



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: April 15, 2021

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: County of Humboldt and Loleta Community Services District General Plan
Conformance Review for conveyance of real property
Case Number PLN-2021-17081
Assessor's Parcel Number: None assigned, Loleta area

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Please contact Michelle Nielsen, Senior Planner, at (707) 268-3708 or email at mnielsen@co.humboldt.ca.us if you have any questions about the scheduled agenda item.

AGENDA ITEM TRANSMITTAL

Hearing Date April 15, 2021	Subject General Plan Conformance Review	Contact Michelle Nielsen
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Project Description: A General Plan Conformance review for the County of Humboldt and Loleta Community Services District (“LCSD”) for the conveyance of real property from the County to the LCSD. The real property to be conveyed is approximately 0.80 acres in size and is excess right-of-way. The property will be used by the LCSD for the future installation of two new water storage tanks that will replace their existing water storage tank located on APN 309-042-025. All permits required for the decommission of the existing tank, and the development, installation and operation of the new water tanks shall be sought under a separate and future application. The project site is located in the Coastal Zone.

Project Location: The project is located in Humboldt County, in the Loleta area, on the south side of Loleta Drive, approximately 400 feet west of the intersection of Loleta Drive and the southbound Highway 101 off- and on-ramps, on the property known to be in Section 17 of Township 03 North, Range 1 West, Humboldt Base & Meridian.

Present Plan Land Use Designations: Agricultural Exclusive (AE), Eel River Area Plan (ERAP). Slope Stability: Low Instability (1).

Present Zoning: Agricultural Exclusive, sixty acre minimum parcel size and Transitional Agricultural combining zone (AE-60/T).

Case Number: PLN-2021-17081

Assessor’s Parcel Number: There is no APN assigned at this time. The project site is located adjacent to APN 309-042-030 abutting a portion of APN’s 309-042-030 northern property line.

Applicant/Owner

County of Humboldt, Dept. of Public Works
Attn.: Bob Bronkall
3015 H Street, Rm. 124
Eureka, CA 95501

Co-Applicant

Loleta Community Services District
Attn.: Tom Chapman, General Manager
P.O. Box 236
Loleta, CA 95551

Environmental Review: General Plan conformance review pursuant to Government Code Section 65402(a) is not a project pursuant to the California Environmental Quality Act.

Major Issues: None

State Appeal Status: Project is NOT appealable to the California Coastal Commission

County of Humboldt and Loleta Community Services District
General Plan Conformance Review
Case No. PLN-2021-17081

Executive Summary: The County of Humboldt, Department of Public Works, has requested a general plan conformance review of their intent to convey a 0.80 portion of real property to the Loleta Community Services District ("LCSD"). A report on conformance with the general plan is required pursuant to Section 65402 of the California Government Code ("GC") when a local agency acts to acquire or dispose of real property or intends to construct a new public building or structure. The referenced Government Code is included as [Attachment 3](#) to this staff report. The general plan conformance review is also an opportunity to ensure the action being considered does not frustrate the implementation of the County's General Plan.

According to the Public Works memo dated March 11, 2021, the County will be transferring the property under GC Section 25365, which provides for the Board of Supervisors, by a four-fifths vote, to transfer real property to a special district or other public agency if the property to be conveyed is not required for county use.¹ The State of California relinquished the property containing the area to be conveyed to the County in 1934 and 1964. The County's application ([Attachment 2](#)) states that the 0.80 portion of property is excess right of way on Loleta Drive. The application also states the deed that will transfer the property to LCSD will have a reversion provision: should the LCSD not use the site for utility purposes, the property shall revert to the County. The reversion will ensure the property remains in public ownership.

LCSD currently owns and operates a 225,000-gallon redwood water storage tank constructed in 1972, which serves as the only public water storage for the entire community of Loleta. The existing tank is located on APN 309-042-025 which is owned by LCSD. The existing redwood tank is in poor condition with significant leaks. The tank is currently operating at approximately 50% capacity due to leaks, does not meet current seismic structural design standards, and lacks sufficient capacity to provide the community with proper fire protection water. The poor condition of the redwood tank puts Loleta's water supply at risk for failure during a significant seismic event. Nor does the tank have sufficient capacity to meet the community's fire protection needs. Access to the current tank location is from the Highway 101 southbound on-ramp through an encroachment permit from Caltrans. Caltrans has indicated that if the tank is replaced at the existing location, they will not renew the encroachment permit because Caltrans does not want to allow the use of the highway on ramp for access. While LCSD has investigated new locations to access their property, the time and cost to permit and construct a new access road to the existing tank site would be prohibitive. For this reason, LCSD has investigated relocating the storage tank altogether, looking at alternative sites including the subject property. The current water tank location has only one storage tank; the replacement project would have two new water storage tanks.

According to the SHN report dated January 4, 2021, prepared by Jared O'Barr, PE ([Attachment 4](#)), the County property is the recommended site for construction of the new tanks because:

- It has easy access from Loleta Drive,

- It is located at a similar elevation to the existing storage tank so the new tanks will be able to maintain similar water pressures in the distribution system with few if any additional improvements,
- It has limited potential for other uses, and
- It has better geotechnical conditions than alternative sites investigated.

LCSD's consideration of this location included contacting the adjacent private property owners of APN 309-042-030. These property owners have been contacted and have indicated they are supportive of the LCSD project, according to the SHN report.

The property to be conveyed is located 0.40 miles east of the community of Loleta. The property is adjacent on the south side to the Loleta Drive, a two-lane collector maintained by the County. A review of the *Soils of Western Humboldt County* indicates the current alignment and location of Loleta Drive has changed little since that report's 1965 publication.

The northeast corner of the new property line will be roughly 230 feet west of the intersection of Loleta Drive with the off- and on-ramps of southbound Highway 101. There is an existing turnout located at the western extent of the area to be conveyed. The mapping prepared by the applicant indicates future fencing will not enclose and fence off this area. The County and the LCSD are actively discussing the best approach for retaining access to the turnout area for travelers on Loleta Drive. Possible options being considered include:

- should it be conveyed to LCSD, the County would create an easement for maintaining access
- remove it from the area to be conveyed so that fee title is retained by the County

The property is in the Coastal Zone and in the County's Coastal Development Permit ("CDP") jurisdiction. It is designated Agricultural Exclusive ("AE") in the Eel River Area Plan ("ERAP"), and is outside the Urban Limits of the town of Loleta per the ERAP. While the LCSD intends in the future to install water storage tanks on the subject property, this general plan conformance review only applies to the transfer of ownership from the County of Humboldt to the LCSD. The LCSD will need to apply for and secure Coastal Development and Conditional Use permits from the County prior to initiating development of the water tanks.² Removal of the existing water tanks and other decommissioning activities involving APN 309-042-025 will also require Coastal Development Permit. For these future permitting activities, the LCSD will be the CEQA Lead Agency pursuant to Sections 15051(a) and 15367 of CEQA Guidelines.

The proposed conveyance of 0.80 acres from the County of Humboldt to the LCSD does not require a parcel map pursuant to GC Section 66428(a)(2):

...

A parcel map shall not be required land conveyed to or from a governmental agency, public entity, public utility, or for land conveyed to a subsidiary of a public utility for conveyance to that public utility for rights-of-way, unless a showing is made in individual cases, upon substantial evidence, that public policy necessitates a parcel map. For purposes of this subdivision, land conveyed to or from a governmental agency shall include a fee interest, a leasehold interest, an easement, or a license.

For coastal areas of the State having a Coastal Commission certified a Local Coastal Program (“LCP”), such as Humboldt County, land use and development are regulated by the Local Coastal Program that is comprised of an area plan and zoning regulations. As stated above, the site is located in the Eel River Area Plan of the County’s Local Coastal Program.³ LCPs focus on land use and development in the context of the Coastal Act’s resource protection issues. A jurisdiction’s general plan may also establish policy, standards, and programs but for non-Coastal resource issues, such as the airport safety or noise, if adopted by the legislative body. All of this is to say that the 2017 General Plan is not the applicable general plan because the Board did not adopt it for the Coastal portions of the County. It is the [Humboldt County General Plan, Volume I, Framework Plan](#) adopted by the Board of Supervisors in December 1984 that applies because it was adopted for lands in the Coastal Zone. The Framework Plan, however, was not certified by California Coastal Commission so its policies, standards and implementation measures apply only to non-Coastal resource issues.

Staff believes the following analysis demonstrates that the proposed conveyance of a 0.80 acre portion of property from the County of Humboldt to the Loleta Community Services District, with the inclusion of the deed reversion language, is consistent with the policies, standards and implementation measures of the Eel River Area Plan, the 1984 Framework Plan and the 2019 Housing Element.

- ¹ Readers can look up the Government Code sections cited in this staff report using the California Legislative Information website at [URL]: https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=66428.&lawCode=GOV
- ² Pursuant to [Humboldt County Code](#) Section 313-7.1, Essential Services, a Civic Use type, is a conditionally permitted use in the Agricultural Exclusive zoning district. Pursuant to Humboldt County Code Section 313-171.5 the Essential Services Use Type includes uses which are necessary to support principal development. Typical Essential Services uses include... “Community wells, water storage tanks, and associated water treatment facilities.”
- ³ The proposed action is not evaluated for conformance with the County’s Coastal Zoning Regulations because it is a general plan conformance review.

**RECORD OF ACTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Case Number PLN-2021-17081

Assessor's Parcel Number: None Assigned

County of Humboldt and Loleta Community Services District, Loleta area. A General Plan Conformance Review pursuant to Government Code Section 65402 for the County of Humboldt to convey a 0.80 acre portion of real property to the Loleta Community Services District for the future installation of water storage tanks.

Recommendation

- ☒ Find project to be in conformance with the General Plan based on findings in the staff report.
- ☐ Adopt finding that project does not conform with the General Plan for the reasons specified in the staff report.

Record of Action

- ☐ Adopt Planning Division's recommendation.
- ☐ Adopt Planning Division's recommendation with revisions as made by the Planning Commission.

Adopted after review and consideration of all the evidence on April 15, 2021.

