



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: November 2, 2017

To: Humboldt County Planning Commission

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

Subject: **Tripodi Parcel Map Subdivision**
Application Number 11654
Case Number PMS-16-014
Assessor Parcel Numbers (APNs) 316-102-010, 316-291-016
19701 State Highway 299, Redwood Valley area

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Please contact Trevor Estlow, Senior Planner, at (707) 268-3740, or by email at testlow@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
November 2, 2017	Parcel Map Subdivision	Trevor Estlow

Project: A Minor Subdivision of an approximately 68 acre parcel into two parcels of approximately 42 acres (Parcel 1) and 26 acres (Parcel 2) in size. The parcel is currently developed with a single family residence and barn that will remain on proposed Parcel 1. The site is also host to a certified tree farm. Water is currently provided by an on-site spring and served with on-site wastewater disposal systems.

Project Location: The project site is located in the Redwood Valley area, on the east side of State Highway 299, at the intersection of the westerly end of Chezem Road and State Highway 299, on the property known as 19701 State Highway 299.

Present Plan Designations: Agricultural Lands (AL). Willow Creek Community Plan (WCCP). Density: one unit per 20 – 160 acres. **Proposed Plan Designation (GPU):** Residential Agriculture (RA20). Density one unit per 20 acres. Slope Stability: Moderate Instability.

Present Zoning: Agriculture General with a 20-acre minimum parcel size (AG-B-5(20)).

Application Number: 11654

Case Numbers: PMS-16-014

Assessor Parcel Number: 316-102-010, 316-291-016

Applicant

Kyla Tripodi
PO Box 1246
Blue Lake CA 95525

Owner

Same as applicant

Agent

None

Environmental Review: Environmental review required.

Major Issues: None.

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

TRIPODI PARCEL MAP SUBDIVISION
Case Number PMS-16-014
Assessor Parcel Numbers 316-102-010, 316-291-016

Recommended Planning Commission Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Adopt the Mitigated Negative Declaration and make all of the required findings for approval of the Parcel Map Subdivision based on evidence in the staff report and public testimony, and adopt the Resolution approving the Tripodi project subject to the recommended conditions.

Executive Summary: The applicant is proposing a subdivision of an approximately 68 acre parcel into two parcels of approximately 42 acres (Parcel 1) and 26 acres (Parcel 2) in size. The parcel is comprised of two Assessor Parcel Numbers and the proposed division will follow the existing parcel lines. The parcel is currently developed with a single family residence and barn that will remain on proposed Parcel 1. The site is also host to a certified tree farm. Water is currently provided by an on-site spring and served with on-site wastewater disposal systems

The parcel is located in the Redwood Valley area, at the intersection State Highway 299 and the western end of Chezem Road. Proposed Parcel 1 is currently served from State Highway 299 and proposed Parcel 2 is served by Chezem Road. The Department of Public Works has provided subdivision requirements that are consistent with the Firesafe Ordinance. A preliminary drainage study was not required for the subdivision given the large parcel sizes.

The site is within the State Responsibility Area for fire protection and outside of any fire protection district. Assembly Bill 644 amended Section 66474.02 of the Government Code (Subdivision Map Act) to require that prior to approving a tentative map, a legislative body must make certain findings (see Attachment 6). Specifically, in order to approve a subdivision for lands outside of a fire protection district, evidence that structural fire protection and suppression services will be available to the subdivision is required. Alternatively, subdivision of lands identified in the open space element for the managed protection of resources, including forest land, is not subject to this requirement provided any parcels that are 40 acres or smaller are subject to a binding and recorded restriction prohibiting the development of a habitable, industrial, or commercial building or structure. Because this subdivision falls into the latter category, and proposed Parcel 2 is less than 40 acres, a Conveyance and Agreement will be recorded on proposed Parcel 2 prohibiting habitable, industrial or commercial buildings or structures.

Referral comments received from the Northwest Information Center recommended that an archaeological survey be conducted on the property. The applicant retained the services of William Rich and Associates to perform a Cultural Resources Investigation on the property. The report found that no significant archaeological or historic period cultural resources that, for the purposes of CEQA, would be considered an historical resource exist in the limits of the project area. No further study was required and it was recommended that the standard condition of approval regarding inadvertent discovery be included in the project. This is included as a mitigation measure in the Mitigated Negative Declaration and on the Development Plan.

All responding referral agencies have recommended approval or conditional approval of the project. Project approval is conditioned upon meeting their requirements. The Department has prepared and circulated a draft Mitigated Negative Declaration (MND) and has determined

that the project, as proposed, mitigated and conditioned, will not have a significant effect on the environment. The MND was circulated to the State Clearinghouse 30 days prior to the hearing date and a Notice of Intent to adopt the MND was also published 30 days prior to the hearing.

Based on the on-site inspection, a review of Planning Division reference sources, and comments from all responding referral agencies, Planning staff has found that the project will not result in a significant impact on the environment as proposed, and that the applicant has submitted evidence in support of making all of the required findings for approving the proposed subdivision per the Recommended Commission Action.

Alternatives:

The Planning Commission could elect not to approve the project, and require the applicant to submit further evidence, or modify the project. These alternatives could be implemented if your Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, planning staff does not recommend further consideration of either alternative.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 17-**

**Case Numbers PMS-16-014
Assessor Parcel Numbers 316-102-010-000, 316-291-016-000**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Tripodi Parcel Map Subdivision.

WHEREAS, Kyla Tripodi submitted an application and evidence in support of approving the Parcel Map Subdivision; and

WHEREAS, the County Planning and Building Department reviewed the submitted application and evidence and referred the application and evidence to reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, a Mitigated Negative Declaration was prepared and circulated for a 30 day comment period and is included in Attachment 4; and

WHEREAS, Attachment 2 in the Planning and Building Department staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision (Case Number PMS-16-014); and

WHEREAS, on November 2, 2017, a public hearing was held to receive public testimony on the proposed project.

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

1. The Mitigated Negative Declaration is adopted; and
2. The findings in Attachment 2 of the Planning and Building Department staff report for Case Number PMS-16-014 support approval of the project based on the submitted evidence; and
3. Approves the Parcel Map Subdivision conditioned in Attachment 1 for Case Number PMS-16-014.

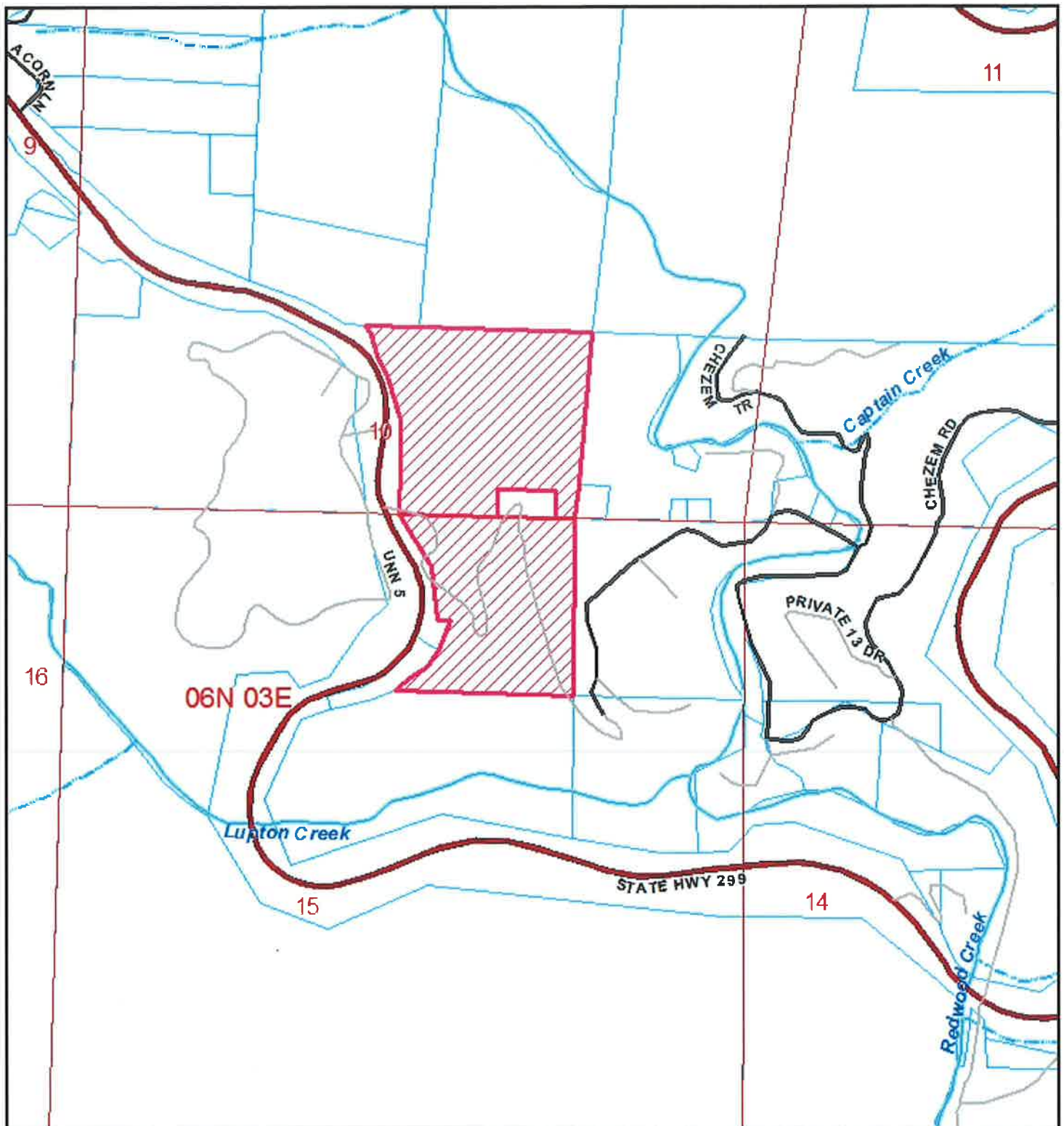
Adopted after review and consideration of all the evidence on November 2, 2017.

