain use entitlements of the CUP to demonstrate that the land use substantially conforms in accordance with the previously approved *Project Description* and *Plan of Operation*. This document will be shared and discussed among associated regulatory agencies and used to identify project improvements and mitigations that reduce environmental impact levels to less than significant.



-  = 2015 PROJECT
-  = 2015 PROJECT

LOCATION & ZONING MAP
PROPOSED OUTRAGED ORANGUTANG, LLC
CONDITIONAL USE PERMIT RENEWAL
COUNTY LINE RANCH (FORMERLY DIMMICK RANCH)
COOKS VALLEY AREA
CUP-04-38-MMM
APN:033-271-07
T05S R03E S24 H B & M



Project Description - Northern Nights

Conditional Use Permit 04-38MMM allows the event to occur at County Line Ranch (APN 033-271-07) during the third weekend of July, from Friday to Sunday in 2015. The Applicants propose to use County Line Ranch for supplemental parking and camping during a three-day outdoor music and art event known as Northern Nights Music Festival, held at Cook's Valley Campground in Mendocino County during the third weekend of July from Friday through Sunday in 2015. This is the third year of the Northern Nights event, which is largely confined to Mendocino County. This will be the second year that County Line Ranch is used to augment and improve parking operations. The Applicants are requesting use of County Line Ranch for 2,000 camping attendees and 2,000 vehicles. County Line Ranch is owned by Outraged Orangutan, LLC. The project proponent is Northern Nights Music Group, the San Francisco based company producing Northern Nights Music Festival. BLAP Productions, a Bay Area project management firm, serves as the Permitting Agent on behalf of the Applicants Outraged Orangutan, LLC and Northern Nights Music Group.

Northern Nights Mission Statement

Northern Nights Music Festival is produced by an experienced and professional production company, with a mission to ensure high quality events that showcase the region to new audiences, facilitate positive and enlightening experiences rooted in art and music, and demonstrate ways to act sustainably. Northern Nights meets goals by implementing measures that ensure public safety, stimulate Humboldt and Mendocino economies, provide financial support to local school districts, public service providers, non-profits and charities, and protect the local environment and quality of life.

Commitment to Local Schools, Non-Profits Organizations, and Economic Boost

Non-profit and community organizations that benefit directly from Northern Nights Music Festival include Piercy Volunteer Fire Department, Southern Humboldt and Northern Mendocino school districts, The Eel River Recovery Project, Salmonid Restoration

Federation, Friends of the Eel River, KMUD Community Radio, Southern Humboldt Community Park, and Healthy Planet US. It is expected that local and "on-the-way" Humboldt and Mendocino establishments and attractions experience increases in business and exposure as festival demographics show over 50% of festival attendees bring tourism capital from outside the region.

Plan of Operations - Northern Nights

The Applicants are proposing to use County Line Ranch for supplemental parking and camping during Northern Nights Music Festival to accommodate 2,000 attendees and 2,000 vehicles. The Site Map shows the locations of proposed camping and parking areas, sanitary facilities, waste disposal and recycling stations, as well as drinking fountains and showers. Security, medical, and fire safety stations will be located at County Line Safety Station adjacent to the camping and parking areas.

Location and Environmental Setting

The Project Site known as County Line Ranch is approximately 160 acres in size and is located adjacent to and east of Highway 101 approximately 8 miles south of Garberville. It is presently used for rural residential purposes with accessory agricultural and timber uses.

The single family home on the property is surrounded by fences. Agricultural uses include an orchard, pastures 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 County Line Ranch property continues 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 this side of the property.

Camping and Parking

Overflow festival camping and parking will be provided at County Line Ranch as shown on the proposed Site Map. No camping or parking will be permitted on the river bar.

Traffic Flow and Parking

The Site Map shows how participants of the music festival will access the camping and parking portions of County Line Ranch. An extensive set of traffic hazard mitigation measures will be used to ensure public safety.

The 2014 traffic flow, parking, and encroachment plan was designed and reviewed by BLAP Productions, Stop N Go Traffic, Caltrans, and Garberville CHP, and is stamped by a licensed traffic engineer. This includes measures for required signage, CMS Boards, cones, light towers, in-and-out regulations, and cancellation procedures. The approved 2014 traffic plan will be used in 2015.

Beginning at 8:00 am on Friday July 17th, traffic control personnel will allow traffic to enter from Highway 101 and into designated parking areas without impeding traffic on 101. Parking is permitted only in designated parking areas indicated on the attached Site Map. Signs will be posted stating that parking of vehicles, including motorcycles, is prohibited on the river bar. Traffic control personnel will be assigned to effectively prohibit early arrivals from lining up along the highway during the night and early morning before the event. The campground will close no later than noon on Monday July 20th. The Applicants will advertise this information on the event website to discourage early arrivals and emphasize noon departures on Monday July 20th.

Thursday July 16th (day prior to the event)

The only traffic allowed on site the day before the event includes staff, volunteers, and vendors. Traffic control personnel will be assigned to effectively prohibit early arrivals from lining up along the highway during the night and early morning before the event.

Friday July 17th – Sunday July 19th (during the event)

Most of the traffic to the event will be paying ticket holders. The gates will open at 8:00 am on Friday, July 17th. If there is a need to open the gates early for safety concerns, the Applicants will have personnel in place to handle this, following any commands of on-site Garberville Highway Patrol. Northbound traffic will use the right turn lane at the intersection of Highway 101 and State Route 271. Southbound traffic will use the left turn lane at the intersection of Highway 101 and State Route 271. All vehicles will be directed to traffic lanes away from Highway 101 for processing. The Applicants utilize a thorough traffic plan implemented by an experienced traffic crew that has proven very successful during past events at the same location.

Monday July 20th (day after the event)

The campground will close no later than noon on Monday, July 20th, 2015.

Re-entry

During the event, attendees will be allowed to leave the event only as necessary and only by vehicle. Attendees will be prohibited from leaving the event as pedestrians, and this will be enforced by Northern Nights personnel and on-site law enforcement.

Emergency, Medical, and Security Response

In addition to the Mendocino and Humboldt County Sheriff Departments and California Highway Patrol, on-site security and emergency response will be coordinated by the Northern Nights Music Festival Critical Incident Team and implemented by qualified personnel.