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

AYES: Commissioners:

NOES: Commissioners:

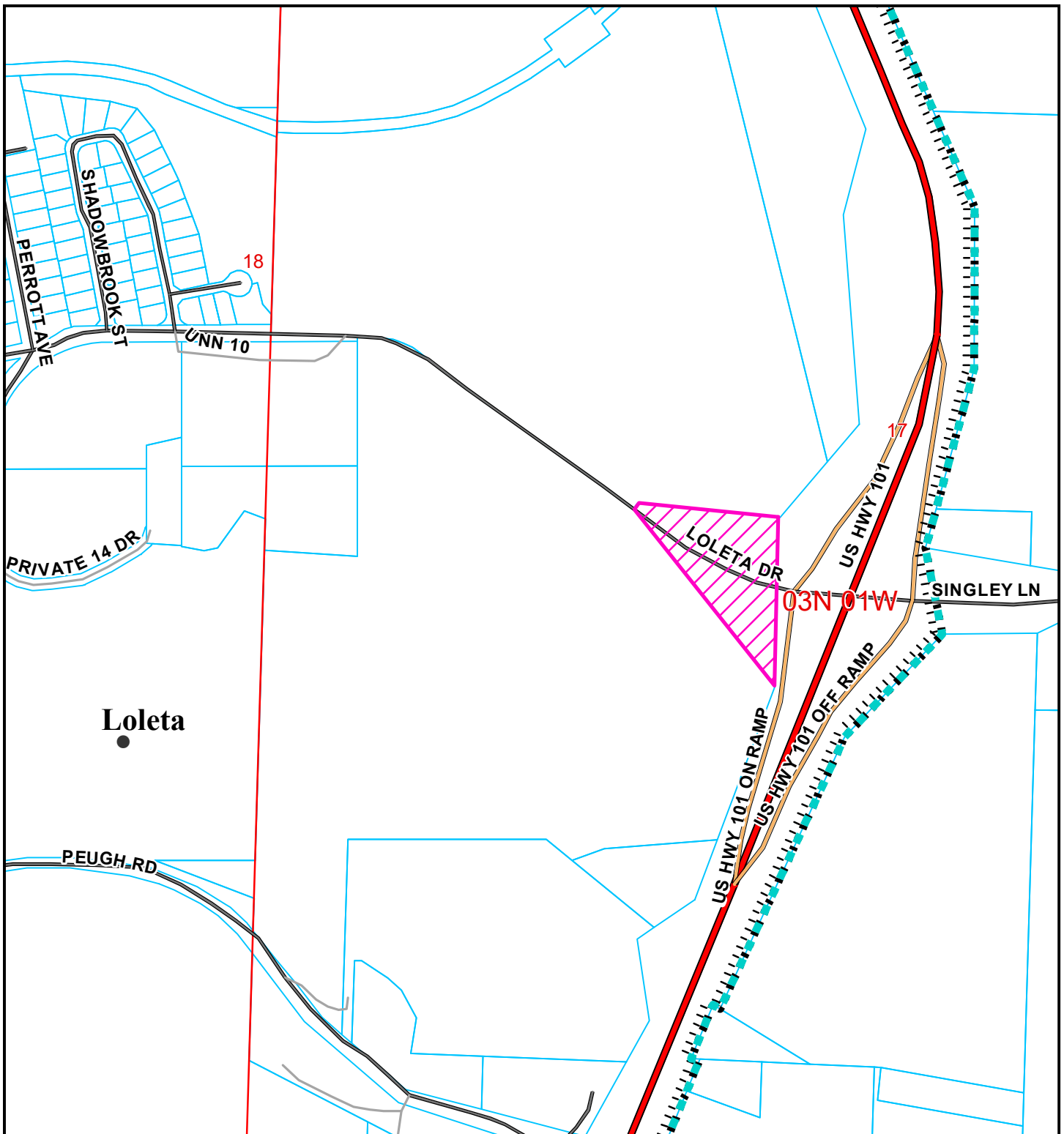
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

I, John H. Ford, Secretary 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.

John H. Ford, Director
Planning and Building Department



LOCATION MAP

COUNTY OF HUMBOLDT & LOLETA COMMUNITY SERVICES DISTRICT GENERAL PLAN CONFORMANCE REVIEW

LOLETA AREA

PLN-2021-17081

APN: N/A

T3N R1W S17 HB&M (Fields Landing)

Project Area = 

Coastal Zone Boundary 

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.



0 500
Feet



POD GIS Map

Humboldt County Planning and Building Department

0 350 700 1,400 Feet
0 0.05 0.1 0.2 Miles
RF= 1:9,028 1 in = 752 ft



Printed: March 29, 2021

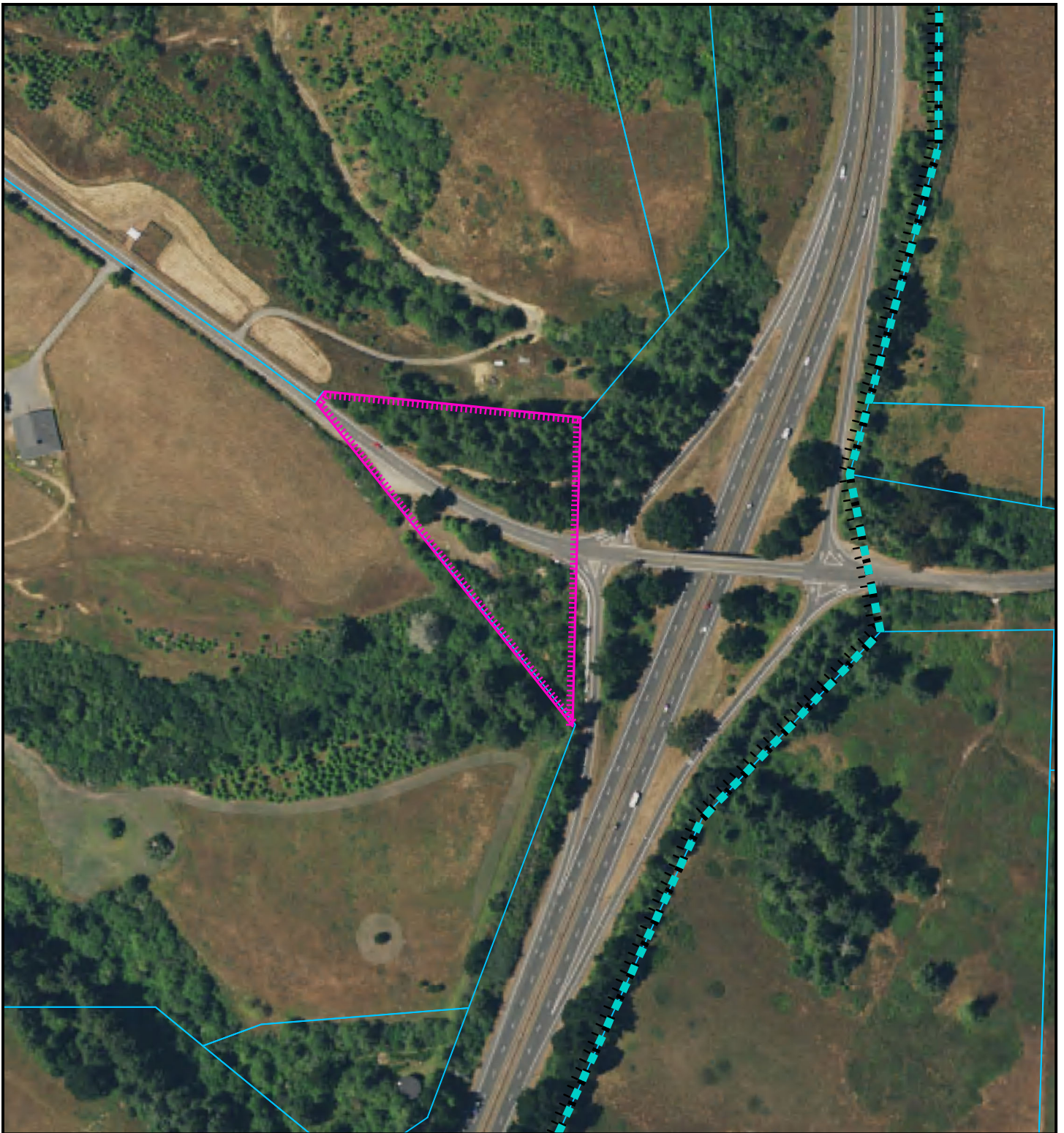
Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:

While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Source: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Humboldt County GIS, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Location of Loleta's CSD existing water storage tank.



AERIAL MAP

COUNTY OF HUMBOLDT & LOLETA COMMUNITY SERVICES DISTRICT GENERAL PLAN CONFORMANCE REVIEW LOLETA AREA

PLN-2021-17081

APN: N/A

T3N R1W S17 HB&M (Fields Landing)

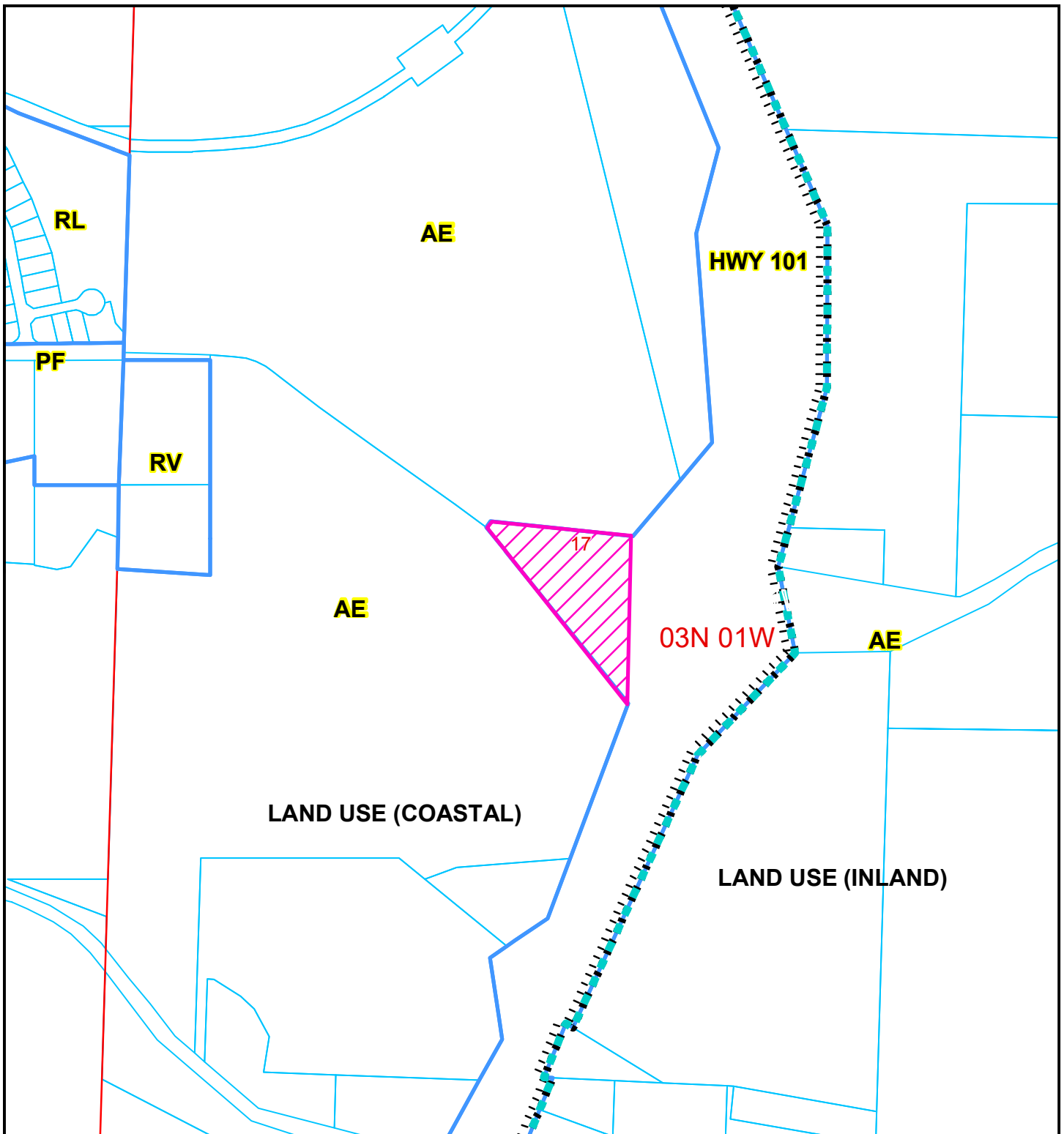
Project Area = 

Coastal Zone Boundary 

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.