The motion was made by Commissioner and seconded by Commissioner .

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION:

I, John 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 Ford
Director, Planning and Building Department



LOCATION MAP

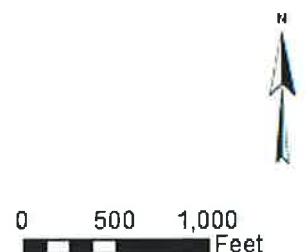
PROPOSED TRIPODI PARCEL MAP SUBDIVISION REDWOOD VALLEY AREA PMS-16-014

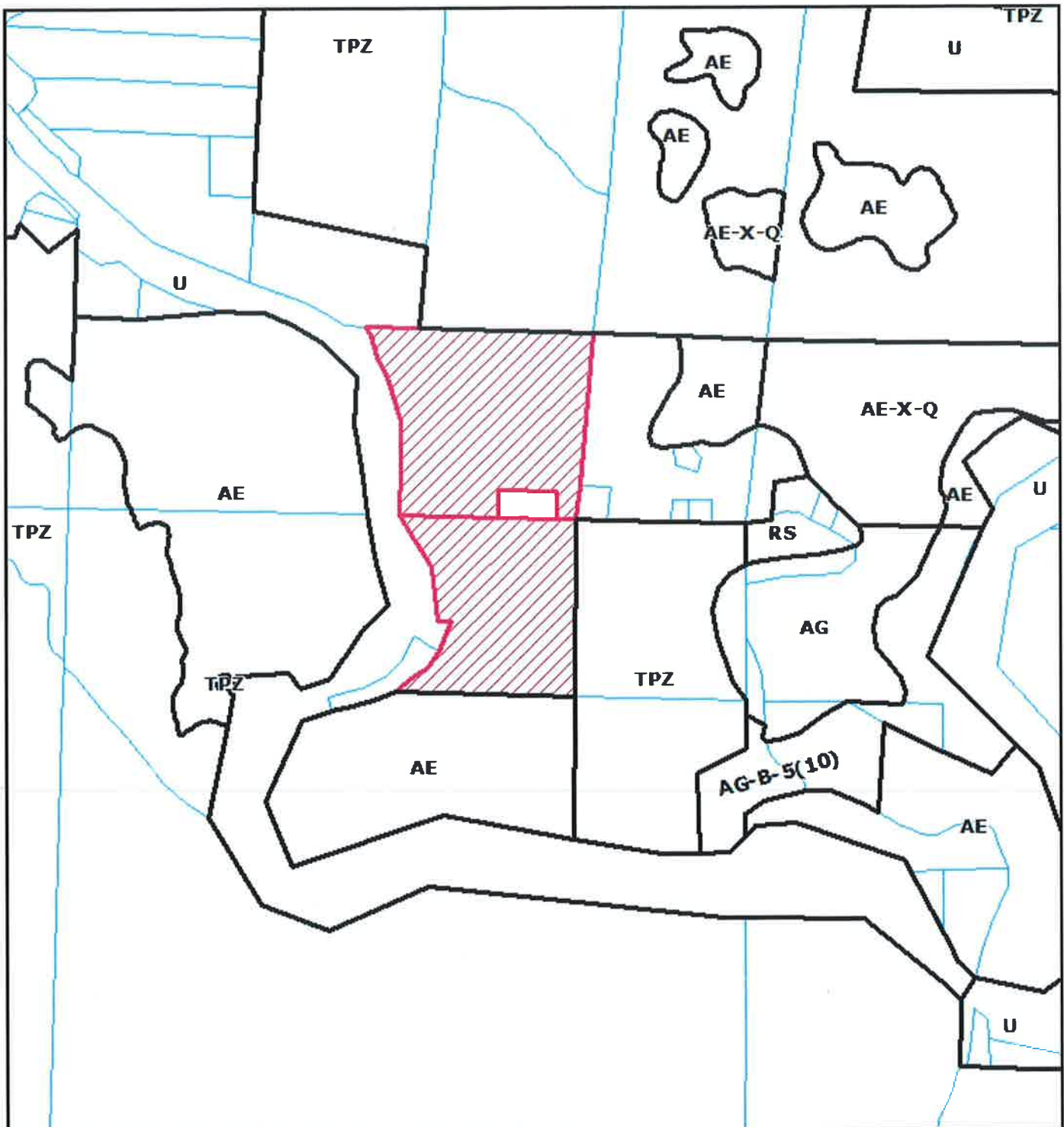
APN: 316-102-010, 316-291-016

T06N R03E S10,15 HB&M (Lord Ellis Summit)

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.





ZONING MAP

**PROPOSED TRIPODI
PARCEL MAP SUBDIVISION
REDWOOD VALLEY AREA
PMS-16-014**

APN: 316-102-010, 316-291-016

T06N R03E S10,15 HB&M (Lord Ellis Summit)

Project Area = 

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**0 500 1,000
Feet**



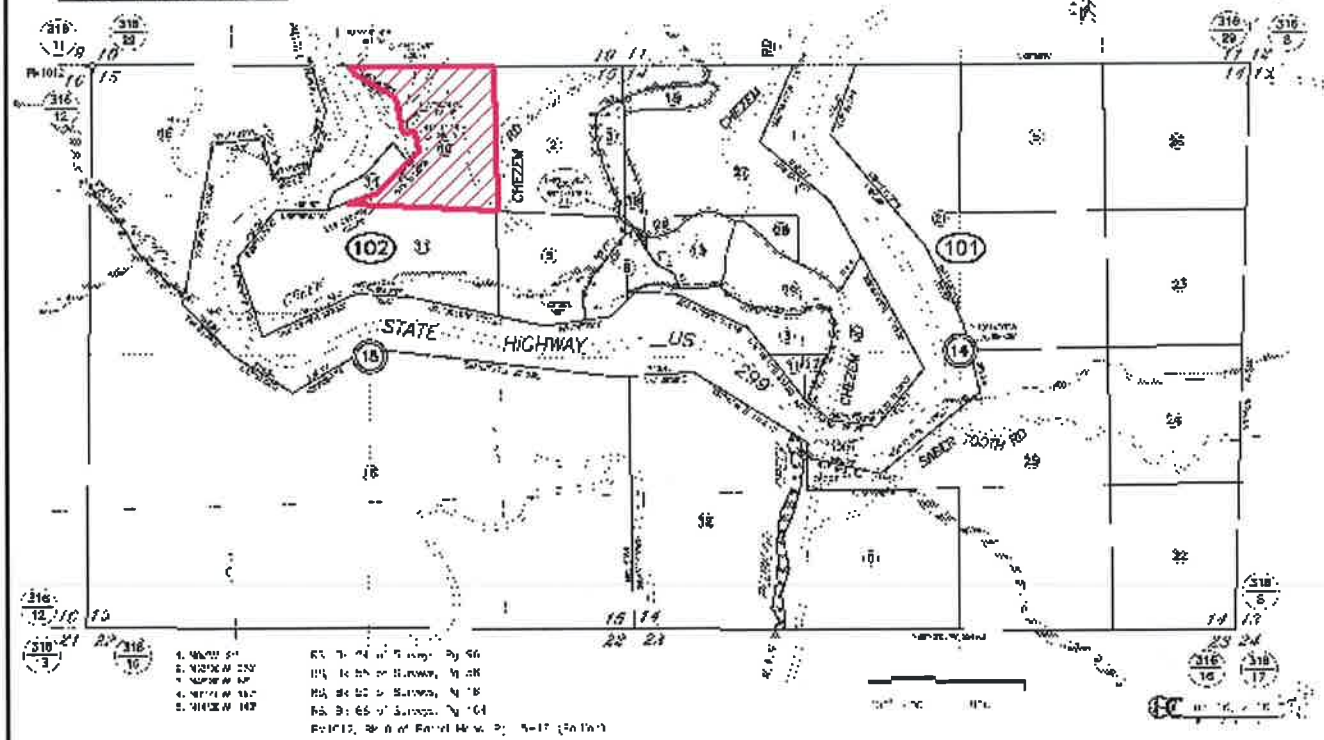
Assessor's Map Bk. 316, Pg. 10
County of Humboldt, CA.