Piercy Volunteer Fire Department will be on site providing fire protection services. The Applicants employ a team to specifically target prohibited fireworks, in addition to posted signage and information campaigns informing of fire danger and the strict no fireworks policy. The Applicants will advertise this information on the event website to inform of the strict zero-tolerance fireworks policy.

County Line Safety Station will be staffed with security, medical, and fire protection personnel. All emergency, medical and security plans will be managed in accordance with the approved Mendocino County CUP.

Water Supply and Distribution

The Site Map shows locations of drinking fountains and showers, which are supplied by on-site water storage tanks. Each bank of fountains is filtered for sediment, odor, and taste. Self-contained showers will be provided and greywater will be hauled to an appropriate disposal site.

Sanitary Facilities, Solid Waste Disposal, and Recycling

The Site Map shows the proposed location of toilets, trash receptacles, and recycling stations at County Line Ranch. Waste will be sorted and otherwise managed at Cook's Valley Campground in accordance with the approved Mendocino County CUP.

Environmental Impacts

The proposed project incorporates mitigation measures in the project design to minimize environmental impacts as documented in the Environmental Impact Report and Supplemental Environmental Impact Report from events in previous years.

- Parking will be prohibited on the river bar.
- No significant grading is required, as existing roads will be used.
- No temporary bridges are being proposed.
- No permanent structures are proposed to be constructed.
- No significant vegetation removal is required nor proposed.
- The area utilized for the event will not include the steep forested east of the river, which is nearly half the total acreage of the parcel.

- Significant efforts are taken to minimize water quality impacts, including education campaigns before and during the event to raise awareness related to responsible use of our waterways.

Quality of Life Protection

Northern Nights Music Group is proactive in protecting the quality of life in the Humboldt region. The Applicants have established trusted relationships in the community and are committed to community investment. Each year the Applicants donate a part of each ticket sold to regional school districts. In addition, the Applicants encourage regional non-profit organizations to participate and offer fee reductions for non-profit vendors.

Northern Nights Music Festival strives tirelessly toward an event that sets industry standard for sustainable practices. In previous years diesel light towers have been exchanged for solar, funds have been raised to support sustainability-related projects and activities, and efforts have resulted in an international award for commitment to sustainability and corporate responsibility.

The Applicants will continue to educate and emphasize a “Traceless” policy, encouraging attendees to minimize impacts on the surroundings. This will be done through the event website, email newsletter, social media channels, sponsor messages, and local radio spots leading up to the event. “Traceless” will be emphasized throughout the event using stage announcements, signage, volunteer eco-educators, and the on-site information booth. The goal is educating a new audience about the region and the unique offerings and demonstrate and encourage ways to experience it responsibly.



Northern Nights Music Festival 2015
 Supplemental Camping & Parking Site Map
 County Line Ranch

Project Description – One Day Event

Conditional Use Permit 04-38MMM allows for an additional one day event to occur at County Line Ranch (APN 033-271-07) during the last weekend of August 2015. The Applicants are requesting to use County Line Ranch for a one day 1,000 person concert on August 22nd, 2015.

Plan of Operations – One Day Event

The Applicants are proposing to use County Line Ranch for a one day concert to accommodate 1,000 attendees on August 22, 2015. Camping and parking areas will be located on adjacent Mendocino County parcels.

Attendance

Total campground attendance will be limited to 1,000 attendees. The Applicants are event management professionals that will ensure the number of individuals on site does not exceed the capacity for which infrastructure can reasonably and safely support. Should the area reach capacity, as determined by staff or emergency personnel, advance signage on the Caltrans Encroachment Permit mandated CMS boards for both north and south bound traffic will read “EVENT SOLD OUT” and notifications posted through the event website, emails, social media, and local radio, indicating a sold out event.

Concert and Hours of Noise

The Applicants request permission to host live music between the hours of 5:00 pm and 11:59 pm on Saturday August 22nd, 2015. The stage will be oriented away from Highway 101 and developed residences in the Piercy area, keeping them shielded from the main source of light and sound. The stage will be separated from the highway by a number of mature trees and is at least 40 feet lower in elevation than the highway, further mitigating any paths of direct light to properties across the highway.

Camping and Parking

Camping and parking for volunteers and staff will be provided on adjacent Mendocino County properties as shown on the proposed Site Map. Camping and parking will be prohibited on the river bar.

Traffic Flow and Parking

The Site Map shows how concert participants will access the the site. An extensive set of 0 hazard mitigation measures will be used to ensure public safety.

The traffic plan used for the one day event was used for Northern Nights Music Festival previously held on the properties. The traffic flow, parking, and encroachment guidelines have been designed and reviewed by BLAP Productions, Stop N Go Traffic, Caltrans, and Garberville CHP, and stamped by a licensed traffic engineer. This includes measures for required signage, CMS Boards, cones, light towers, in-and-out regulations, and cancellation procedures.

Beginning at 12:00 pm on Saturday August 22nd, 2015, traffic control personnel will allow traffic to enter from Highway 101 and into designated parking areas without impeding traffic on 101. Parking will be permitted only in designated parking areas, as shown in the attached Site Map. Signs will be posted informing that parking vehicles, including motorcycles, is prohibited on the river bar. Traffic control personnel will be assigned to effectively prohibit early arrivals from lining up along the highway during the night and early morning before the event. The campground will close no later than noon on Sunday August 23rd. The Applicants will advertise this information on the event website to discourage early arrivals and emphasize noon departures on Sunday August 23rd.

Friday August 21st (day prior to the event)

The only traffic allowed on site the day before the event includes staff, volunteers, and vendors. Traffic control personnel will be assigned to effectively prohibit early arrivals from lining up along the highway during the night and early morning before the event.

Saturday August 22nd (morning/afternoon of the event)

The gates will open at 12:00 pm on Saturday, August 22nd. If there is a need to open the gates early for safety concerns, the Applicants will have personnel in place to handle this, following any commands of on-site Garberville Highway Patrol. Northbound traffic will use the right turn lane at the intersection of Highway 101 and State Route 271. Southbound

traffic will use the left turn lane at the intersection of Highway 101 and State Route 271. All vehicles will be directed to traffic lanes away from Highway 101 for processing. The Applicants utilize a thorough traffic plan implemented by an experienced traffic crew that has proven very successful during past events at the same location.