0 100 200 300
 Feet



LAND USE MAP
COUNTY OF HUMBOLDT &
LOLETA COMMUNITY SERVICES DISTRICT
GENERAL PLAN CONFORMANCE REVIEW
LOLETA AREA
PLN-2021-17081
APN: N/A

Project Area = 

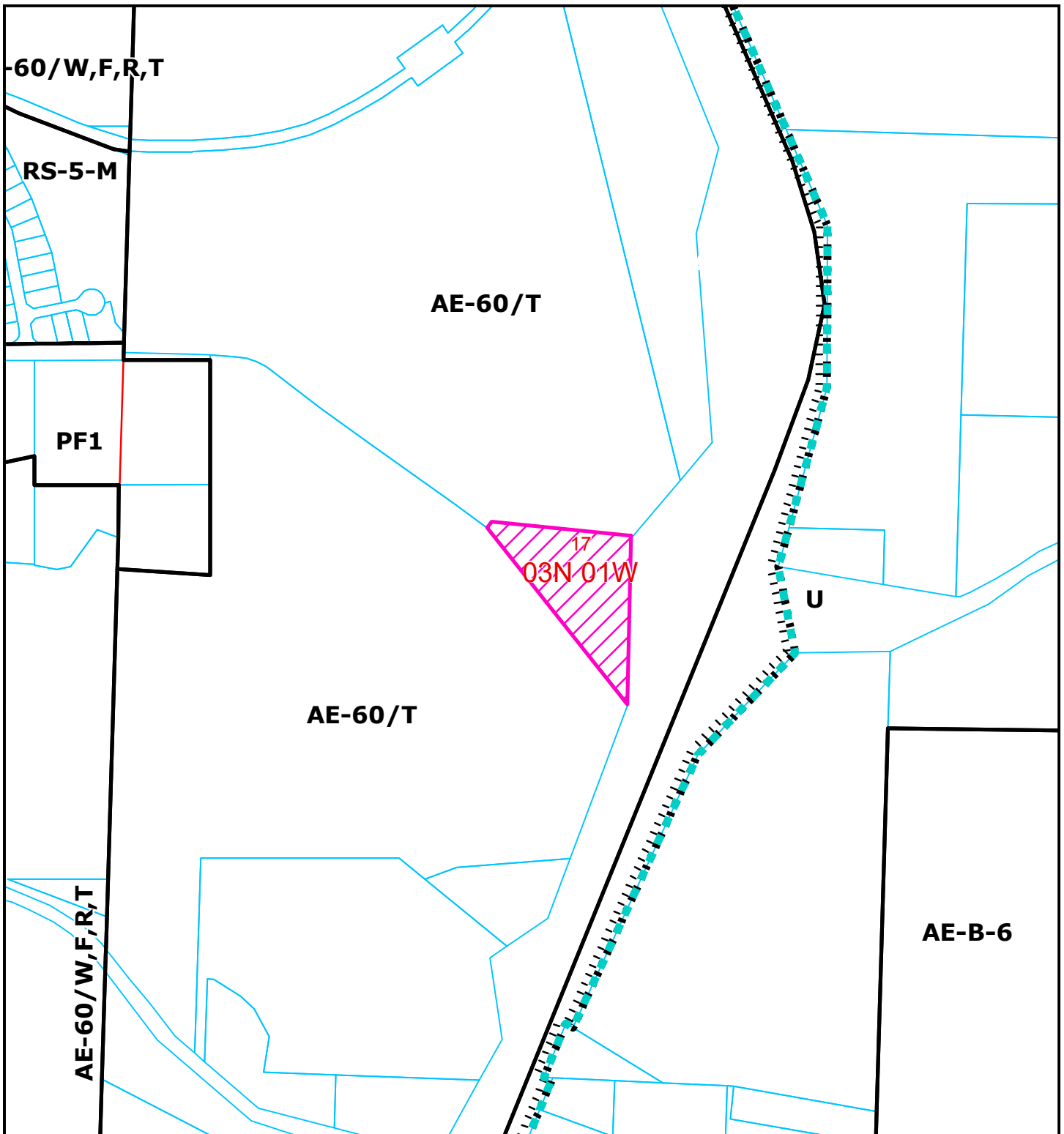
Coastal Zone Boundary 

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.

T3N R1W S17 HB&M (Fields Landing)



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ZONING MAP

COUNTY OF HUMBOLDT & LOLETA COMMUNITY SERVICES DISTRICT GENERAL PLAN CONFORMANCE REVIEW LOLETA AREA

PLN-2021-17081

APN: N/A

T3N R1W S17 HB&M (Fields Landing)

Project Area = 

Coastal Zone Boundary 

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.

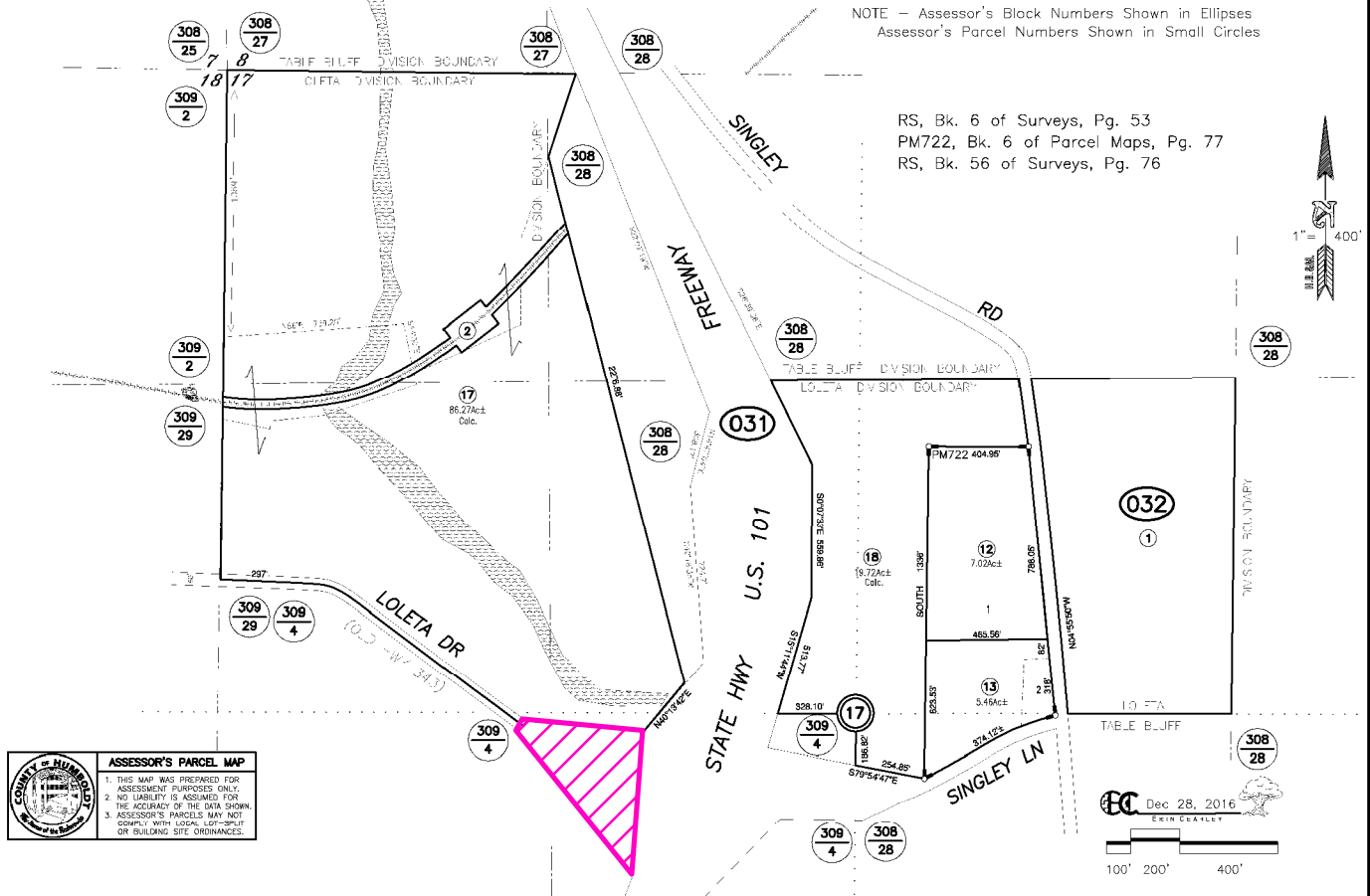


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Assessor's Map Bk. 309, Pg. 03
County of Humboldt, CA.