SEC 14 & 15, T6N R3E, HB&M

316-10



APN: 316-102-010, 316-291-016
Assessor's Map Bk. 316, Pg. 10, Humboldt Co., CA



ASSESSOR PARCEL MAP

PROPOSED TRIPODI PARCEL MAP SUBDIVISION REDWOOD VALLEY AREA PMS-16-014

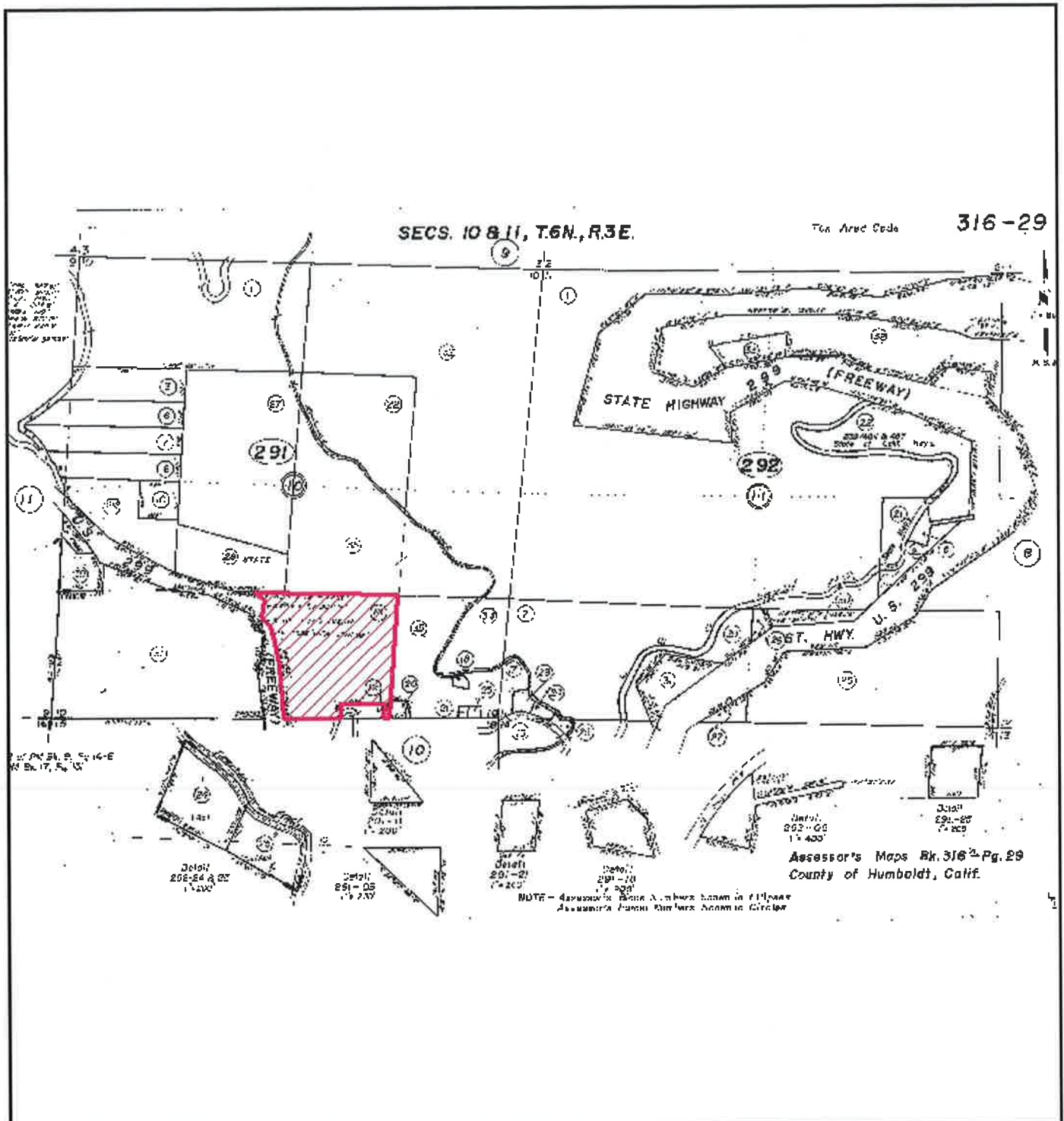
APN: 316-102-010, 316-291-016

T06N R03E S10,15 HB&M (Lord Ellis Summit)

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.

MAP NOT TO SCALE



ASSESSOR PARCEL MAP

**PROPOSED TRIPODI
PARCEL MAP SUBDIVISION
REDWOOD VALLEY AREA
PMS-16-014**

Project Area =

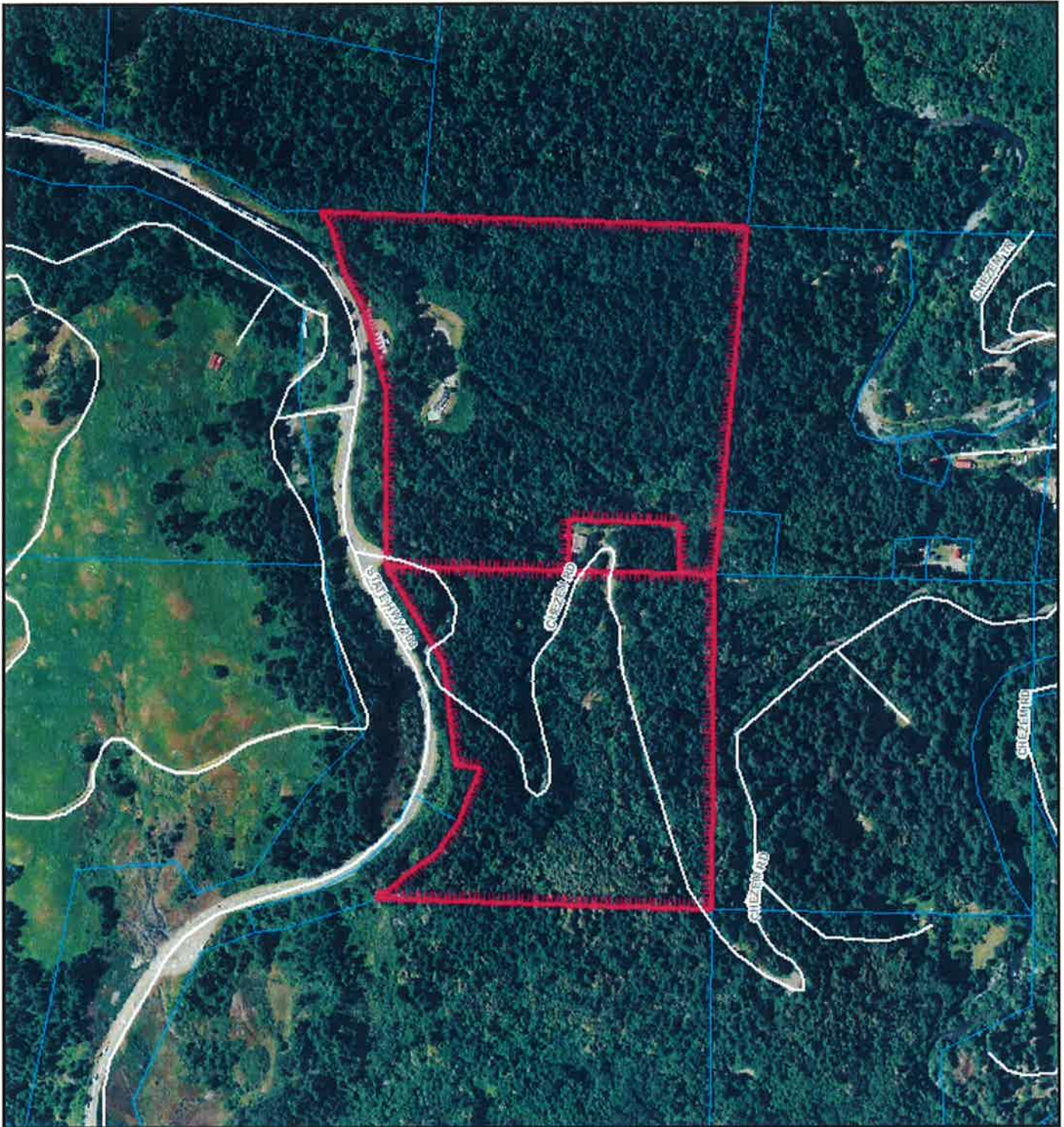
APN: 316-102-010, 316-291-016

T06N R03E S10,15 HB&M (Lord Ellis Summit)