Saturday August 22nd (evening/night of the event)

Most of the traffic from the event will be paying ticket holders. The show will end at 11:59 pm on Saturday, August 22nd. Both northbound and southbound traffic will be monitored and regulated by the CHP and traffic crew. Camping options will be offered to ticket holders that wish to depart the following morning.

Sunday August 23rd (day after the event)

The event site and campgrounds will close no later than noon on Sunday, August 23rd, 2015.

Re-entry

During the event, attendees will be allowed to leave the event only as necessary and only by vehicle. Attendees will be prohibited from leaving the event as pedestrians, and this will be enforced by event staff and on-site law enforcement.

Public Safety

Contact with local law enforcement, fire agencies, and emergency response personnel will be made more than two (2) months prior to the event. Any warranted walkthroughs will be made during the week of the event. A briefing sheet will be supplied during the walkthrough with contact and schedule information for all on-site emergency personnel.

A detailed emergency plan will be finalized in conjunction with emergency providers to include fire, medical, law enforcement and evacuation procedures. The final plan will contain detailed checklists and direct contact information for use by security and safety personnel. The plan will be submitted to the Humboldt County Planning Commission and County Sherriff offices at least two months before the commencement of the event.

Emergency Medical Plan

An experienced medical service team will be contracted as the on-site medical care provider for the duration of the event. The ALS-staffed medical team will be available around the clock at an established medical tent accessible to anyone on-site. The team will consist of licensed E.M.T.'s, paramedics, M.D.'s, and nurses. Highly visible signage will identify the medical tent. All medical and security personnel will communicate via radio with the command center. The Applicants will provide the identity and on-site contact information for medical team members at least 14 days prior to the event. Communication and transportation equivalent to Cal Fire dispatch will be on-site and available for any life-threatening emergencies. A helicopter landing area is available for emergency evacuation. Garberville Community Hospital and City Ambulance will be notified of the event dates.

An evacuation plan satisfying emergency service agencies will be available prior to the event and the contracted medical team documentation will be submitted to the Planning Commission at least one month before the event.

Emergency Fire Plan

A Cal Fire Safety Regulations Package will be submitted to the California Department of Forestry and Fire Protection (Cal Fire). On site fire safety support at the event will be supervised by Piercy Volunteer Fire Department. They will be available around the clock for the duration of the event with a minimum of two (2) personnel and supported with a minimum of one (1) Type 3 fire engine and one (1) water tender for standby emergency water and dust abatement, and radio communication equivalent to Cal Fire dispatch. An all-weather surfaced 20-ft fire lane existing around the perimeter of the campground will be designated for fire and emergency use. Visible signage will indicate designated locations for fire, medical, and security personnel. Fire extinguishers will be mounted accessibly around the event site.

The Applicants employ a team to specifically target prohibited burning and open flames, in addition to posted signage and information campaigns informing of fire danger and the

strict no burn policy. The Applicants will advertise this information on the event website, email, social media, and local radio.

The emergency fire plan will be reviewed by Cal Fire and Piercy Volunteer Fire Department and written correspondence with these agencies will be submitted to the Planning Commission at least one month before the event.

Emergency Response Plan

Prior to the event, members of medical, security, and fire teams will meet and discuss responses to emergency scenarios as well as identify and correct potential safety risks. Contact information will be organized and shared to facilitate emergency communication during the event. A Communications Leader will be designated.

If there is an emergency situation during the event, the Communications Leader will coordinate response efforts involving the event producers, security, medical, and fire team leads, and on-site law enforcement. In the case of a medical evacuation, the Communications Leader will also communicate with City Ambulance dispatch, Jerold Phelps Community Hospital and coordinate with on-site law enforcement and traffic crew to ensure a clear path for emergency vehicles. A helicopter landing area is available for emergency evacuation.

The Communications Leader will be able to contact Cal Fire dispatch, as will fire, medical and security personnel. The various emergency response teams will communicate using handheld radios and cell phones. As necessary, event producers will communicate information and provide instructions to using main stage amplification.

If a fire occurs, the Communications Leader will coordinate with Piercy Volunteer Fire Department, Cal Fire dispatch, on-site law enforcement, security, medical, and traffic teams to ensure a clear path for emergency vehicles and to implement the Emergency Fire Plan as follows:

- 1) Notify off-site responders
- 2) Secure and clear the affected area

- 3) Shelter in place along the river bar; in the case of approaching wildfire dismantle tents and campsites.
- 4) Responding agencies will determine extent of evacuation area.
- 5) Clear the evacuation area on foot to the predetermined evacuation zones
- 6) Use on-site communications resources such as the stage PA, on-site FM radio broadcasting, and event personnel to inform and direct the public.

The emergency response plan will be reviewed by Garberville CHP, Humboldt County Sheriff, and Piercy Volunteer Fire Department and written correspondence with these agencies will be submitted to the Planning Commission at least one month before the event.

Security

Professional on-site security services will be contracted for periods before, during, and after the event. An experienced security service provider will be used as a lead supervising company to organize and lay out security locations and protocols. This security team will police attendee activity, restrict access to off-limit areas, monitor the control of alcohol, and discourage drug consumption. The contracted team will be given distinctive colored clothing as approved by the Sheriff's Office.

Temporary fencing around the perimeter of the site will be installed to mitigate trespassing onto adjacent properties. Every attempt will be made to limit encroachment and trespassing onto neighboring properties. The perimeter of the site will be fenced and signage posted restricting access not used for camping and parking.

The Applicants will maintain contact with the emergency service providers before, during, and after the event, and are committed to responsible management practices and an open communication with local law enforcement. After the event, a post-event meeting open to community members will be held.

The security plan will be reviewed by Garberville CHP and the Humboldt County Sheriff's Office and written correspondence with these agencies will be submitted to the Planning Commission at least one month before the event.

Water Supply and Distribution

The Site Map shows locations of drinking fountains and showers, which are supplied by on-site water storage tanks. Each bank of fountains is filtered for sediment, odor, and taste.

Sanitary Facilities

There will be a minimum of one portable toilet for every 75 patrons. Portable toilets will be placed in locations throughout the event site and campground that are convenient to guests. Hand wash stations are provided wherever toilets are located with a minimum of one wash station for every 10 toilets.