PTN N1/2 SEC 17, T3N R1W, HBM

309-03



ASSESSOR PARCEL MAP COUNTY OF HUMBOLDT & LOLETA COMMUNITY SERVICES DISTRICT GENERAL PLAN CONFORMANCE REVIEW

Project Area = 

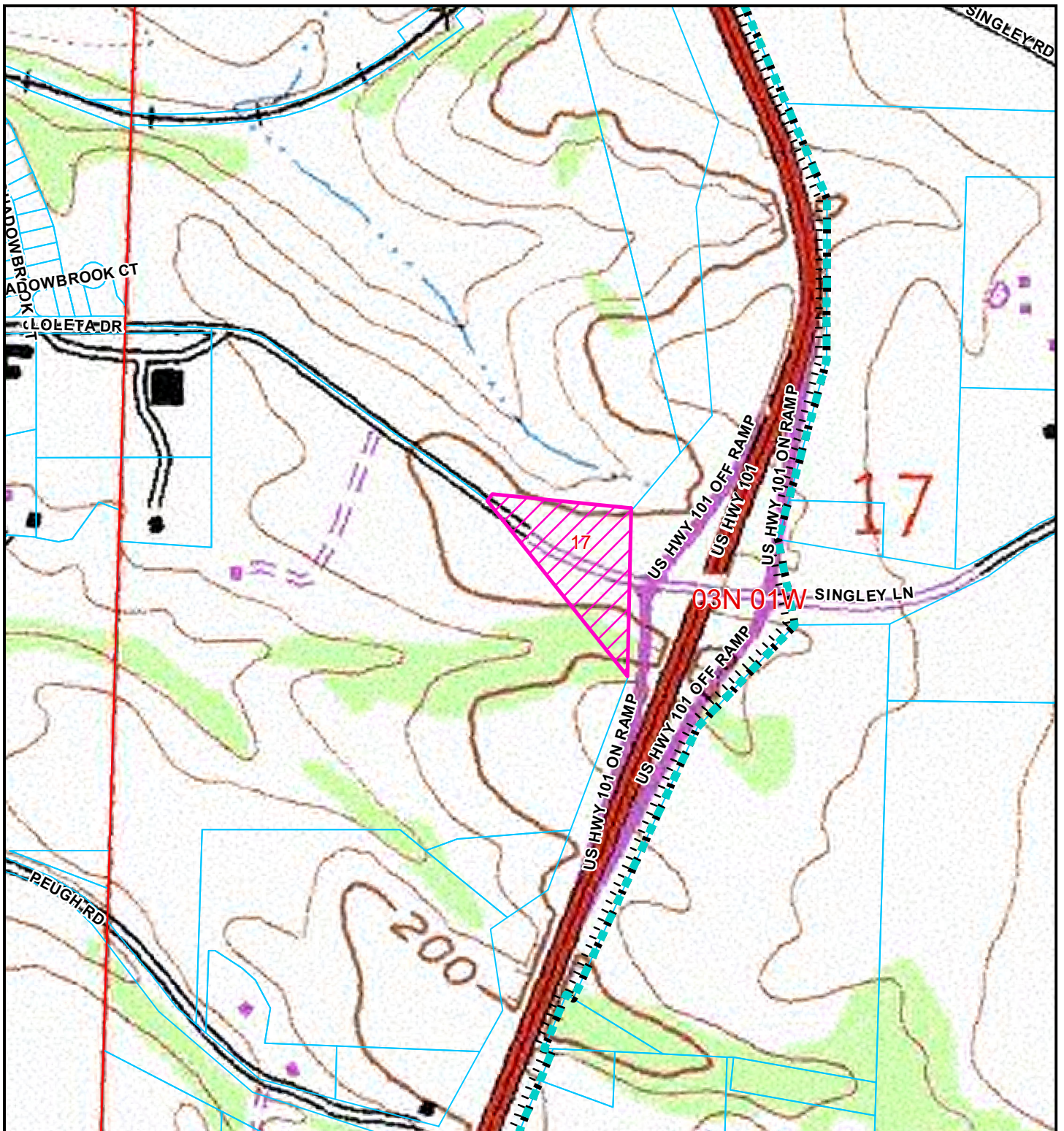
LOLETA AREA
PLN-2021-17081

APN: N/A

T3N R1W S17 HB&M (Fields Landing)

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.

MAP NOT TO SCALE



TOPO MAP

COUNTY OF HUMBOLDT & LOLETA COMMUNITY SERVICES DISTRICT GENERAL PLAN CONFORMANCE REVIEW

LOLETA AREA

PLN-2021-17081

APN: N/A

T3N R1W S17 HB&M (Fields Landing)

Project Area = 

Coastal Zone Boundary 

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.