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



AERIAL MAP

PROPOSED TRIPODI PARCEL MAP SUBDIVISION REDWOOD VALLEY AREA PMS-16-014

APN: 316-102-010, 316-291-016

T06N R03E S10,15 HB&M (Lord Ellis Summit)

Project Area =

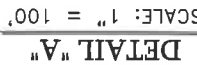
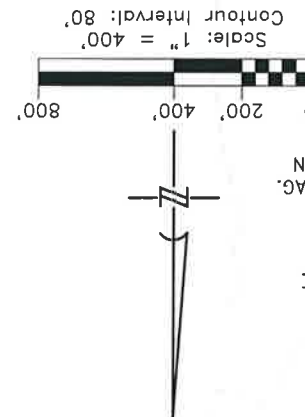


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250 500 750 Feet

NOTES



Nate Renier
P.O. Box 1246
Blue Lake, CA 95525
(707) 599-3199

OMSBURG & PRESTON
SURVEYORS
ENGINEERS
PLANNERS
434 7th Street
Eureka, California
95501
Telephone
(707) 443-8651
Fax: 443-0422

TENTATIVE PARCEL MAP
for
NATHAN RENIER
in the unincorporated area of the County of Humboldt
Sections 10 & 15, T6N, R3E, H.M.



Attachment 1

Conditions of Approval for the Tripodi Parcel Map Subdivision and Special Permit

Approval of the tentative map is conditioned on the following terms and requirements which must be satisfied before the parcel map may be recorded.

Conditions of Approval:

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. The conditions on the Department of Public Works referral dated **January 9, 2017** included herein as Exhibit A shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. The Planning Division requires that two (2) copies of the Parcel Map be submitted for review and approval. Gross and net lot area shall be shown for each parcel.
4. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$102.00 per parcel) as required by the County Assessor's Office shall be paid to the County Planning Division, 3015 H Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
5. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$125.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note 1. below for suggestions to reduce the cost for this review.
6. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site and the following site development details:
 - A. Mapping
 - (1) Topography of the land in 80-foot contour intervals;
 - (2) Details showing conformance with provisions of the County's Fire Safe Regulations (Section 3111-1 et seq. H.C.C.), including but not limited to:

- a. Road and driveway access standards (i.e., road width, roadway surface, roadway grades, roadway structures, etc.)
 - b. Signing and building numbering standards (i.e., road name signs, building address signs, etc.)
 - c. Emergency water standards (i.e., placement of fire hydrants, 2,500 gallon individual emergency water supply, etc.)
 - d. Fuel modification standards (i.e., setbacks for structure defensible space of at least 30 feet, greenbelts, etc.).
- (3) Four (4) off-street parking spaces on both lots consistent with Section 314-109.1 Humboldt County Code;
 - (4) Leachfield areas for proposed Parcel 2.

B. Notes to be placed on the Development Plan:

- (1) "The project site is not located within an area where known cultural resources have been located. However, 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:

- If archaeological resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

The applicant and successors are ultimately responsible for ensuring compliance with this condition."

- (2) "The project is located in a designated non-attainment area for the state's health-based particulate matter (PM10) air quality standard. As such, additional emission from the project could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:
- Prohibition of open fireplaces.
 - Heating should be provided using clean fuels (electricity or natural gas), when feasible.
 - If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction."
- (3) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 9:00 a.m. and 5:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."
- (4) "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be March 1 – August 15) in order to avoid 'take' as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid take. "
- (5) "Development rights for development of a habitable (i.e., residential), industrial or commercial building or structure on Parcel 2 have been conveyed by the subdivider to the County of Humboldt. The terms and conditions of the Conveyance and Agreement must be satisfied in order for the County to accept an application for a habitable, industrial or commercial building or structure on Parcel 2. Please refer to the recorded Conveyance and Agreement for the specific requirements. Questions regarding this note should be directed to the Humboldt County Planning Division."
- (7) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superceded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."

7. The applicant shall cause to be recorded a "Notice of Development Plan" for all parcels on forms provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt

County Board of Supervisors (currently \$322.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map.

8. The applicant shall convey future development rights to the County of Humboldt for development of a habitable (i.e., residential), industrial or commercial building or structure on Parcel 2. Release from this conveyance may be pursued upon demonstration that adequate structural fire protection services are available consistent with Section 66474.02 of the Subdivision Map Act or Section 66474.02 of the Subdivision Map Act has been modified to allow development of a habitable, industrial or commercial building or structure. The applicant shall initiate action on a "Conveyance and Agreement" on forms provided by the Humboldt County Planning and Building Department. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$322.00) will be required.
9. **Within five (5) days of the effective date of the approval of this permit**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,266.25. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2017 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at www.wildlife.ca.gov for a determination stating the project will have no effect on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,216.25 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.
10. This project is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. Any and all outstanding Planning fees to cover the processing of the subdivision shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. The Department will provide a bill to the applicant upon file close out after the Planning Commission decision.

Informational Notes:

1. To reduce costs the applicant is encouraged to bring in written evidence* of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division (Namely: Condition(s) 3-10). The applicant should submit the listed item(s) for review as a package as soon as possible before the desired date for final map checking and recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment, will be subject to a review fee for Conformance with Conditions billed at the County's current burdened hourly rate with an initial deposit as set forth in the Planning Division's schedule of fees and charges (currently \$125.00). Copies of all required forms and written instructions are included in the final approval packet.

* Each item evidencing compliance should note in the upper right hand corner:

Assessor's Parcel No. _____, Exhibit "A", Condition _____.

2. The project site is not located within an area where known cultural resources have been located. However, as there exists the possibility that undiscovered cultural resources might

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

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).

Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all work must cease and the County Coroner contacted."

3. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
4. The term of the approved Tentative Map shall be 24 months from the effective date of the action except where otherwise provided by law. An extension may be requested prior to the date in accordance with Section 326-21 and 326-31 of the Humboldt County Code.



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

EXHIBIT A

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388

LAND USE 445-7205



JAN 12 2017

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner

FROM: Robert W. Bronkall, Deputy Director 

RE: SUBDIVISION REQUIREMENTS - IN THE MATTER OF THE
APPLICATION OF TRIPODI, APN 316-102-010, PMS 16-014 FOR
APPROVAL OF A TENTATIVE MAP, CONSISTING OF 68 ACRES INTO
2 PARCELS

DATE: 01/09/2017

The following requirements and standards are applicable to this project and must be completed to the specifications and satisfaction of the Department of Public Works (Department) before the subdivision map may be filed with the County Recorder. If there has been a substantial change in the project since the last date shown above, an amended report must be obtained and used in lieu of this report. Prior to commencing the improvements indicated below, please contact the Subdivision Inspector at 445-7205 to schedule a pre-construction conference.

These recommendations are based on the tentative map prepared by Omsberg & Preston dated 06/14/16, and dated as received by the Humboldt County Planning Division on 12/05/2016.

NOTE: All correspondence (letters, memos, faxes, construction drawings, reports, studies, etc.) with this Department must include the Assessor Parcel Number (APN) shown above.

READ THE ENTIRE REPORT BEFORE COMMENCING WORK ON THE PROJECT

1.0 MAPPING

- 1.1 **EXPIRATION OF TENTATIVE MAP:** Applicant is advised to contact the Planning & Building Department to determine the expiration date of the tentative map and what time extension(s), if any, are applicable to the project. Applicant is responsible for the timely filing of time extension requests to the Planning & Building Department.

Applicant is responsible for completing all of the subdivision requirements prior to expiration of the tentative map. Applicant is advised to promptly address all of the subdivision requirements in order to avoid the tentative map expiring prior to completion of the subdivision requirements. Applicants are encouraged to contact a land development professional for advice on developing a realistic schedule for the processing of the project.

- 1.2 **MAP TYPE:** Applicant must cause to be filed a parcel map showing monumentation of all property corners to the satisfaction of this Department in compliance with Humboldt County Code Section 326-15. Subdivision map checking fees shall be paid in full at the time the subdivision map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County Recorder for filing. The subdivision map must be prepared by a Land Surveyor licensed by the State of California -or- by a Civil Engineer registered by the State of California who is authorized to practice land surveying.

All Department charges associated with this project must be paid in full prior to the subdivision map being submitted to the County Recorder for filing.