Recycling and Solid Waste Disposal

A "Green Crew" will roam the event area and periodically empty the barrels at each collection station. Materials are removed to the recycling area for sorting and storage prior to disposal. Forty yard dumpsters will be used for trash and large reusable totes for recyclables. A minimum of one 32-gallon trash container will be supplied for every 50 people. Waste stations will be placed in strategic locations to discourage littering.

Waste Water Disposal

Sewage and wastewater will be pumped and/or stored above ground in tanks and hauled away to an approved waste water facility.

Craft Booths

There will be approximately 10 craft booths this year around the perimeter of the performance area, composed of both for profit and non-profit organizations.

Food Service

Only self-contained and permitted food trucks will be allowed to serve food at this year's event.

Alcohol

Alcohol will be served from specific booths and managed by a professional and licensed concessions contractor. All ABC rules and regulations apply and will be enforced. Attendees will not be allowed to bring their own alcoholic beverages into the concert area.

Environmental Impacts

The proposed project incorporates mitigation measures in the project design to minimize environmental impacts as documented in the Environmental Impact Report and Supplemental Environmental Impact Report from events in previous years.

- Parking and camping will be prohibited on the river bar.
- Vehicles are subjected to an "Impact Check" when arriving to look for leaking fluids, fireworks, and other prohibited items.
- No significant grading is required, as existing roads will be used.
- No temporary bridges are proposed.
- No permanent structures are proposed to be constructed.
- No significant vegetation removal is required nor proposed.
- The area utilized for the event will not include the steep forested east of the river, which is nearly half the total acreage of the parcel.
- Significant efforts are taken to minimize water quality impacts, including education campaigns before and during the event to raise awareness related to responsible use of our waterways.

Event Cancellation Protocol

The purpose of this Protocol is in case of a cancellation of event for any reasons such as fire, earthquake, or any type of event that could cause harm to the public. In the event of a

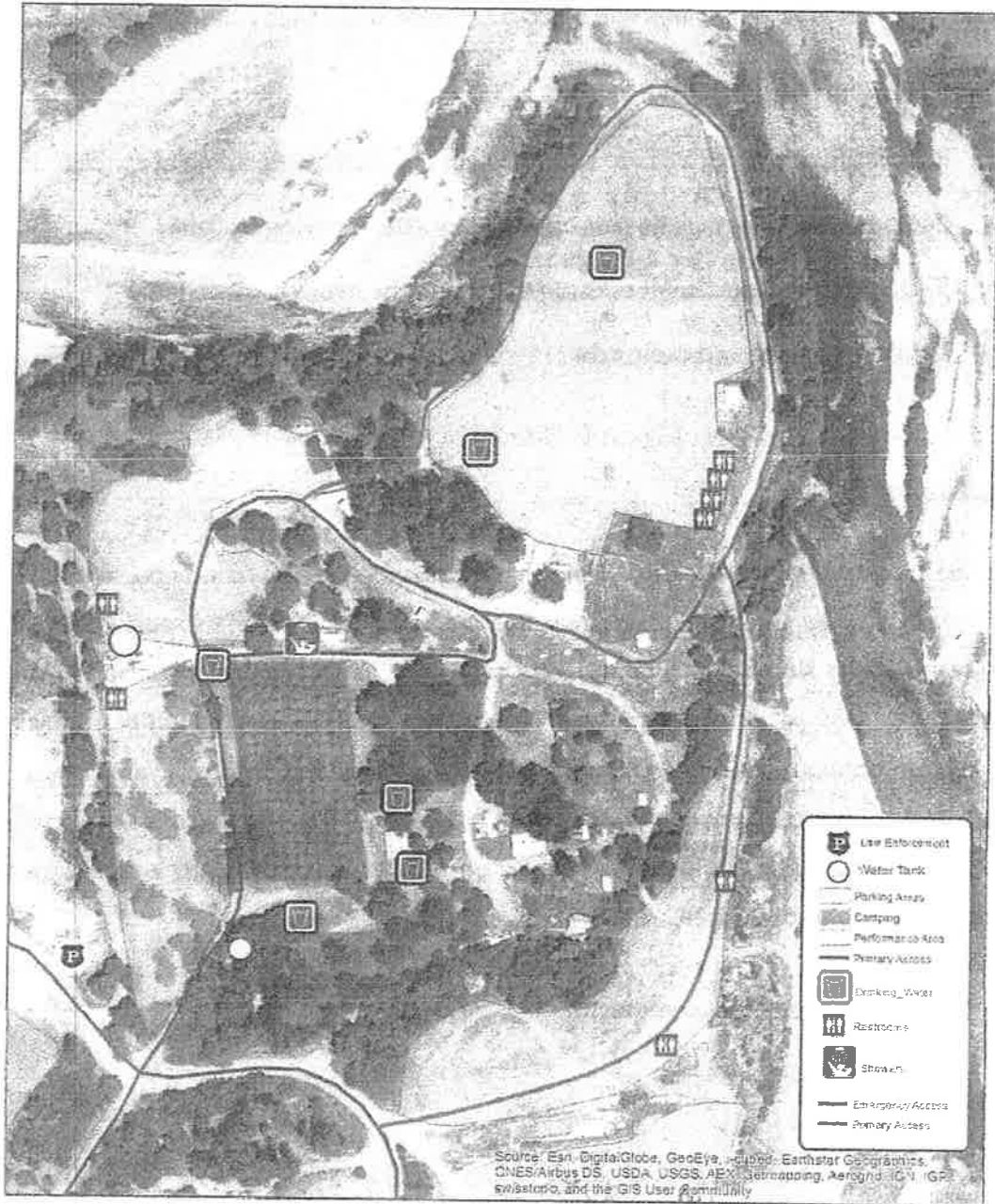
cancellation, there will be several methods to use for notifying the public that the event will not take place and the Applicants will discourage arrival to County Line Ranch.

Methods that will be used for this purpose:

- Post notifications on website and social media outlets informing of cancellation.
- Computerized message boards on Highway 101 notifying travelers of cancellation.
- Notify presale ticket holders using email that the event is cancelled.
- Local newspaper and radio ads.