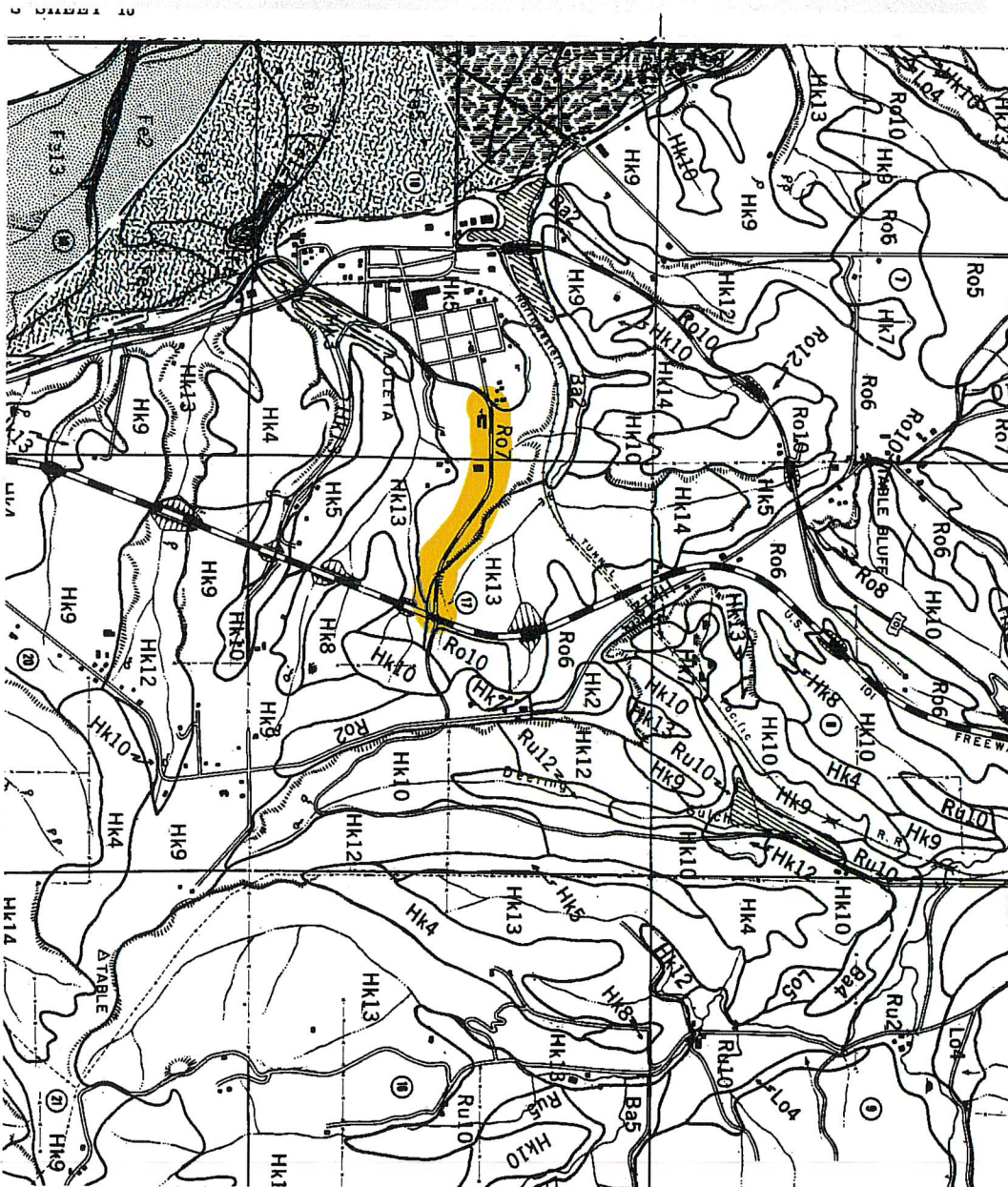


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Loleta Sheet

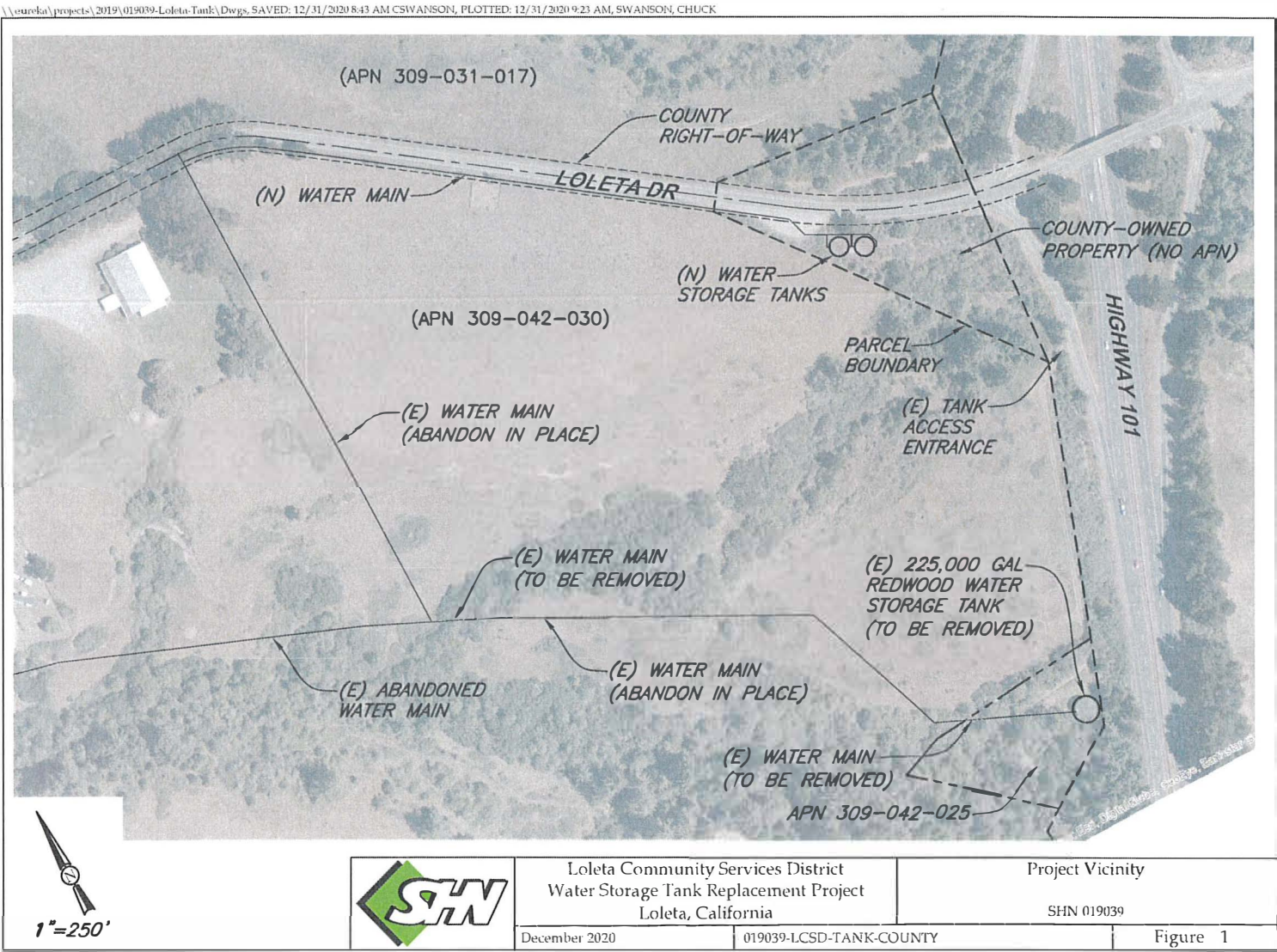
Soils of Western Humboldt County

Published 1965

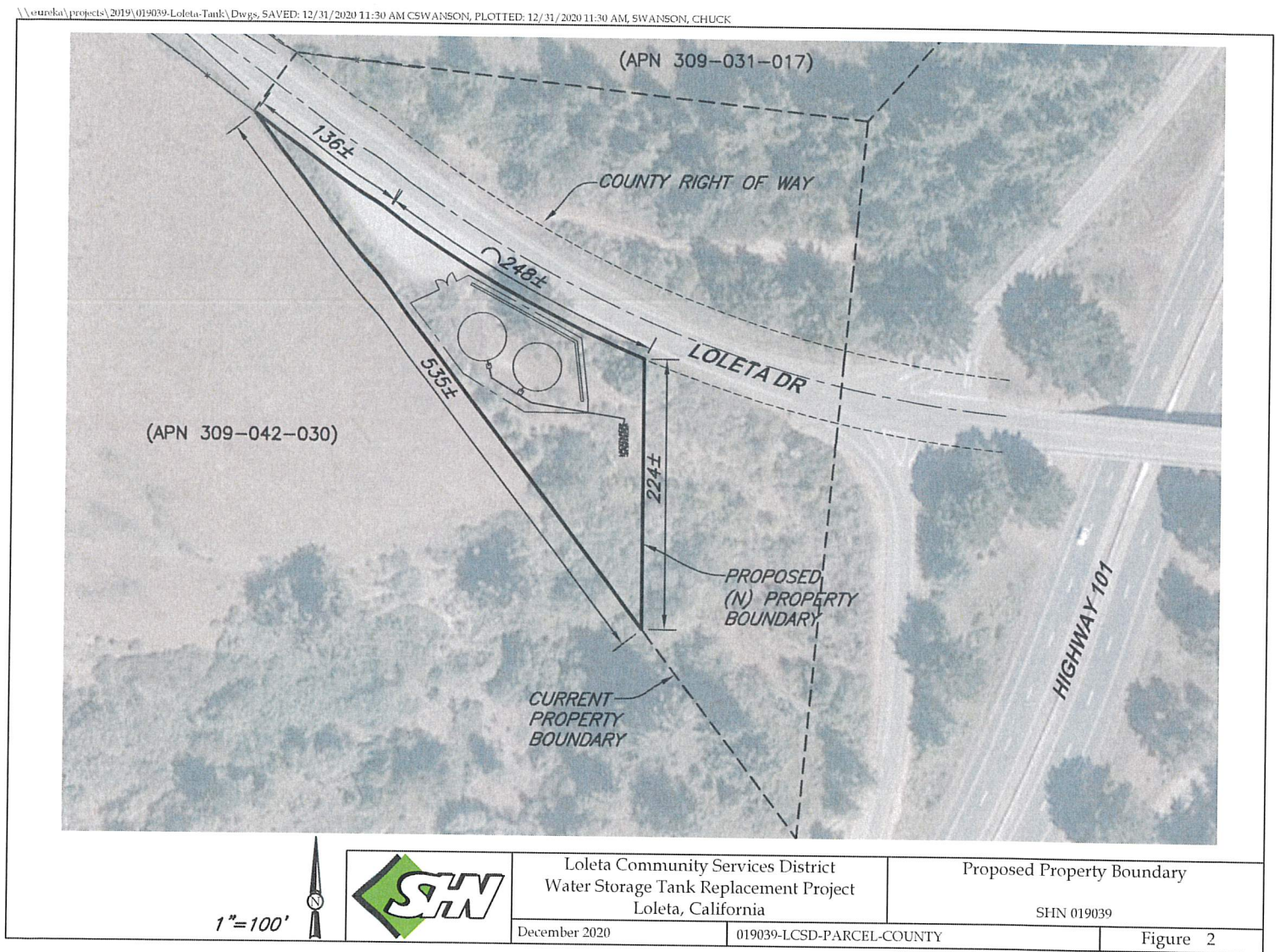


Not to
Scale

Applicant Map, 1 of 2



Applicant Map, 2 of 2



ATTACHMENT 1
Staff Analysis of the Conformance with the General Plan

The following section analyzes the proposal's conformance with the Eel River Area Plan ("ERAP"), the Humboldt County 1984 Framework Plan ("FRWK"), and 2019 Housing Element.

Rural Development Policies and Standards, Agriculture; and Rural Plan Designations: ERAP Sections 3.34 and 5.30, Agricultural Exclusive/Prime and Non-Prime Lands

Summary of Requirement of ERAP § 3.34, Rural Development Policies and Standards, Agriculture: The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy and conflicts shall be minimized between agricultural and urban land uses through all of the following:

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.
- (c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
- (d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
- (e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

Conformance Analysis: The soil profile of the subject property is in the Rohnerville series, and is silty clay loam, 3 to 8 percent slope, with a Storie Index Rating of 62, thereby meeting the State and the County definition of Prime Agriculture Soil. It should be noted, however, according to information available from the Natural Resources Conservation Service in-progress soil survey, that employs current methodologies, neither the site nor those in vicinity are identified as prime farmland. According to the County's webGIS, prime farmland begins just west of Loleta and continues westward.⁴

Since the County acquired the property from the State of California in 1934 and 1964, it has not been used for agricultural operations. The property is of limited value for agriculture production due its close proximity to Loleta Drive and the on-ramp for southbound Highway 101, and a configuration that parallels these existing roadways creating small non-contiguous area. The deed to convey the property will include a reversion clause that will ensure the property remains in public ownership.

The purpose of the conveyance is to facilitate a future project to replace existing essential water service infrastructure that supports the community of Loleta. The future project is for replacement of existing essential services; it is not a new public works project nor an extension of services. The future project will not enable LCSD to extend new connections beyond its existing service area. The existing water tank was installed in 1972 and is need of replacement. The tank is deteriorating, operates at half its capacity due to leaks, and is inadequate for fire protection and seismic safety. In order to support the existing water connections in the town of Loleta, including emergency fire suppression, it is necessary to replace the existing water storage tank. Replacement on LCSD's property is hindered by the fact that Caltrans is unable to renew the existing encroachment permit that allows site access. Development of a new road to gain access was found to be cost prohibitive according to the LCSD application. This necessitated investigation of alternatives, including transfer of the subject property.

The conveyance will support LCSD's ability to provide water service to the existing development in Loleta. If LCSD is unable to support existing development in the community, it would be expected that affected residents and businesses in Loleta would seek other areas to reside and operate. Foreclosing the ability of the LCSD to service its customers will create development pressures in the surrounding area, which is largely agricultural. The conveyance from the County to LCSD will indirectly assure the protection of the local area agricultural economy and minimize conflicts between agricultural and urban land uses.

Staff's assessment of conformance with ERAP Section 3.34(a) through (e) follows:

Finding	Staff Analysis
(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.	The proposed conveyance will not alter existing boundaries that separate urban and rural areas. The property is adjacent to the long established roadways of Loleta Drive, Highway 101, and the on ramp of southbound Highway 101. The western portion of the site being used as a turnout area by travelers on the roadway.
(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.	As discussed above, since the property was relinquished to the County in in 1934 and 1964, it has not been used for agricultural operations. The conveyance will support a future project that will replace existing essential water service infrastructure for the town of Loleta. A future essential service replacement project would enable residents and businesses to remain in-place contributes positively to the viability and stability of an established community.
(c) By developing available lands not suited for agriculture prior to the conversion of	The property's adjacency to Loleta Drive and Highway 101, and a configuration consisting

agricultural lands.	of the non-contiguous small areas intersected by roadways, indicates that the land is not suited agriculture.
(d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.	The general plan conformance review is limited to the proposed conveyance. As discussed above, the purpose of the conveyance supports a future project that services existing water service connections in the community of Loleta. It does not facilitate expansion of public service.
(e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.	As stated in the Executive Summary , land conveyed to or from a governmental agency, public entity, etc. does not require the parcel map pursuant to Section 66428(a)(2) of the California Government Code. Further, the deed transferring ownership will include a reversion provision: should the LCSD not use the site for utility purposes, the property shall revert to the County. The reversion will ensure the property remains in public ownership.

Summary of Requirement of ERAP § 5.30, AE Plan Designation: The purpose of the Agricultural Exclusive/Prime and Non-Prime Lands (“AE”) plan designation is to protect prime and non-prime agricultural lands for long-term productive agricultural use.

Conformance Analysis: The property to be conveyed is designated Agricultural Exclusive (AE) in the ERAP as are all of the adjacent properties. The State of California relinquished the property containing the subject area to the County in 1934 and 1964. The property to be conveyed is 0.80 acres in size and is adjacent to Loleta Drive, an established roadway. A review of the *Soils of Western Humboldt County* indicates the current alignment and location of Loleta Drive has changed little since that report’s 1965 publication. The property is largely undeveloped with a turnout area at the western extent, although it is not maintained by the County. Since relinquishment, the property has been owned by the County, and has not been used for agricultural purposes nor has it hosted agricultural operations. The existing vegetative cover of early seral wood vegetation also evidences that the property has not been used for agricultural purposes.

The deed that will convey the property to the LCSD will include a reversion to the County if the site is not used for utility purposes by the LCSD. The reversion language will ensure the property remains in public ownership and does not pass into private ownership. A change in ownership from one governmental entity to another will not have growth inducing impacts, nor will the change in ownership result in the direct or indirect conversion of agricultural land.

A future proposal to change the intensity of land use or to develop the site is subject to the

project proponent applying for an securing a Coastal Development Permit prior to commencing work. The requirement to secure a CDP applies regardless of the ownership of the property and the nature of the proposed project.

Public Services: ERAP Section 3.32

Summary of Requirements of ERAP § 3.32: New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal- dependent land uses, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Conformance Analysis: Similar to the existing location that hosts LCSD's water storage tank, APN 309-042-025, the property to be conveyed is outside the Urban Limits for the community of Loleta. The purpose of the conveyance is to facilitate the replacement of existing essential water service infrastructure that supports for the community of Loleta. As discussed in the preceding section, the existing water storage tank was installed in 1972, is deteriorating and operating at half its capacity. In order to support the existing water connections in the town of Loleta, including emergency fire suppression, it is necessary to replace the existing water storage tank. The purpose of the conveyance is to continue LCSD's ability to provide water service to the existing development in Loleta. The facts support a conclusion that a conveyance of a 0.80 acre portion of property from the County to LCSD for a potential project to replace an essential service that supports an existing community and would not expand capacity conforms with the requirements of ERAP Section 3.32.