Applicant shall submit to this Department four (4) full-size copies of the subdivision map as filed by the County Recorder.

Prior to submitting the subdivision map to the County Surveyor for map check, applicant shall submit the subdivision map to the utility providers to provide input on necessary public utility easements. Copies of the responses from the utility providers shall be included with the first submittal of the subdivision map to the County Surveyor.

- 1.3 **DEPOSIT:** Applicant shall be required to place a security deposit with this Department for inspection and administration fees as per Humboldt County Code Section 326-13 prior to review of the improvement plans, review of the subdivision map, or the construction of improvements, whichever occurs first.
- 1.4 **EASEMENTS:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the subdivision map. Those easements that do not have a metes and bounds description shall be noted on the subdivision map and shown as to their approximate location.
- 1.5 **FURTHER SUBDIVISION:** At least some of the parcels may be further divided; therefore, the applicant shall conform to Humboldt County Code Section 323-6(a)(5), Statements to Accompany a Tentative Subdivision Map.
- 1.6 **DEDICATIONS:** The following shall be dedicated on the subdivision map, or other document as approved by this Department:

(a) **PUBLIC ROAD (CHEZEM ROAD):**

Public Road: Applicant shall cause to be dedicated on the subdivision map to the County of Humboldt an easement for public road purposes lying within 25 feet of the center line of the County road. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

Slopes: When cut and fill slopes adjacent to the road are proposed (or currently exist), applicant shall cause to be dedicated to the County of Humboldt a slope maintenance easement to a point 10 feet beyond the toe of fill slopes or top of cut slopes in a manner approved by this Department. The applicant is only responsible to cause to be dedicated lands that are included within the boundary of the proposed subdivision.

PUE: Applicant shall cause to be dedicated to the County of Humboldt on the subdivision map a 10 foot wide public utility easement (PUE) adjacent to the right of way for the road or as otherwise approved by this Department. Additional PUEs shall be dedicated in a manner, width, and location approved by this Department.

2.0 IMPROVEMENTS

- 2.1 **DRIVEWAYS:** All access openings (existing and proposed) shall conform to Humboldt County Code Section 341 regarding visibility. All access openings (existing and proposed) shall intersect the road at a 90° angle, unless otherwise approved by this Department.

All access openings (existing and proposed) shall be paved with hot mix ("asphalt") for the width of the driveway and a distance of 25 feet from the edge of the County road.

Any proposed access openings to the County road will require encroachment permits from this Department. The proposed access openings will be evaluated after application is received.

The driveway shall be constructed prior to issuance of a building permit final.

- 2.2 **STRUCTURAL SECTION:** The access road(s) shall be constructed to a structural section recommended in the soils report and as approved by this Department.

- (a) **For paved road surfaces,** the structural section shall include a minimum of 0.2 foot of Caltrans Type B hot mix ("asphalt") over 0.67 foot of Caltrans Class 2 aggregate base. If required by this Department, the structural section of all roads shall be determined by Caltrans R-Value method using a Traffic Index (T.I.) approved by this Department. Based upon soil conditions, this Department may also require a geotextile fabric to be placed on top of the sub grade.

When widening hot mix ("asphalt") roads, the widened road shall be paved with hot mix. A sawcut is required to ensure a uniform joint between the existing and new pavements. The location of the sawcut shall be approved by this Department based upon the condition of the existing road surface.

- (b) Access roads and driveways may include decorative accent treatments such as, but not limited to, stamped concrete or decorative brick pavers. Decorative accent treatments must provide appropriate traction for pedestrians, bicycles, and vehicles. **Decorative access treatments are not permitted within the public right of way,** unless approved in writing by this Department.
- (c) **For unpaved road surfaces,** the structural section shall include a minimum, of 0.5 foot of Caltrans Class 2 aggregate base. Paved surfaces are required for grades in excess of 16%.

2.3 **UNKNOWN IMPROVEMENTS:** Other on-site and/or off-site improvements may be required which cannot be determined from the tentative map and/or preliminary improvement plans at this time. These improvements will be determined after more complete improvement plans and profiles have been submitted to the County for review.

2.4 **UTILITIES:** The proposed improvements may require the undergrounding or relocation of existing facilities at the expense of the applicant. Undergrounding of existing facilities, relocation of existing facilities, or construction of new facilities shall be completed prior to constructing the structural section for the roadway.

If any utilities are required to be installed as a condition of tentative map, the utility work shall be completed prior to constructing the structural section for the road. All laterals shall be extended onto each lot and marked in a manner that they will be easily located at the time of individual hookups. A letter of completion of all work from each involved utility company shall be submitted prior to constructing the roadway structural section. Any utilities that need to be relocated shall be done solely at the subdivider's expense.

Applicant shall remove any abandoned utilities (natural gas, electrical, cable tv, etc.,) within the public right of way fronting the subdivision or within the subdivision as directed by this Department.

2.5 **PERMITS:** An encroachment permit is required to be obtained prior to construction from this Department for all work within the right of way of a County maintained road.

2.6 **GATES:** Gates are not permitted on County right of way for public roads without authorization of the Board of Supervisors. Gates must not create a traffic hazard and must provide an appropriate turnaround in front of the gate. Existing gates shall be evaluated for conformance.

3.0 DRAINAGE

<NONE>

4.0 GRADING

<NONE>

5.0 MAINTENANCE

<NONE>

6.0 DEVELOPMENT PLAN

<NONE>

7.0 LANDSCAPING

<NONE>

// END //

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

Required Findings: To approve this project, the Planning Commission must determine that the applicants have submitted evidence in support of making **all** of the following required findings.

Subdivision Findings: §66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code (H.C.C.) specifies the findings that must be made to approve tentative subdivision maps. Basically, the Hearing Officer may approve a tentative map if the applicants have submitted evidence which supports making all of the following findings:

1. That the proposed subdivision, together with the provisions for its design and improvements, is consistent with the County's General Plan.
2. That the tentative subdivision map conforms with the requirements and standards of the County's subdivision regulations.
3. That the proposed subdivision conforms to all requirements of the County's zoning regulations.
4. The proposed subdivision is not likely to cause substantial environmental damage.
5. 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, unless the following written findings are made supported by substantial evidence: 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.

In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA:

1. The project is either categorically or statutorily exempt; or
2. There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or
3. An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.

Staff Analysis: Subdivision Findings

A.1. General Plan Consistency. The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in Chapters 2-4 of the Framework Plan (FP) and the Willow Creek Community Plan (WCCP).

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Supporting the General Plan Conformance Finding
Housing FP 2420-2430 WCCP 2400	Encourage innovative designs, which facilitate optimum use of sites. Concentrate new development around existing public services and around existing communities.	The proposed subdivision design will divide an approximately 68 acre parcel into two parcels of approximately 42 acres (Parcel 1) and 26 acres (Parcel 2). The resultant parcel sizes will not be atypical for the neighborhood.
Land Use – existing: WCCP 2724 Agricultural Lands (AL) Proposed under GPU: Residential Agriculture (RA)	AL: Primary and compatible uses include resource production, recreational uses and single family residences. Density: one unit per 20 – 160 acres. RA: Primary and compatible uses include general agriculture and single family residential.	This project will create two parcels consistent with the overall density mandated by the general plan. The project is also consistent with the land use designation proposed under the General Plan Update.
Geologic WCCP 3210	New construction shall be built to help protect occupants from geologic hazards	The project site is located in an area mapped as having moderate slope instability ratings. A Soils Report was prepared by David Lindberg (June 2016) and found an adequate building site for proposed Parcel 2. The Building Inspector reviewed the report and concurred with the findings.
Flood Hazards WCCP 3220	All new development shall conform to the County Flood Insurance Program and certificate regulations.	The parcel is not within a mapped flood zone. Redwood Creek is located approximately 1,000 feet east of the subject property.
Fire Hazards FP 3291 (4)	Use appropriate sections of the Firesafe Ordinance (FSO) for review of residential development in rural areas.	The parcel has a fire hazard rating of high. The parcel is located in the State Responsibility Area (SRA) and outside a fire protection district and will be subject to a restriction prohibiting the development of a habitable, industrial, or commercial building or structure pursuant to Section 66474.02 of the State Subdivision Map Act.

Biological Resources WCCP 3400	To protect designated sensitive habitats and cultural resources.	The parcel slopes to the east toward Redwood Creek located approximately 1,000 feet east of the property. Other than a spring serving the existing residence, no other resources were located on the property. The Eureka office of the California Department of Fish and Wildlife did not respond with any concerns.
Cultural Resources FP 3530	To protect designated historical and archeological resources.	The project was referred to the Northwest Information Center and they recommended that an archaeological survey be conducted on the property. The applicant retained the services of William Rich and Associates to perform a Cultural Resources Investigation on the property. The report found that no significant archaeological or historic period cultural resources that, for the purposes of CEQA, would be considered an historical resource exist in the limits of the project area. No further study was required and it was recommended that the standard condition of approval regarding inadvertent discovery be included in the project.