Conclusion

Over the past two years, the Applicants have proven that they can successfully manage large events in the Cook's Valley Area. Positive feedback has been received from both Mendocino and Humboldt County officials, law enforcement agencies, local fire departments, service providers, press outlets and Southern Humboldt and Northern Mendocino communities. The Applicants continue to review, improve, and refine event management practices in order to produce a safe event, abide by permit regulations, and continue dialogue with the local community on how to best stimulate local business and promote tourism into the area.



One Day Event Site Map County Line Ranch

SEE REVISED



Northern Nights Music Festival 2015 Supplemental Camping & Parking Site Map County Line Ranch

Attachment 5

ADDENDUM TO EIR (SCH# 92-033035)

ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT

**AUXILIARY EVENT PARKING & CAMPING FOR
2015 NORTHERN NIGHTS MUSIC FESTIVAL
AND ONE-DAY CONCERT EVENT**
(formerly Reggae Rising, formerly Reggae on the River)

SCH NO. 92-033035

APNs: 033-271-005, -007, -009

DRAFT

**Prepared By
Humboldt County Planning and Building Department,
Planning Division
3015 H Street, Eureka, CA 95501**

April, 2015

Background

Modified Project Description and Project History – The current project involves a substantial conformance review to a previously approved Conditional Use Permit (CUP-04-38MMM). CUP-04-38MMM permits an annual music festival to be held over the first weekend of August with attendance levels between 10,500 and 16,900 persons, in addition to a one-day event held on the last weekend in August with a maximum attendance level of 5,000 persons on APNs 033-271-05, -07, & -09. The existing permit is set to expire on December 31, 2015.

The conformance review is required to exercise certain uses of CUP-04-38MMM. It will reduce the scope of the event held in Humboldt County to solely permit auxiliary parking and camping on APN 033-271-007 during Northern Nights Music Festival (NNMF) located in Mendocino County held from July 17th – July 20th, 2015. Parking and camping will accommodate approximately 2,000 cars and 2,000 people, and no amplified music will be permitted on this site during this time. In addition, the conformance review will permit a one-day concert event to be held on August 22nd, 2015. The event will last from 5pm until 11:59 pm and will accommodate up to 1,000 attendees. Attendees will be allowed to arrive as early as 12pm the day of the event.

This addendum to the original and supplemental Environmental Impact Reports (EIR) (SCH 92-033-035) addresses the potential effects of the following:

1. Proposed one-day event occurring during an earlier date than was authorized for previously permitted events. And;
2. Entry to the one-day event beginning at 12pm rather than 2pm which was authorized for previously permitted events. And;
3. Utilization of a different water source for both the parking and camping during NNMF and the one-day event than was reviewed in previous environmental documents.

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

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

substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

- No substantial changes are proposed which would require major revisions to the previously approved EIR. None of the proposed changes to the project will increase the severity of previously identified significant effects. In fact, impacts from the project appear to have been lessened due to the reduced scope of the project.
- No substantial changes to the project will result in a new environmental effect. Any potential impacts of significance have been mitigated through the project design currently proposed.
- All feasible mitigation measures have been incorporated into the project design. No additional mitigation is required. Since the project has been modified to effectively mitigate for all identified potential impacts, an addendum remains appropriate.

The purpose of this Addendum is to provide an analysis of the conformance review to the approved Conditional Use Permit as it was not discussed under its previously adopted EIR.

Summary of Significant Project Effects and Mitigation Recommended

The change in the scope of the project does not generate any significant effects that require mitigation.

Other CEQA Considerations

Staff suggests no further changes to the project as currently proposed.

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

The proposed project will contain either the same or reduced potential impacts and mitigation measures as the originally approved project under CUP-04-38MMM (SCH 93-033035) due to the reduction in scope as discussed in the Modified Project Description. However, the change in one-day event date and arrival time, and water source for both events, necessitates the preparation of an addendum to the EIR and an explanation of the decision not to prepare a Supplemental Environmental Impact Report.

Change of Date of One-Day Event

According to the original Environmental Impact Report (EIR) prepared for the project (1993), one of the alternatives that was evaluated was to hold the event during a different date at the current site, which, at the time, was French's Camp site (APN 033-271-005). The evaluation of this alternative concluded that, "The temporary and minimal environmental impacts of the proposed 2-day concert event would likely be similar if the event were held earlier or later in the summer season. Most environmental impacts would be the same" (EIR pg. 41). Although this was included in the EIR for the French's camp site location, French's camp is biologically similar and would have many of the same impacts as the current location, County Line Ranch (APN 033-271-007), because it is located immediately to the north. County Line Ranch was the project location for the Supplemental EIR prepared in 2006 (2006 FSEIR) and the Supplemental EIR prepared in 2008 (2008 FSEIR), which evaluated effects not included in the 1993 EIR. The Addendum that was prepared for the 2014 NNMF event evaluated the effects of the change in event date on the breeding season for Marbled murrelets and Spotted owls, and concluded

that no new impacts would result because the breeding season spanned from late-March until late-September (Addendum 2014). Therefore, the same can be concluded from holding the one-day event on the fourth Saturday in August (August 22) rather than the last Saturday (August 29).

The change in the one-day event date from the last Saturday in August (August 29) to the fourth Saturday in August (August 22) must, however, be evaluated for its potential impacts to demands on public services. Historically, the project (CUP-04-38MMM) allowed an annual music festival to be held during the first weekend of August and a one-day concert event to be held during the last weekend of August. Considering those dates, there would be a four-week gap between events. Currently, the events are proposed to be held over the third weekend in July and the fourth weekend in August. There is a four-week gap between these dates as well. Because the time between the events as currently proposed is the same as the gap between the events as previously permitted is the same, no new impacts to demand on public services is expected to result. Furthermore, the NNMF festival is largely confined to Mendocino County, and therefore primarily relies on Mendocino County public services. The one-day event will be located in Humboldt County and will primarily rely on Humboldt County public services. Using public services from two different counties further reduces the demand of public services on one county.