Hazards and Safety Element: ERAP Section 3.28 and Framework Plan Section 3000

Summary of Requirements of ERAP § 3.28 and FRWK § 3000: New Development shall:

1. Minimize risks to life and property in areas of high geologic, flood and fire hazard.
2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
3. New development shall be consistent with the adopted Humboldt County Safety and Seismic Safety Element of the General Plan. When siting new development, the Natural Hazards/Land Use Risk Rating Matrix in Chapter 3 of Volume 1 should be used in conjunction with Plates III.

Conformance Analysis: The property to be conveyed is not within an Airport Land Use Compatibility Zone. The County airport in Fortuna is the closest airport and is more than 6 miles southeast of the site. Military training routes do not overlay the property or properties

in the vicinity, based on a review of the WebGIS.

The site is rated “1” Low Instability and is not subject to liquefaction. The site does not fall within the Alquist-Priolo Fault Hazard Zone. The project site is not situated on or in the vicinity of a coastal bluff or cliff. The action being considered is the conveyance of real property from one public entity to another public entity and does not involve the construction of a habitable structure or ground disturbing activities that may cause erosion. Future ground disturbing activities and development are subject to the project proponent first securing a CDP and addressing potential erosion and instability that may be caused by ground disturbance at construction and for the life of the project. The project evaluation phase will include consultation with the County’s Chief Building regarding the requirement that the applicant prepare a soils and/or geologic report.

The site is outside tsunami inundation areas. The site is not located within a mapped FEMA Flood Zone. Therefore, inundation and flood hazards are not of concern, and for the fact that matter being considered is a transfer of ownership from one governmental entity to another.

The project site lies within the fire response service jurisdiction of the Loleta Fire Protection District and is within the State Responsibility Area (SRA). The proposed real property conveyance from and to governmental entities will not affect the capability of first responders to respond to a fire, nor will it result in an increased demand for emergency fire services.

The conveyance of real property from one governmental entity to another will not generate noise. A future project will be evaluated to determine the potential to generate noise levels that are incompatible with existing uses or excessive pursuant to the Noise Compatibility Matrix, see Figure 3-2 of the Framework Plan, on a temporary and permanent basis.

Housing: ERAP Section 3.26, the 2019 Housing Element, and State Housing Statutes

Summary of Requirements of ERAP § 3.26, Housing Opportunities. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be consistent with the goals, policies, standards, and programs of the Humboldt County Housing Element.

Conformance Analysis: As discussed above the project site is planned AE, a land use designation that does not prioritize residential development. As discussed below, the property is not identified as an inventory site in the 2019 Housing Element.

Summary of Requirements of 2019 Housing Element (Chapter 8). Policies: Standards, and Implementation Measures for achieving target residential densities in accordance with the Regional Housing Needs Assessment (“RHNA”), incentivizing affordable housing production, promoting infill development, providing an adequate supply for all income categories.

Conformance Analysis: The project site is not identified as an inventory site in the 2019 Housing Element Inventory. The project site does not meet several statutory requirements for inclusion in the County’s Lower Income Inventory because:

- The parcel’s designated land use and zoning do not allow multifamily development by-right or as a conditional use;

- The AE LUD and zoning preclude development at the required minimum density of 15 dwelling units per acre; and
- The project site is outside LCSD's service area and sphere of influence, which precludes development at the minimum density of 15 dwelling units per acre.

These facts support a conclusion that the subject property will not be eligible to be an inventory site under the current housing element or a future housing element.

Measure I, the County's Affordable Housing initiative and [State Constitution] Article XXXIV authorization, was passed by voters as part of the November 3, 2020 General Election. Passage of Measure I allows for the County to directly participate in the development of rental housing for lower income individuals. For the reasons stated above, however, developing this location for housing would be cost prohibitive. Also, these facts indicate the site would be uncompetitive for State funding programs. Securing the necessary regulatory changes from the Coastal Commission to allow multifamily housing is likely to be infeasible as well. Finally, the close proximity to Highway 101 and the off- and on-ramps of Highway 101 present environmental constraints due to safety and excessive noise levels.

Summary of Requirements of GC § 65863, also known as No-Net Loss. Each jurisdiction shall ensure that its housing element inventory sites can accommodate, at all times throughout the planning period, its remaining unmet share of the regional housing need allocated.

Conformance Analysis: Because the property is not identified as an inventory site in the 2019 Housing Element Inventory, the proposed conveyance is not subject to the requirements of No Net Loss.

Summary of Requirements of GC §§ 54230 and 65400.1 Inventory of Surplus and Excess Lands. Statutes of 2019 (AB 1255 and AB 1486) amended the Government Code to add additional reporting requirement for lands owned by a jurisdiction. AB 1255 amended GC section 54230 to require cities and counties to create an inventory of surplus lands defined in subdivision (b) of Section 54221, and all lands in excess of its foreseeable needs, if any, identified pursuant to Section 50569, located in all urbanized areas and urban clusters. AB 1486 add GC section 65400.1 and requires jurisdictions to list sites that are owned a listing.

Conformance Analysis: The project site is not located in an U.S. Census designated urbanized area or urban cluster; therefore, designating the portion of the property as excess and then conveying the property to the LCSD is not subject to the annual reporting requirements of GC § 54230.

Archaeological and Paleontological Resources: ERAP Section 3.29

Summary of Requirements for ERAP § 3.29: Archaeological and Paleontological, including Cultural Resources: Where new development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Office, reasonable mitigation measures shall be required.

Conformance Analysis: The property is located in the ancestral territory of the Bear River Band of the Rohnerville Rancheria and the Wiyot tribe. The action being considered is for the

conveyance of real property between governmental entities and does not involve potential ground disturbing activities. As discussed in this report, a Coastal Development Permit must be applied for and secured prior to commencing ground disturbing activities regardless of ownership or the nature of the project. AB 52 requires jurisdictions to engage tribes affiliated with an area during the initial project evaluation process. A future project will undergo the Department's standard process of notifying affiliated tribes and providing them an opportunity to comment and make recommendations to the Department, including initiating AB 52 consultation. Staff believes the nature of the action being considered and the permitting requirements that apply to a future project, the conveyance of real property is in conformance with the ERAP § 3.29.

Protection of Environmentally Sensitive Habitats: ERAP Section 3.41 et seq.

Summary of Requirements of ERAP Section 3.41, Environmentally Sensitive Habitats:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Conformance Analysis: According to the March 22, 2021, email from Mr. Swanson, SHN's biological resources report identifies the vegetation as "early seral woody vegetation", and fully described as:

"Early seral woody vegetation dominated the County parcel proposed as a location for new tank placement as well as the southern side of Loleta Drive within the ROW. The composition of woody vegetation reflects past disturbance of the site, likely during the development of U.S. Highway 101 and Loleta Drive and is transitioning to conifer cover. Dominant species include coyote brush (*Baccharis pilularis* ssp. *consanguinea*), coast willow (*Salix hookeriana*), sticky monkey flower, osoberry (*Oemleria cerasiformis*), cascara (*Frangula purshiana* ssp. *purshiana*), red alder, poison oak (*Toxicodendron diversilobum*), Spanish heather, coast redwood, Douglas fir, and Sitka spruce, as well as large quaking grass (*Briza maxima*) and hairy oatgrass. The majority of cover is provided by Spanish heather, coyote brush, and red alder, however conifer saplings will likely become the dominant species within the next decade. The mix of species found within this area does not meet the criteria for a natural community and is a transitional vegetation community between open herbaceous species and coniferous forest."

A review of the County's Coastal Resource Protection maps indicates there are no Coastal resources on the site or in the vicinity. There are no mapped blue line streams or wetlands, although aerial imagery shows a vegetation pattern that may indicate the presence of a drainage at the eastern extent of the property. Similar to the preceding discussion for cultural resources, a future project will undergo the Department's standard process of referral to

appropriate agencies, including those with subject matter expertise. The Department of Fish and Wildlife and the Coastal Commission will be consulted regarding potential effects to environmentally sensitive habitats areas (“ESHA”). This work will include a review of the applicant’s prepared biological report, site visits, etc. to ensure the project design addresses potential effects to ESHA, if present, in a manner consistent with the Coastal Act and the ERAP Resource Protection Policies and Standards. Staff believes the nature of the action being considered and the permitting requirements that apply to a future project, the conveyance of real property is in conformance with the ERAP § 3.41 for the protection of environmentally sensitive habitats.

Visual Resource Protection: ERAP Section 3.42 et seq.

Summary of Requirements of ERAP Section 3.42, Visual Resources: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. Any future development that is not the principal use in AE, there are two requirements that must be met by the development: 1) the physical scale and visual compatibility; and 2) protection of natural landforms.

Section 3.42(A) Physical Scale and Visual Compatibility: that the proposed development is compatible with the principal permitted use, and, in addition is of no greater in height or bulk than is permitted for the principal use, and is otherwise compatible with the styles and visible materials of existing development or landforms in the immediate neighborhood, where such development is visible from the nearest public road (see ERAP § 3.42(A)(1)(c) et seq.). Paragraph 2 of the cited section lays out the requirements if a development cannot feasibly conform with paragraph 1, and no other more feasible location exists.

ERAP Section 3.42(B) Protection of Natural Landforms: natural contours, including slope, visible contours of hilltops and tree lines, bluffs and rock outcroppings, shall suffer the minimum feasible disturbance compatible with development of any permitted use, and meet the minimum standards set forth in subsections (a) and (b).

Conformance Analysis: The property to be conveyed is not situated along the shoreline or between the first public road and the sea. The site is not designated as Coastal Scenic or Coastal View according to the adopted Eel River Area Plan Resource Protection Maps. The action to convey real property will not alter the natural landforms. Future development that is not a principal permitted use, such as a community water storage tank, must demonstrate that the policies and standards of ERAP 3.42(A)(1)(c) et seq. and ERAP 3.42(B) et seq. are met by the development during the project evaluation process.

Public Access: ERAP Sections 3.50, 3.51 and 4.80

Summary of Requirements of ERAP §§ 3.50, 3.51 and 4.80. Ensure maximum public access to the sea and recreational opportunities consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from

overuse.

Conformance Analysis: The involved property and those in the vicinity are not situated along the shoreline, or between the first public road and the shoreline. Nor is the property close enough to the shoreline that it would be developed with facilities that support public access. As such, the subject property and those in the vicinity are not identified in the ERAP Access Inventory in Section 4.80 of the ERAP. The proposed conveyance of real property conforms with the Public Access requirements of the ERAP.