A.2. Subdivision Regulations. The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in Section 66474 of the State Subdivision Map Act and Title III Division 2 of the Humboldt County Code (H.C.C.).

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Lot Suitability 322-3	All lots shall be suitable for their intended uses.	The subdivision creates two parcels. Although the applicant is required to convey certain development rights to proposed Parcel 2, complete site suitability was still required. The applicant has demonstrated adequate site suitability.
Access and Drainage 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	Proposed Parcel 1 will continue to be accessed by State Highway 299. Proposed Parcel 2 will be accessed via Chezem Road, a County road that meets the road category 4 standard. The parcel currently drains towards Redwood Creek. The parcels are large enough to accommodate drainage on site and no further drainage studies were required.

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Sewer & Water 324-1 (d)	Sewer and water systems shall be constructed to appropriate standards.	The parcels will be served by on-site water (spring) and on-site sewage disposal. The applicant provided dry-weather production testing from the existing spring demonstrating sufficient water to serve both parcels. The Division of Environmental Health (DEH) has approved the water testing and the on-site sewage disposal. Project approval is conditioned upon satisfaction of the requirements of the DEH.
Access Road Appendix 4-1	Roadway design must incorporate a 40-foot right of way.	No exceptions have been requested as the parcels are proposed to be accessed by a State Highway and a County road with a minimum of a 50-foot right of way.
Parking Appendix 4-2	If the subdivision does not provide for on-street parking, subdivision must provide for 5 on-site parking spaces.	The subdivision is conditioned with a requirement that each lot provide the required off-street parking consistent with Section 314-109.1 HCC Inland Regulations and Section 4-2(a) of the Appendix to the Subdivision Regulations. Project approval is conditioned upon satisfaction of LUD Subdivision Requirements. Parking shall be clearly identified on the Development Plan.

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Compliance with Government Code Section 66474.02	The design and improvement and location of the subdivision and each lot are consistent with applicable regulations adopted by the State Board of Forestry pursuant to Public Resource Code (PRC) section 4290 and 4291. Structural fire protection and suppression services will either 1) be available to the subdivision or 2) if the resultant parcel is 40 acres or smaller in size and identified as open space for the managed production of resources, the subdivision is subject to a binding and recorded restriction prohibiting the development of a habitable (i.e., residential), industrial or commercial building or structure. To the extent practicable, ingress and egress for the subdivision meets the regulations for road standard for fire equipment adopted pursuant to the State Fire Safe Regulations (PRC 4290).	The subdivision meets the requirements of the County's Alternative Fire Safe Regulations including fuel management for defensible space around buildings and structures. Compliance with these standards satisfies the requirements of PRC 4290 and 4291. This area is not located within a fire district providing structural fire and suppression services meeting the standard of Section 66474.02. However, the 26 acre parcel (Parcel 2) is identified in the Soils and Vegetation Maps prepared by the US Department of Agriculture (Map 26B-1) as timberland with a Site Quality rating of III. The soils in this area (Masterson) describe the estimated suitability for timber production as High to Very High. Per Section 2554.5 of the General Plan (Framework) "parcels not zoned TPZ in areas of predominately Timber Site III and above shall be timberlands designated "Agricultural Lands" for County planning purposes. Timberlands are defined as Open Space per Government Code section 65560(b)(2). A recorded conveyance of development rights is a condition of approval. See section A.2 above. Compliance with the Road category 4 standard of the County's Alternative Fire Safe Regulations satisfy the requirements of PRC 4290.

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
322-3.1 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, 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 project will divide an approximately 68 acre parcel into two parcels of approximately 42 acres and 26 acres in size. This results in a density of one unit per 34 acres, consistent with the AL plan designation. Additionally, this parcel was not utilized by the Department of Housing and Community Development in determining compliance with housing element law and can be found consistent with this policy.

A.3. Zoning Compliance. The following table identifies the evidence which supports finding that the proposed subdivision is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations (H.C.C.).

Zoning Section	Summary of Applicable Requirement	Evidence
§314-7.2 Agriculture General	Principal permitted uses include one-family dwellings and general agriculture.	The proposed subdivision will divide an approximately 68 acre parcel into two parcels of approximately 42 acres (Parcel 1) and 26 acres (Parcel 2). The resultant parcel sizes will not be atypical for the neighborhood.
Min. Parcel Sizes	20 acres	Parcel 1: 41.65 acres Parcel 2: 25.99 acres
Minimum Lot Width	60 feet	Both parcels comply
Maximum Lot Depth	None specified	n/a
Lot Coverage	35% maximum	Parcel 1: less than 1% Parcel 2: vacant
Max. building height.	35 feet	Parcel 1: 30 feet Parcel 2: vacant
Setbacks	The parcel is currently within the State Responsibility Area (SRA) for fire protection. The parcels can utilize the Small Parcel Exemption to reduce setbacks to those prescribed by the zone.	Parcel 1: complies Parcel 2: vacant
Parking: §314-109.1	4 spaces minimum per parcel.	Each parcel has ample room for 4 spaces outside of the front yard setbacks.

A.4. Environmental Impact.

Please see the attached draft Mitigated Negative Declaration.

As required by the California Environmental Quality Act, the initial study conducted by the Planning and Building Department (Attachment 4) evaluated the project for any adverse effects on the environment. Based on a site inspection, information in the application, and a review of relevant references in the Department, staff has determined that there is no evidence before the Department that the project will have any potential adverse effect, either individually or cumulatively, on the environment. The environmental document on file in the Department includes a detailed discussion of all relevant environmental issues.

Because the project was found subject to CEQA and a Mitigated Negative Declaration was prepared, the provisions of Section 711.4 of the California Fish and Game Code apply to this project. Within five (5) days of the effective date of the approval of this tentative map, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,266.25. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus the \$50 document handling fee. This fee is effective through December 31, 2017 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact

DFW by phone at (916) 651-0603 or through the DFW website at www.wildlife.ca.gov for a determination stating the project will have *no effect* on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,216.25 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required. This requirement appears as Condition #9 of Attachment 1.

A.5. Impact on Residential Density Target. See discussion under Section A.2 above.

ATTACHMENT 3

APPLICANTS' EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Document	Location
Tentative Map Checklist	On file with Planning
Tentative Subdivision Map	Attached
Application Form	On file with Planning
Preliminary Title Report	On file with Planning
Sewage disposal system testing	On file with Planning
Dry weather water production testing	On file with Planning
Cultural Resource Investigation	On file with Planning

ATTACHMENT 4

INITIAL STUDY AND DRAFT MITIGATED NEGATIVE DECLARATION

Project Information

Project Title: Tripodi Minor Subdivision

Lead Agency

Humboldt County Planning and Building Department – Planning Division
3015 H Street
Eureka, CA 95501
(707) 445-7541

Property Owners

Kyla Tripodi
PO Box 1246
Blue Lake, CA 95525

Project Applicant

Same as owner

Project Location

The project site is located in the Redwood Valley area, on the east side of State Highway 299, at the intersection of the westerly end of Chezem Road and State Highway 299, on the property known as 19701 State Highway 299.

General Plan Designation

Agriculture Lands (AL). Willow Creek Community Plan (WCCP). Density: one dwelling unit per 20 - 160 acres. Slope Stability: Moderate Instability.

Zoning

Agriculture General with a 20-acre minimum parcel size (AG-B-5(20)).

Project Description

A Minor Subdivision of an approximately 68 acre parcel into two parcels of approximately 42 acres (Parcel 1) and 26 acres (Parcel 2) in size. The parcel is currently developed with a single family residence and barn that will remain on proposed Parcel 1. The site is also host to a certified tree farm. Water is currently provided by an on-site spring and served with on-site wastewater disposal systems.

Baseline Conditions: Surrounding Land Uses and Setting

The project site is located in the rural area near Redwood Creek, between State Highway 299 and Chezem Road. The parcel is surrounded by similar rural residential parcels with large privately held timberlands to the north and south.

Other Public Agencies Whose Approval Is or May Be Required (permits, financing approval, or participation agreement): Humboldt County Public Works Department, Division of Environmental Health, Building Division, California Department of Forestry and Fire Protection.