Entry of One-Day Event at 12:00 PM

According to the 2008 FSEIR, the gates to the one-day event historically opened at 2:00 PM. Because the gates for the 2015 one-day event will open at 12:00 PM, potential impacts to biological resources and water quality must be evaluated. The 2008 FSEIR concluded that waiting to open the gates until 2:00 PM would decrease the potential for swimming and therefore would not result in negative impacts to biological resources or water quality as a result from swimming in the river. Although the gates will be open at 12:00 PM for the 2015 event, no new impacts to biological resources or water quality are expected to result. Historically, the one-day event permitted a maximum of 5,000 persons and allowed parking to occur on the river bar (2008 FSEIR). For the 2015 one-day event, attendance will be limited to 1,000 persons and patrons will not be allowed to park on the river bar. Additionally, the property owners will not provide access to attendees for recreational activities in the river. Because the attendance level will be significantly less, vehicles will not be parking on the river bar, and access to the river will not be provided, no new impacts to biological resources or water quality due to patrons swimming in the river are expected to result.

Different Water Source

Historically, water was supplied by a well located on French's Camp and was also supplemented by Garberville Water Company. This year, a well located on County Line Ranch (APN 033-271-007) will supply the water needed for camping in Humboldt County during the 2015 NNMF event and for the one-day event. The contingency water source is the Cook's Valley Campground water system which is located in Mendocino County. Because the water source has changed, impacts to the groundwater supply, capacity of groundwater recharge, and drainage patterns must be evaluated. According to the 2006 FSEIR, the well located on French's Camp was capable of generating 36,000 gallons per day for a total of 108,000 gallons for use during the event. Garberville Water Company provided an additional 13,500 gallons of water. Therefore, the total water supply for the event was 121,500 gallons. County Line Ranch has a well that the property owners currently use to serve their domestic needs. This well will also be used to supply water to the 2015 NNMF camping event and one-day event. The contingency water source is the Cook's Valley Campground water system. The total projected water use in Humboldt County is 12,000 gallons during NNMF and 3,000 gallons during the one-day event, for a total of 15,000 gallons. Because the total water usage is significantly less than was reviewed in

previous environmental documents, and because the source is located on the parcel directly south of the previous water source, no new impacts to groundwater supply, recharge capacity, or drainage patterns are expected to result. Furthermore, the water usage will be offset by the property owners, who have agreed to decrease their water consumption by a minimum of 15,000 gallons. This will mainly be achieved through reducing their irrigation in the months before and after the events.

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

FINDINGS

1. For the modified project there are no substantial changes proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. For the modified project no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. For the modified project there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete. Furthermore, it is concluded that: the current project will not have one or more significant effects not discussed in the previous EIR. Also, significant effects previously examined will not be substantially more severe than shown in the previous EIR. There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project. Finally, there are no mitigation measures or alternatives identified in this analysis which are considerably different from those analyzed in the previous EIR, and which would substantially reduce one or more significant effects on the environment.

CONCLUSION

Based on these findings it is concluded that an Addendum to the adopted Environmental Impact Report is appropriate to address the requirements under CEQA for the current project proposal. All of the findings and mitigation requirements of the EIR are applicable to the current project proposal.

Attachment 6

ENVIRONMENTAL IMPACT REPORT AND SUPPLEMENTAL EIR (SCH# 92-033035)

Note: This attachment is located on CDs provided to the Planning Commissioners

ATTACHMENT 7

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

All referral agencies that the annual report was sent to for review and comment are listed below.

Referral Agency	Response	Recommendation	Attached	On File
Building Inspection Division	✓	Approval		✓
HC Department of Public Works – Land Use Division	✓	Conditional Approval		✓
Humboldt County Division of Environmental Health	✓	Conditional Approval		✓
HC Sheriff's Office - Garberville Substation	✓	Conditional Approval		✓
Garberville Community Services District		No response		
Piercy Fire Protection District	✓	Approval		✓
California Highway Patrol	✓	Conditional Approval		✓
Southern Humboldt Community Hospital		No response		
CA Department of Fish & Wildlife	✓	Comments		✓
CA Department of Forestry & Fire Protection	✓	Comments		✓
CA Department of Transportation - District #1		No response		
Regional Water Quality Control Board - North Coast		No response		
Mendocino County - Planning & Building Services Department	✓	Approval		✓

ATTACHMENT 8

**CUP-04-38MMM (One Day Event) CONDITIONS OF APPROVAL
AND
MOST RECENTLY APPROVED REGGAE RISING CONDITIONS OF APPROVAL**

ATTACHMENT 1
REVISED* CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT MODIFICATION FOR THE ADDITIONAL ONE-DAY EVENTS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS (the conditions of approval for the annual Reggae music events held each year during the first weekend in August are not addressed, and are not modified in this staff report):

A. Conditions of Approval

1. The project shall be developed and conducted in accordance with the *Plan of Operation submitted February 13, 2009*, as amended from time to time subject to the review and approval of the Planning Director.
2. The applicant shall annually submit a letter from DEH at least two months prior to the scheduled beginning of the event held in each year indicating they have no objections to the additional one-day event taking place. All of the requirements of the DEH noted in their June 4, 2009 memo shall be met to the satisfaction of that agency.*
3. The applicant shall annually submit a letter from CalTrans at least two months prior to the scheduled beginning of the event held in each year indicating they have no objections to the additional one-day event taking place.
4. Verification of attendance levels at each year's event shall be included in each year's annual report. A consultant shall be retained to provide the verification based on accepted methodologies, such as an aerial survey, approved by the Planning Director. A numbered wristband system of admitting people into the event and turnstiles or similar method of counting individuals entering and leaving the performance area shall be used each year to facilitate verification of attendance levels.
5. The applicant shall submit a water quality testing plan subject to the review and approval of the Planning Director that describes how the applicants will conduct water quality testing for temperature, coliform bacteria, pH and urea (ammonia). The applicants are required to perform water quality testing as described by the approved water quality testing plan. The water quality testing plan and the report submitted for the 2009 event shall incorporate the recommendations of the 2008 report by Curtis Miller included in the annual report for the 2008 event. In addition, the water quality testing plan and the report submitted for the 2009 event shall assess the water quality impacts of sunscreen and suntan lotion introduced into the South Fork of the Eel River by attendees, and make recommendations on how to mitigate these impacts if they are found to be significant.*
6. Within 120 days after the use permit expires or lapses, the property shall be restored to its original condition. This includes removing all permanent structures for the event, and grading to restore the original contours of the property. Upon request by the applicant and property owners, the time period for restoring the site may be extended or the requirements waived by the Planning Director based on evidence further renewal of the permit is being actively pursued, or evidence restoration of the site is not necessary to encourage primary uses in the Agricultural Lands and Timber Plan designation.
7. The project is subject to the following annual reporting and review requirements:
 - a. By December 31st of each year, the applicant shall prepare and submit fifteen (15) copies of a post-event report discussing that year's concert. This report may be combined with the post-event report for the annual Reggae music events held each year during the first weekend in August. The report should focus on assessing the effectiveness of the plan of operation, mitigation measures, and monitoring program. The report shall also contain written correspondence from agencies participating in monitoring and/or affected by the concert event (i.e., Planning Division, Division of Environmental Health, Sheriff's Office, California Highway Patrol, California Department of Parks and Recreation and California Department of Transportation). Responses to all concerns and issues identified in the report shall be provided, and appropriate measures to be undertaken at the following year's