RECOMMENDATION

Staff recommends that the Planning Commission find the proposed conveyance of a 0.80 acre portion of property from the County of Humboldt to the Loleta Community Services District for the future purpose of developing and installing water tanks to serve the community of Loleta in conformity with the 1984 Humboldt County Framework Plan, the 2019 Housing Element and the certified Eel River Area Plan based on the following:

- A. The property to be conveyed will be transferred from one governmental entity to another, and the deed conveying the property from the County to LCSD will contain a reversion clause to ensure the property remains in public ownership and that it is developed with a public utility.
- B. Although designated Agriculture Exclusive/Prime and Non-Prime Lands, the property is not suitable for agricultural production because it is situated adjacent to Loleta Drive, southbound Highway 101 on-ramp, Highway 101 itself, and the property is small and non-contiguous due to Loleta Drive bisecting the property. The fact that the property has not been used for agricultural production since relinquished to the County in 1934 and 1964 also indicates is not suitable.
- C. All applicable policies of the Eel River Area Plan, 1984 Framework Plan and 2019 Housing Element remain in full force.
- D. The County is responsible for obtaining all necessary Federal, State, and local permits, including Coastal Development Permits. The Loleta Community Services District will assume this obligation upon transfer of ownership.

⁴ Accessed March 29, 2021, URL: <https://humboldt.gov/1357/Web-GIS>

ATTACHMENT 2
Application Requesting General Plan Conformance Review



PLANNING APPLICATION FORM
Humboldt County Planning Department
Current Planning Division 3015 H Street Eureka, CA 95501-4484
Phone (707) 445-7541 Fax (707) 268-3792

RECEIVED

By Michelle Nielsen at 4:47 pm, Mar 16, 2021

INSTRUCTIONS:

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule an Application Assistance meeting with the Assigned Planner. Meeting with the Assigned Planner will answer questions regarding application submittal requirements and help avoid processing delays. A small fee is required for this meeting.
3. Applicant/Agent needs to submit all items marked on the reverse side of this form.

SECTION I

APPLICANT (Project will be processed under Business name, if applicable.) Business Name: County of Humboldt Contact Person: Bob Bronkall Mailing Address: 3015 H Street, Rm. 124 City, St, Zip: Eureka, CA 95501 Telephone: (707) 445-7205 Alt. Tel: _____ Email: bbronkall@co.humboldt.ca.us	AGENT (Communications from Department will be directed to agent) Business Name: _____ Contact Person: _____ Mailing Address: _____ City, St, Zip: _____ Telephone: _____ Alt. Tel: _____ Email: _____	
OWNER(S) OF RECORD (If different from applicant) Owner's Name: County of Humboldt, Dept. of Public Works Mailing Address: 1106 2nd Street City, St, Zip: Eureka, CA 95501 Telephone: (707) 445-7491 Alt. Tel: _____		Owner's Name: _____ Mailing Address: _____ City, St, Zip: _____ Telephone: _____ Alt. Tel: _____
LOCATION OF PROJECT Site Address: South side Loleta Drive near 101 Interchange Community Area: Loleta Is the proposed building or structure designed to be used for designing, producing, launching, maintaining, or storing nuclear weapons or the components of nuclear weapons? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Assessor's Parcel No(s): adjacent to 309-042-030 Parcel Size (acres or sq. ft.): 0.8 acres

SECTION II

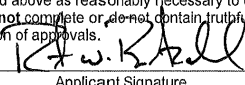
PROJECT DESCRIPTION
Describe the proposed project (attach additional sheets as necessary):

The project is intended to provide a site for Loleta Community Services District (LCSD), with access for maintenance, to construct two new water storage tanks to replace the deteriorated tank, which was constructed in 1972 on parcel 309-042-025. This parcel has no legal access. The County proposes to convey 0.8 acres of excess right of way on Loleta Drive. The Deed will have a reversion to the County if the site is ever not used for utility purposes by LCSD.

SECTION III

OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT

I hereby authorize the County of Humboldt to process this application for a development permit and further authorize the County of Humboldt and employees of the California Department of Fish and Wildlife to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are not complete or do not contain truthful and accurate information will be delayed and may result in denial or revocation of approvals.

 03/16/2021
Applicant Signature Date

If the applicant is not the owner of record: I authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

_____ Owner of Record Signature	_____ Date
_____ Owner of Record Signature	_____ Date

ATTACHMENT 3
Government Code Section 65402 et seq.

(a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonment for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonment for street widening, or alignment projects are of a minor nature.

(b) A county shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another county or within the corporate limits of a city, if such city or other county has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, and a city shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another city or in unincorporated territory, if such other city or the county in which such unincorporated territory is situated has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. The provisions of this paragraph (b) shall not apply to acquisition or abandonment for street widening or alignment projects of a minor nature if the legislative body having the real property within its boundaries so provides by ordinance or resolution.

(c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed

acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. If the planning agency disapproves the location, purpose or extent of such acquisition, disposition, or the public building or structure, the disapproval may be overruled by the local agency.

Local agency as used in this paragraph (c) means an agency of the state for the local performance of governmental or proprietary functions within limited boundaries. Local agency does not include the state, or county, or a city.

ATTACHMENT 4

Description of Loleta Community Services District

Water Storage Tank Project



Phone: (707) 441-8855 Email: info@shn-engr.com Web: shn-engr.com
812 W. Wabash Avenue, Eureka, CA 95501-2138

Reference: 019039

January 4, 2021

Thomas Mattson
Humboldt County Department of Public Works
1106 2nd St.
Eureka, CA 95501

Subject: Loleta Community Services District Water Storage Tank Project

Thomas Mattson:

On behalf of the Loleta Community Services District (LCSD), we are asking the County to relinquish a County-owned property proposed for construction of two new water storage tanks to serve the community of Loleta. Figure 1 shows the location of the existing tank and the proposed project location. Figure 2 shows the 0.8-acre portion of the County parcel that LCSD is asking the County to relinquish. LCSD currently owns and operates a 225,000-gallon redwood water storage tank constructed in 1972, which serves as the only public water storage for the entire community of Loleta. The redwood tank is in poor condition with significant leaks (the tank is currently operating at approximately 50% capacity due to leaks), does not meet current seismic structural design standards, and lacks sufficient capacity to provide the community with proper fire protection water. The poor condition of the redwood tank puts Loleta's water supply at risk for failure during a significant seismic event, and the tank does not have sufficient capacity to meet the community's fire protection needs. The following information demonstrates the urgency of this project and the need for the County to act expeditiously in relinquishing the property for the proposed project to LCSD.

The existing tank is located on Assessor's parcel 309-042-025, which is owned by LCSD. Access to the site is from the Highway 101 southbound onramp through an encroachment permit from Caltrans. Caltrans has indicated that if the tank is replaced on the same property, they will not renew the encroachment permit because they do not want to allow the use of the highway onramp for access. Additional access locations have been investigated, and the time and cost to permit and construct a new access road to the existing tank site would be prohibitive. For this reason, LCSD has been investigating alternative project sites including the County-owned property described herein.

The County property is the recommended site for construction of the new tanks. It has easy access from Loleta Drive, is located at a similar elevation to the existing storage tank so the new tanks will be able to maintain similar water pressures in the distribution system with few if any additional improvements, has limited potential for other uses, has better geotechnical conditions than alternative sites investigated, and minimizes impacts to the adjacent private property owners. LCSD and SHN have contacted the adjacent private property owners (APN 309-042-030) who have indicated that they are supportive of the project.

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Thomas Mattson

Loleta Community Services District Water Storage Tank Project

January 4, 2021

Page 2

LCSD is also fortunate to have the support of the State Water Resources Control Board (SWRCB) Division of Drinking Water (DDW), which oversees the safety and security of the public water supply, and the SWRCB Division of Financial Assistance (DFA), which is expected to provide funding for this critical infrastructure project. Engineers with DDW and DFA have encouraged LCSD to expedite the project for both technical and financial reasons.

We hope that this letter provides enough information for you to understand the urgency of this project and support the conveyance of the proposed property to LCSD for construction of their new water storage tanks. If you have any questions regarding the information provided in this letter, please do not hesitate to contact me at 707-441-8855.

Sincerely,

SHN



Jared O'Barr, PE
Senior Civil Engineer

JXO/CRS:lam

- Attachments:
1. Property Acquisition Description Exhibit A (Preliminary)
 2. Property Acquisition Description Exhibit B (Preliminary)
 3. Property Acquisition Description Exhibit A & B COGO Report -Parcel to be Conveyed
 4. Property Acquisition Description Exhibit A & B COGO Report -Ties
 5. Relinquishment Deed: 16-HUM-1-G
 6. Relinquishment Deed: 436-HUM-1-G
 7. Cal Trans Right of Way Map
 8. Record Survey Map

c. w/Attach.: Tom Chapman, Loleta Community Services District
Bob Bronkall, Humboldt County Department of Public Works, Land Use Division
Deb Vining, Humboldt County, Department of Public Works, Land Use Division
John Ford, Humboldt County, Department of Planning and Building



\\leureka\Projects\2019\019039-Loleta-Tank\PUBS\Corr\20210104-CountyParcelLetterLoletaTank.docx




DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

On-line Web: humboldt.gov.org	Public Works Building Second & L St., Eureka Fax 445-7409				Clark Complex Harris & H St., Eureka Fax 445-7388	
	Administration	445-7491	Natural Resources	445-7741	Land Use	445-7205
	Business	445-7652	Natural Resource Planning	267-9542		
	Engineering	445-7377	Parks	445-7651		
	Facility Management	445-7621	Roads	445-7421		

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: John Ford, Director, Planning and Building Department

FROM: Deb Vining, Land Use Division 

DATE: March 11, 2021

RE: **PROPOSED TRANSFER OF A PORTION OF EXCESS RIGHT OF WAY ON LOLETA DRIVE TO LOLETA COMMUNITY SERVICES DISTRICT**

Humboldt County Public Works, Land Use Division is preparing to transfer a portion of the excess right of way on Loleta Drive to Loleta Community Services District (LCSD) to provide a site to construct replacement water tanks for their rapidly deteriorating water tanks. The site that the tanks currently sit on is no longer feasible for the replacement tanks because LCSD has been denied access directly from Highway 101 to the site.

The transfer is being processed under Government Code section 25365.

The Land Use Division is requesting the Planning and Building Department schedule a Planning Commission conformance review to ensure the conveyance will not be in conflict with the current general plan, as required by Government Code section 65402. A letter has been sent to the Coastal Commission requesting their input.

If there are any questions, please contact me at 707-268-3768.