Environmental Factors Potentially Affected: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|--|---|
| ☐ Aesthetics | ☐ Agricultural and Forestry Resources | ☐ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☐ Geology/Soils |
| ☐ Greenhouse Gas Emissions | ☐ Hazards/Hazardous Materials | ☐ Hydrology/Water Quality |
| ☐ Land Use/Planning | ☐ Mineral Resources | ☒ Public Services |
| ☐ Noise | ☐ Population/Housing | ☐ Tribal Cultural Resources |
| ☐ Recreation | ☐ Transportation/Traffic | |
| ☐ Utilities/Service | ☐ Mandatory Findings of Significance | |

Determination: On the basis of this initial evaluation:

- ☐ I find that the proposed project **could not** have a significant effect on the environment, and a **Negative Declaration** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **Mitigated Negative Declaration** will be prepared.
- ☐ I find that the proposed project **may** have a significant effect on the environment, and an **Environmental Impact Report** (EIR) is required.
- ☐ I find that the proposed project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only those effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **Negative Declaration** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Signature

SEPT 25, 2017

 Date

Trevor Estlow, Senior Planner
 Printed Name

Humboldt County Planning
and Building Department
 For

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each questions. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify:
 - a) the significance criteria or threshold used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

- a, b) The project site is located in a rural area between Blue Lake and Willow Creek along State Highway 299. The parcel fronts both State Highway 299 and Chezem Road and takes access from both roads. The project site is currently developed with a single family residence that will remain on proposed Parcel 1. The building site for proposed Parcel 2 will be buffered from any public viewpoint by large trees surrounding the site. The site is not located within a Coastal Scenic area and not within the Coastal Zone. The proposed project would have a **less than significant impact** on a scenic vista or scenic highway.
- c) The existing visual character of the project vicinity consists of rural residential development within a forested area. The project site consists of one parcel currently developed. The parcel consists of mostly forested hillsides with some cleared areas. The proposed subdivision would not substantially degrade the existing visual character or quality of the site or surrounding area. Therefore, a **less than significant impact** would occur.
- d) The subdivision would create one new lot. Pursuant to Section 66474.02 of the Subdivision Map Act, the applicant is required to convey the rights to develop a habitable, industrial, or commercial building or structure until such time the site is served by a fire protection district or the Subdivision Map Act is changed to allow such development. Any future residential lighting would be consistent with the surrounding residential community. Therefore there would be no new sources of substantial light or glare and a **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURE AND FOREST RESOURCES: Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X	
d) Result in the loss of forest land or conversion of forest land to non-forest use?			X	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?			X	

Discussion

- a, b, e) The project site is not designated Unique Farmland or Farmland of Statewide Importance and is not within a Williamson Act contract. The parcel is zoned Agriculture General with a 20-acre minimum parcel size (AG-B-5(20)) and is developed with a certified tree farm. The subject property is bordered by similar wooded, rural residential lots. The proposed subdivision would not change the land use or zoning designations and therefore would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agriculture use or conflict with existing zoning for agriculture use; and would not involve changes in the existing environment which, due to its location or nature, could result in conversion of Farmland to non-agricultural use. The site was recently subject to a Less than 3-Acre Conversion Exemption from Calfire to clear a site for an ag building and pond, however, this is not considered significant in an area of larger lots such as those proposed. A **less than significant** impact would occur.
- c, d) The site was recently subject to a Less than 3-Acre Conversion Exemption from Calfire to clear a site for an ag building and pond. This loss of timberland is not considered significant as the area was reviewed for this level of development under the Willow

Creek Community Plan. Therefore, the proposed project will have a **less than significant** impact.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct Implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Discussion

a,b,d,e) The project site is located within the North Coast Air Basin and the jurisdiction of the North Coast Unified Air Quality Management District (NCUAQMD). The North Coast Air Basin generally enjoys good air quality, but has been designated non-attainment (does not meet federal minimum ambient air quality standards) for particulate matter less than ten microns in size (PM₁₀). To address this, the NCUAQMD adopted a Particulate Matter Attainment Plan in 1995. This plan presents available information about the nature and causes of PM₁₀ standard exceedance, and identifies cost-effective control measures to reduce PM₁₀ emissions, to levels necessary to meet California Ambient Air Quality Standards. These include transportation measures (e.g., public transit, ridesharing, vehicle buy-back programs, traffic flow improvements, bicycle incentives, etc.), land use measures (infill development, concentration of higher density adjacent to highways, etc.), and combustion measures (open burning limitations, hearth/wood burning stove limitations; NCUAQMD 1995).

The proposed subdivision results in one new parcel suitable for limited development and would not: (1) obstruct implementation of the applicable air quality plan; (2) violate air quality standards; (3) contribute substantially to an existing or projected air quality violation; (4) expose sensitive receptors to substantial pollutant concentrations; or (5) create objectionable odors. A **less than significant impact** would occur.

c) The proposed subdivision would create one new parcel for limited development. The proposed development, when constructed, would generate limited construction and operational emissions that would contribute to cumulative emissions of pollutants within

the North Coast Air Basin. As indicated above, the North Coast Air Basin is in non-attainment for PM₁₀. Because future development is consistent with planned uses the proposed project would not contribute to this non-attainment for PM₁₀ beyond levels considered in approved land use plans, and thus would result in a **less than significant impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Discussion

a - c, e - f) The project site is currently developed with a single family residence that will remain on proposed Parcel 1. The closest watercourse is Redwood Creek which is located approximately 1,000 feet to the east. Redwood Creek flows through Redwood National Park and into the Pacific Ocean. No sensitive species were found on site. The

project was referred to the Eureka office of the California Department of Fish and Wildlife and they did not respond with any concerns. The proposed subdivision would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The proposed project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means. The proposed subdivision would not conflict with local policies protecting biological resources. These impacts would be **less than significant**.

- d) The project area is located in a wooded area with some clearings. It was recently subject to a Less Than 3-Acre Conversion Exemption through Calfire to construct a pond and an ag building. In order to comply with the Migratory Bird Treaty Act and Fish and Game Code, tree removal and brush clearing must be conducted outside of the nesting season. This measure is included in Mitigation Measure No. 1. This impact would be **less than significant with mitigation incorporated**.

Mitigation Measure No.1. The Development Plan shall include the following language: "Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be March 1 – August 15) in order to avoid 'take' as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid take."

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion

- a-d) Referral comments received from the Northwest Information Center recommended that an archaeological survey be conducted on the property. The applicant retained the services of William Rich and Associates to perform a Cultural Resources Investigation on the property. The report found that no significant archaeological or historic period cultural resources that, for the purposes of CEQA, would be considered an historical resource exist in the limits of the project area. No further study was required and it was recommended that the standard condition of approval regarding inadvertent discovery be included in the project. This is included as a mitigation measure in the Mitigated Negative Declaration and on the Development Plan. Therefore impacts would be **less than significant with mitigation incorporated**.

Mitigation Measure No.2. The following note shall be placed on the Development Plan: "If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition."

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of			X	

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
topsoil?				
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			X	

Discussion

a) i-ii) The project site is not located within an Alquist-Priolo (A-P) Earthquake Fault Zone. The nearest A-P zones are located over ten miles to the west. Northwestern California is the most seismically active region in the continental United States, making the probability of strong seismic ground shaking at some time in the future high. While the proposed project could potentially be subject to ground shaking from these or other Northern California faults, it would be comparable to all other development in this seismically active region. Compliance with standard state and local building codes would provide foundation and structural strengthening applicable to this zone.

iii, iv) Liquefaction is described as the sudden loss of soil shear strength due to a rapid increase of soil pore water pressures caused by cyclic loading from a seismic event. According to the County geologic hazard maps, the project site is not located in a potential liquefaction area. There is no evidence of recent active landslides and the potential for slope stability hazard associated with the proposed project is considered negligible. According to the Framework Plan Geologic Hazards Map, the project site has a rating of moderate instability. A Soils Report was prepared by David Lindberg, CEG (June 2016) for the proposed subdivision. The report found that the site was suitable for the intended use.

Therefore, the proposed project would not expose people or structures to potential substantial adverse effect involving: the rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Fault Zoning Map; strong-seismic ground shaking, seismic related ground failure including liquefaction and landslides; **a less than significant impact** would occur.

b,c,d) The newly created parcel that will be suitable for limited development and the applicant has shown that it would not result in soil erosion, landslide, lateral spreading, or liquefaction. There are no significant on-site slopes and no major grading proposed for the development of future homesite. The project is not located on expansive soils. Therefore, a **less than significant impact** would occur.

- e) Any future development would require on-site wastewater disposal systems. A soils evaluation was conducted by Omsberg and Preston and a series of percolation test pits were dug to determine appropriate locations for on-site wastewater systems. The parcel map shows the test pit locations where the soils are capable of adequately supporting wastewater disposal systems. Future development of wastewater disposal systems would be in accordance with the soils evaluation. A permit from the Humboldt County Department of Environmental Health will be required for all new on-site septic systems. A **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion

- a, b) In 2002 the California legislature declared that global climate change was a matter of increasing concern for the state's public health and environment, and enacted law requiring the California Air Resources Board (CARB) to control GHG emissions from motor vehicles (Health & Safety Code §32018.5 et seq.). In 2006, the California Global Warming Solutions Act (Assembly Bill 32) definitively established the state's climate change policy and set GHG reduction targets (health & Safety Code §38500 et sec.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions. While methodologies to inventory and quantify local GHG emissions are still being developed, recommendations to reduce residential GHG emissions include promoting energy efficiency in new development.