* Revised by Planning Commission on June 4, 2009.

- event identified as needed. The report shall also include a breakdown of how the event benefited local non-profit organizations.*
- b. Within 120 days of its receipt, the Planning Commission shall review the post-event report. The review shall be presented as an informational item on the agenda with no formal action required insofar as the issues of concern identified in the post-event report are being accommodated and responded to in a pro-active manner. Pursuant to the County Code, and as deemed appropriate for the protection of public health and safety, the Planning Commission may initiate a public hearing to further modify or revoke the Conditional Use Permit modification for cause.
 - c. The annual report shall include a third-party independent assessment of the total daily attendance.
 - d. The annual report shall also include a traffic report documenting traffic volume, intensity, and deficiencies in the traffic management plan.
 - e. The annual report shall include sufficient data to assess the effectiveness of all required mitigation measures in relation to the total daily attendance, traffic volume and intensity, and potential water quality impacts.
8. The applicant shall annually submit a letter from ~~CDF~~ CalFire at least two months prior to the scheduled beginning of the first event held in each year indicating they have no objections to the event taking place. All of the requirements of CalFire noted in their April 2, 2009 memo shall be met to the satisfaction of that agency.*
 9. The applicants shall ensure that fire lanes are kept clear to allow for the passage of emergency vehicles throughout the event.
 10. The applicant shall annually provide letters from the Army Corps of Engineers and the California Department of Fish and Game stating permission has been given to place a temporary bridge across the Eel River.
 11. All cars must be parked more than 100 feet from the daily high water flow during the event, and any car with visible leaking fluids shall be prohibited from parking on the river bars.
 12. All disturbed areas shall be stabilized and reseeded by October 15th of each year to prevent excess soil erosion.
 13. Best Management Practices shall be used in all parking areas to minimize potential impacts to the Eel River.
 14. The modification is approved for a one event on the last weekend of August 2009 and in each subsequent year to the year 2015. The total attendance at each the event shall be no more than 5,000 persons, including all staff, volunteers, performers, etc.
- B. Information Notes:**
1. All storage, handling, and disposal of hazardous materials, solid waste, and recyclable materials must conform to applicable laws and regulations. Contact the Humboldt County Department of Public Health - Division of Environmental for additional information.
 2. The project involves site access and occupation along and across a public right-of-way and a resource watercourse subject to regulatory authority by various state and federal agencies including: the California Department of Transportation (state highways), California Department of Fish and Game (streambed alterations), State Lands Commission (fee-title over submerged lands), and the US Army Corps of Engineers (grading and filling in "waters of the United States"). The applicant is responsible for obtaining and securing all required permits and authorizations from these agencies prior to conducting the event.
 3. The project site is not located near or within an area where known cultural resources have been located. As there exists the possibility that undiscovered cultural resources may be encountered

* Revised by Planning Commission on June 4, 2009.

during construction activities, the following mitigation measures are required under state and federal law:

- a. If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).
 - b. Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted.
4. Pursuant to Public Resources Code §21089, the applicant is subject to cost reimbursement to the lead agency for expenses associated with the preparation of environmental review documentation, mitigation assessment, and monitoring program reports.
 5. This permit modification approval shall expire on December 31, 2015.

ATTACHMENT 1
REVISED* CONDITIONS OF APPROVAL FOR THE 2009 EVENT

APPROVAL OF THE 2009 EVENT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

A. Conditions of Approval

1. The project shall be developed and conducted in accordance with the *Project Description and Plan of Operation contained in the Final EIR*, as amended from time to time subject to the review and approval of the Planning Director.
2. The applicant shall submit a letter from the Division of Environmental Health at least one month prior to the scheduled beginning of the event indicating they have no objections to the event taking place. All of the requirements of the DEH noted in their June 4, 2009 memo shall be met to the satisfaction of that agency.*
3. The applicant shall submit a letter from the Regional Water Quality Control Board (RWQCB) at least one month prior to the scheduled beginning of the event indicating they have no objections to the event taking place.
4. The applicant shall submit a letter from CalTrans at least one month prior to the scheduled beginning of the event indicating they have no objections to the event taking place.
5. The applicant shall submit a letter from Cal Fire at least one month prior to the scheduled beginning of the event indicating they have no objections to the event taking place. All of the requirements of CalFire noted in their April 2, 2009 memo shall be met to the satisfaction of that agency.*
6. At least one month prior to the event, the applicant shall submit a letter from the California Highway Patrol stating they have no objections to the event taking place. The CHP (for no more than two traffic control officers) and the California Department of Transportation (CalTrans) (for traffic control personnel) shall be reimbursed by the applicant for controlling traffic in Willits the Monday morning after the event to mitigate traffic impacts from persons leaving the event.
7. Plans to address the concerns of the Sheriff regarding illegal drug sales shall be implemented each year to the satisfaction of the Sheriff. A letter from both the Humboldt County Sheriff and the Mendocino County Sheriff stating they have no objections to the event taking place shall be submitted to the Planning Division no later than one month prior to the event.
8. The applicant shall enter into an agreement with the Southern Humboldt Community Healthcare District to reimburse the District for unrecoverable expenses due to visits from persons attending the music event. The Planning Division shall refer the annual report to the District for comments considered each year by the Planning Commission.
9. Within 120 days after the use permit expires or the applicant decides the event will no longer be held at the site (whichever comes first), the property shall be restored to its original condition. This includes removing all permanent structures for the event, and grading to restore the original contours of the property. Upon request by the applicant, the time period for restoring the site may be extended or the requirements waived by the Planning Director based on evidence further renewal of the permit is being actively pursued, or evidence restoration of the site is not necessary to encourage primary uses in the AL Plan designation.