* Government Code Section 25365

(a) The board of supervisors may, by a four-fifths vote, grant, convey, quitclaim, assign, or otherwise transfer to the state or to any community redevelopment agency, housing authority, community development commission, surplus property authority, federal agency, city, school district, county board of education, special district, joint powers agency, or any other public agency within the county or exchange with those public agencies, any real or personal property, or interest therein belonging to the county upon the terms and conditions as are agreed upon and without complying with any other provisions of this code, if the property or interest therein to be granted and conveyed or quitclaimed is not required for county use or in the event of an exchange, the property to be acquired is required for county use.

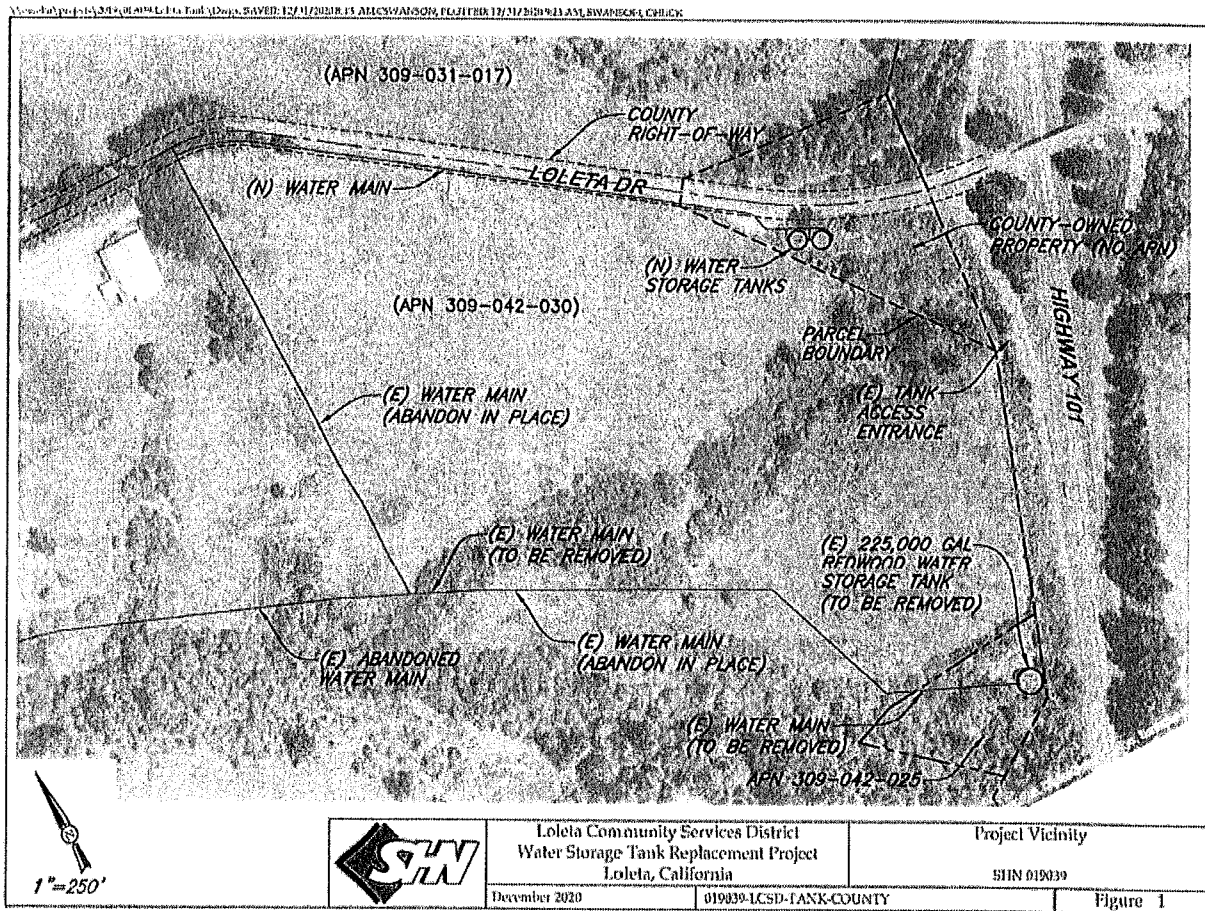
(b) The board of supervisors may also, by a four-fifths vote, exchange real property with any person, firm, or corporation, for the purpose of removing defects in the title to real property owned by the county, or where the real property to be exchanged is not required for county use and the property to be acquired is required for county use. If the real properties to be exchanged are not of equal value, either party to the exchange may contribute cash or other real property assets, acceptable to the other party, to balance the transaction. The value of any

U:\PWRK\RIGHTOFWAY\ROADS\C3H200 LOLETA DRIVE - LCSD\MEMO PLANNING 3-11-21.DOCX 12/2014

private real property exchanged shall be equal to, or greater than, 75 percent of the value of the county property offered in exchange. The cash or other real property assets to be added to balance the transaction shall not be greater than 25 percent of the value of the county property proposed for exchange.

(c) Unless the public agency to which the property is transferred pursuant to this section and the public agency transferring the property are governed by the same county board of supervisors, the transferring board of supervisors shall publish a notice of its intended action pursuant to Section 6061 at least one week prior thereto in a newspaper of general circulation published in the county.

// END //



Re: Planning Application

Nielsen, Michelle <MNielsen@co.humboldt.ca.us>

Mon 3/22/2021 12:37 PM

To: Chuck Swanson <cswanson@shn-engr.com>; Vining, Deb <DVining@co.humboldt.ca.us>

Cc: loletacsd@att.net <loletacsd@att.net>

Thank you, Chuck and Deb. Your replies are extremely helpful.

As for the turn out area: Planning defers to PW and LCSd. I noticed this feature and thought the staff report should mention it. If the staff report didn't mention it, I would anticipate a Planning Commissioner asking for information.

We remain on target for the Thurs, 4/15 Planning Commission hearing. We're planning on putting this on the PC's consent agenda.

Again, thanks for the help. Should anything else come up, I'll reach out to you. Best, Michelle

From: Chuck Swanson <cswanson@shn-engr.com>

Sent: Monday, March 22, 2021 10:22 AM

To: Vining, Deb <DVining@co.humboldt.ca.us>; Nielsen, Michelle <MNielsen@co.humboldt.ca.us>

Cc: loletacsd@att.net <loletacsd@att.net>

Subject: RE: Planning Application

Hi Deb and Michelle,

I've responded below in **bold/underline**. I have also copied Loleta here FYI.

Please let us know how the County would like to proceed with respect to the pullout on Loleta Drive.

Thank you,

Chuck Swanson

Project Manager



Civil Engineering, Environmental Services,
Geosciences, Planning and Surveying

shn-engr.com (707) 441-8855

From: Vining, Deb <DVining@co.humboldt.ca.us>

Sent: Monday, March 22, 2021 8:42 AM

To: Nielsen, Michelle <MNielsen@co.humboldt.ca.us>

Cc: Chuck Swanson <cswanson@shn-engr.com>

Subject: RE: Planning Application

Michelle,

I filled in what I know below.

Chuck, can you also look at the questions and answers and feel free to email Michelle any information you feel is relevant.

Best Regards,

Deb Vining

Senior Real Property Agent

Land Use Division | Department of Public Works | County of Humboldt

tel: 707-268-3768 fax: 707-445-7388 e-mail: dvining@co.humboldt.ca.us

office: Clark Complex | 3015 "H" Street, Room 17 | Eureka | CA | 95501

From: Nielsen, Michelle <MNielsen@co.humboldt.ca.us>

Sent: Friday, March 19, 2021 3:58 PM

To: Vining, Deb <DVining@co.humboldt.ca.us>

Subject: RE: Planning Application

Hi Deb. I made decent progress on the staff report and expect to complete it next week. Can you please fill the following information gaps? Of course feel free to put these requests to Loleta CSD and/or SHN.

- It appears at the western edge of the future property line there is an existing turnout area adjacent to Loleta Dr. that is rocked and maintained. Is this an accurate statement? **No, this pullout is not maintained.** I can see that the future fencing will not fence off this area, but will the rocked turnout area remain accessible to travelers on Loleta Drive? **Yes, that is the current plan.** Will the current status as a turnout area be retained? **We discussed keeping this a turnout and county maintaining easement over the turnout area, or keeping title to this area. The pullout is currently included in the parcel to be conveyed to LCSD, however the District (LCSD) is not interested in maintaining this if the County would like to create an easement for maintaining it. Alternatively, we could potentially remove this from the proposed new parcel. I think the primary objective right now is to complete this as quickly as possible, so please let us know what the County would like to do with respect to the pullout, and the District will can make a decision at that point.**

- LCSD existing tanks: is there 1 tank, or 2 tanks? The plural and singular form are used interchangeably. **There is one tank on their current site, and two are proposed on the new site. Deb is correct, there is one existing tank on the District owned parcel, and two proposed new tanks on the proposed new parcel.**
- A general description of the existing vegetative cover of the ptn to be conveyed. A sentence or two that describes the vegetative cover is sufficient. **There are a few trees and scrubby brush (berries and probably poison oak), but the bulk of the property is pasture/grass. I don't think significant vegetation removal would be required for construction. Chuck, feel free to weigh in on this too. Our biological resources report identifies the vegetation as "early, seral woody vegetation", the following is the full description:**

Thanks for your help, Michelle

-----Original Message-----

From: Nielsen, Michelle
Sent: Tuesday, March 16, 2021 4:50 PM
To: Vining, Deb <DVining@co.humboldt.ca.us>
Subject: RE: Planning Application

Works for me Deb. I've created a record in Accela, it's # is PLN-2021-17081. The documents are uploaded.

Now I'm trying to generate an invoice...this is a struggle. This will definitely be charged as POD time

-----Original Message-----

From: Vining, Deb <DVining@co.humboldt.ca.us>
Sent: Tuesday, March 16, 2021 4:46 PM
To: Nielsen, Michelle <MNielsen@co.humboldt.ca.us>
Subject: Planning Application

Michelle,
I hope this is ok. I'm not a pro. Thanks for your help!!!

Best Regards,

Deb Vining
Senior Real Property Agent
Land Use Division | Department of Public Works | County of Humboldt
tel: 707-268-3768 fax: 707-445-7388 e-mail: dvining@co.humboldt.ca.us
office: Clark Complex | 3015 "H" Street, Room 17 | Eureka | CA | 95501

-----Original Message-----

From: no_reply <no_reply@co.humboldt.ca.us>
Sent: Tuesday, March 16, 2021 4:54 PM
To: Vining, Deb <DVining@co.humboldt.ca.us>
Subject: Scanned image from Humboldt County Public Works

Reply to: no_reply <no_reply@co.humboldt.ca.us> Device Name: Humboldt County Public Works Device Model: MX-3071
Location: 3015 H St. Room 124

File Format: PDF MMR(G4)
Resolution: 300dpi x 300dpi

Attached file is scanned image in PDF format.
Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.