*Modified by the Planning Commission on June 4, 2009

10. The project is subject to the following annual reporting and review requirements:
 - a. By December 31st, 2009, the applicant shall prepare and submit fifteen (15) copies of a post-event report discussing that year's concert. Verification of attendance levels, including a count or estimate of unauthorized attendance at the event, and any "spill-over" incidents (i.e., illegal camping on private properties or alongside roadways) shall be discussed (also see 9.d.). The report should focus on assessing the effectiveness of the plan of operation, mitigation measures, and monitoring program (also see 9.f.). The report shall also contain written correspondence from agencies participating in monitoring and/or affected by the concert event (i.e., Planning Division, Division of Environmental Health, Sheriff's Office, California Highway Patrol, California Department of Parks and Recreation and California Department of Transportation). Responses to all concerns and issues identified in the report shall be provided, and appropriate measures to be undertaken at the following year's event identified as needed. The report shall also include a breakdown of how the event benefited local non-profit organizations.
 - b. Within 120 days of its receipt, the Planning Commission shall review the post-event report. The review shall be presented as an informational item on the agenda with no formal action required insofar as the issues of concern identified in the post-event report are being accommodated and responded to in a pro-active manner. Pursuant to the County Code, and as deemed appropriate for the protection of public health and safety, the Planning Commission may initiate a public hearing to further modify or revoke the Conditional Use Permit for cause.
 - c. To address area concerns that may arise, the applicant's shall hold a minimum of one (1) community meeting in the vicinity of the site within 90 days of the event. This meeting may be waived at the discretion of the Planning Director if no significant community issues have been reported.
 - d. The annual report shall include a third-party independent assessment of the total daily attendance.
 - e. ~~The annual report shall also include a traffic report by a licensed engineer documenting traffic volume, intensity, and deficiencies in the traffic management plan.~~
 - f. The annual report shall include sufficient data to assess the effectiveness of all required mitigation measures in relation to the total daily attendance, traffic volume and intensity.
11. The applicant shall perform water quality testing before, during and after the event to evaluate conformance to the 1999 EPA TMDL Study for the South Fork of the Eel River. Should testing demonstrate issues with compliance, additional mitigation measures shall be implemented, including possible restrictions on swimming in the River, in order to reduce water quality impacts to the river consistent with the 1999 EPA TMDL Study. At least two months before the event each year, the applicant shall submit a water quality monitoring plan subject to the review and approval of the Director. The plan shall include testing before, during and after the event for coliform bacteria, pH, and urea, and shall identify the proposed methodology, and the date when the test results will be submitted for review by the Director. A \$55 deposit will be charged for review and approval of this plan, and the applicant is responsible for reimbursing the County for the full cost of review of the plan up to a maximum of \$165. The water quality testing plan and the report submitted for the 2009 event shall incorporate the recommendations of the 2008 report by Curtis Miller included in the annual report for the 2008 event. In addition, the water quality testing plan and the report submitted for the 2009 event shall assess the water quality impacts of sunscreen and suntan lotion introduced into the South Fork of the Eel River by attendees, and make recommendations on how to mitigate these impacts if they are found to be significant.*
12. The applicants shall ensure that fire lanes are kept clear to allow for the passage of emergency vehicles throughout the event.
13. The applicant shall annually provide letters from the Army Corps of Engineers and the California Department of Fish and Game stating permission has been given to place a temporary bridge across the Eel River.

*Modified by the Planning Commission on June 4, 2009

14. The total attendance shall be determined by the Planning Commission on an annual basis after review and approval of the annual report.
15. The attendance shall range from a low of 8,500 ticket sales plus 2,000 personnel to a maximum of 14,500 ticket sales plus 2,400 personnel. (Attendance approved for the 2008 event is a maximum attendance of 14,400 total persons including all attendees: ticket holders, performers, staff and volunteers.) At least one month prior to the event, the applicant shall submit a plan for verification of attendance levels, subject to the review and approval of the Director. A \$55 deposit will be charged for review and approval of this plan, and the applicant is responsible for reimbursing the County for the full cost of review of the plan up to a maximum of \$165.
16. Verification of attendance levels at each year's event shall be included in each year's annual report. A consultant shall be retained to provide the verification based on accepted methodologies, such as an aerial survey, approved by the Planning Director. A numbered wristband system of admitting people into the event and turnstiles or similar method of counting individuals entering and leaving the performance area shall be used each year to facilitate verification of attendance levels.
17. The existing plan of operation requiring shuttles to run until at least ½ hour after the show ends each night. The Planning Division is directed to remind the producers of this requirement each year.

B. Information Notes:

1. All storage, handling, and disposal of hazardous materials, solid waste, and recyclable materials must conform to applicable laws and regulations. Contact the Humboldt County Department of Public Health - Division of Environmental for additional information.
2. The project involves site access and occupation along and across a public right-of-way and a resource watercourse subject to regulatory authority by various state and federal agencies including: the California Department of Transportation (state highways), California Department of Fish and Game (streambed alterations), State Lands Commission (fee-title over submerged lands), and the US Army Corps of Engineers (grading and filling in "waters of the United States"). The applicant is responsible for obtaining and securing all required permits and authorizations from these agencies prior to conducting the event.
3. The project site is not located near or within an area where known cultural resources have been located. As there exists the possibility that undiscovered cultural resources may be encountered during construction activities, the following mitigation measures are required under state and federal law:
 - a. If cultural resources are encountered, all work must cease and a qualified cultural resources specialist contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, protective cover).
 - b. Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted.
4. Pursuant to Public Resources Code §21089, the applicant is subject to cost reimbursement to the lead agency for expenses associated with the preparation of environmental review documentation, mitigation assessment, and monitoring program reports.
5. This permit shall expire on August 15, 2015, after all permitted events have been undertaken and post-event site work completed.