The proposed project involves creation of one new parcel for limited development. Future uses would emit limited greenhouse gases. The proposed project is consistent with planned densities and land use in the area and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases; a **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS: Would the project:				

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Discussion

- a) The project does not propose any change in the transport, use, or disposal of hazardous materials. These activities are controlled by County code provisions and state regulations. New owners would be subject to these same provisions and regulations and

thus the subdivision itself would not create a significant hazard to the public associated with these activities. **No impact** would occur.

- b) The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **No impact** would occur.
- c) The proposed project would not emit hazardous emissions or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (e.g., the project would not emit such materials, and there is no school located within one-quarter (0.25) mile of the project site). **No impact** would occur.
- d) The project site is not located on a site that is included on any list compiled pursuant to Government Code Section 65962.5 (Cortese List <http://www.calepa.ca.gov/sitecleanup/corteselist/>). Hence, the proposed project would not create a significant hazard to the public or the environment. **No impact** would occur.
- e-f) The project is over thirty miles from the Eureka-Arcata Airport and is not located within the airport land use plan associated with the airport. The project would not result in a safety hazard for people residing or working in the project area. **No impact** would occur.
- g) Emergency response and evacuation in the project area is the responsibility of the Humboldt County Sheriff's Office of Emergency Services. The proposed project would not impair implementation of or physically interfere with the County's Emergency Response Plan, including the evacuation aspects of the plan, because the project : (1) would not alter or block existing streets; (2) would not increase the number of people exposed to potential emergencies; (3) would not generate significant traffic congestion during an emergency; and (4) would not include uses that would require amendment of the County's emergency planning (such as a chemical storage facility or large industrial plant). **No impact** would occur.
- h) The project site within the State Responsibility Area for fire protection and outside of any fire protection district. According to the County's Fire Hazard Map, the site is located in a high fire hazard area. Parcel 1 will continue to access via State Highway 299 and proposed Parcel 2 will be accessed via Chezem Road. Both parcels front both roads so that either road can be accessed in an emergency situation. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. **No impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would				

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through stream or river course alteration, in a manner which would result in substantial erosion or siltation onsite or offsite?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard Area 1 as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	

Discussion

a,c-f) The proposed project would create one new parcel. A majority of the project site is undeveloped. The parcels accommodate stormwater runoff onsite and there is no proposed change in direction of stormwater runoff. Therefore, the proposed project would not violate water quality standards, alter the existing drainage pattern of the parcel, alter the course of a stream or river, substantially increase the rate or amount of surface runoff, result in flooding on- or off-site, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality. **A less than significant impact** would occur.

- b) Under the proposed project there would be minimal increase in impervious surfaces so the change in potential groundwater recharge on the parcel will be minimal. Water is provided by a spring that currently serves the residence on proposed Parcel 1. The applicant has demonstrated that this spring has sufficient flows during the dry season to serve both parcels. Therefore, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. A **less than significant impact** would occur.
- g-j) The parcel is located entirely outside the 100-year FEMA mapped floodplain and at approximately 1,400 feet in elevation. The project is well outside of any tsunami inundation area. Therefore, the proposed project would not impede or redirect flood flows, and would not expose people or structures to a significant risk involving flooding. A **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion

- a) The proposed subdivision would not physically divide an established community, because the project: (1) site is located in a rural area; (2) involves the subdivision of one parcel into two parcels consistent with the prescribed density; (3) would not block or remove any existing streets; and (4) would not change the use of the site. Therefore, **no impact** would occur.
- b) The project site is located in an unincorporated area between Blue Lake and Willow Creek along State Highway 299 and is subject to the Humboldt County Framework General Plan (FRWK), Willow Creek Community Plan (WCCP), and County zoning regulations. The project site totals approximately 68 acres. The property is planned and zoned for rural development with a density of one unit per 20 - 160 acres.

The proposed subdivision would result in two parcels of approximately 42 acres and 26 acres in size.

The proposed project is consistent with the comprehensive view of the WCCP and Framework General Plan as it concerns land use, hazards, biological resources, hydrology and water quality, circulation, and public facilities. The proposed project would not conflict with applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. A **less than significant** impact would occur.

- c) The project site is not subject to an existing habitat conservation plan or natural community conservation plan. **No impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES: Would the project:				
MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion:

- a-b) No mineral resources are known to be located within the project site. Therefore, the proposed project would not affect the availability of a known mineral resource that would be of value to the region, nor would the project result in the loss of availability of a locally important mineral resource, recovery site delineated on a specific, general plan or other land use plan. **No impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE: Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the			X	

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
project?				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X	

Discussion

a-d) The proposed project would be subject to the noise standards contained in the Framework General Plan for residential areas. The project site is located adjacent to both State Highway 299 and Chezem Road. The site is over thirty miles from the Arcata-Eureka Airport and is outside of the area affected by the Airport Land Use Compatibility Plan.

The proposed project would create one new lot for limited development. The proposed subdivision would not expose persons to or generate noise levels in excess of general plan standards, would not involve blasting, or other activities that could create excessive ground born noise levels or vibration, and would not create a substantial permanent, temporary or periodic increase in ambient noise levels in the project vicinity. **A less than significant impact** would occur.

e, f) The site is over thirty miles from the Arcata-Eureka Airport and is outside of the area affected by the Airport Land Use Compatibility Plan. The site would not expose people working or residing in the area due to excessive noise levels. **A less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING: Would the project:				
a) Induce substantial population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement				X

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
housing elsewhere?				

Discussion

- a) The proposed subdivision would create one new lot for a total of two. The subdivision is consistent with the planned density of the area and would not directly or indirectly induce substantial population growth. Therefore, a **less than significant impact** would occur.
- b, c) The proposed project would not displace existing housing or people, and would not necessitate the construction of replacement housing elsewhere. **No impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?		X		
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

Discussion

- a) The site is within the State Responsibility Area for fire protection and outside of any fire protection district. Assembly Bill 644 amended Section 66474.02 of the Government Code (Subdivision Map Act) to require that prior to approving a tentative map, a legislative body must make certain findings (see Attachment). Specifically, in order to approve a subdivision for lands outside of a fire protection district, evidence that structural fire protection and suppression services will be available to the subdivision is required. Alternatively, subdivision of lands identified in the open space element for the managed protection of resources, including forest land, is not subject to this requirement provided any parcels that are 40 acres or smaller are subject to a binding and recorded restriction prohibiting the development of a habitable, industrial, or commercial building or structure. Because this subdivision falls into the latter category, and proposed Parcel 2 is less than 40 acres, a Conveyance and Agreement will be recorded on proposed Parcel 2 prohibiting habitable, industrial or commercial buildings or structures. This measure is included in Mitigation Measure No. 3. This impact would be **less than significant with mitigation incorporated**.

Mitigation Measure No.3. The applicant shall convey future development rights to the County of Humboldt for development of a habitable, industrial or commercial building or structure on Parcel 2. Release from this conveyance may be pursued upon demonstration that adequate structural fire protection services are available consistent with Section 66474.02 of the Subdivision Map Act or Section 66474.02 of the Subdivision Map Act has been modified to allow development of a habitable, industrial or commercial building or structure. The applicant shall initiate action on a "Conveyance and Agreement" on forms provided by the Humboldt County Planning and Building Department.

- b-e) Emergency response in the project area is the responsibility of the Humboldt County Sheriff's Office. The proposed project will create one new parcel. Both parcels will have access from State Highway 299 or Chezem Road. The proposed project would not impair fire or police protection services, because the project would not: alter or block existing streets, result in development, or include uses that would require amendment of the County's emergency planning (such as a chemical storage facility or large industrial plant).

No new or physically altered government facilities are required as a result of the project. The project would not result substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities. Therefore, **a less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Discussion

- a-b) The project does not include recreational facilities. The Department finds no evidence that the project will require construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, **a less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION/TRAFFIC: Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation systems, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

Discussion

- a, b) The project site is accessed from State Highway 299 and Chezem Road. The proposed project would create one new lot for limited development. Traffic trips to/from the site are not expected to change significantly as a result of the proposed project. Therefore, the circulation system of the area would not be affected. The subdivision would not conflict with applicable plans, policies, or ordinances establishing measures of effectiveness for the performance of the circulation system and would not conflict with a level of service standard established by the county congestion management agency for designated roads or highways. **A less than significant impact** would occur.
- c) The proposed project is over thirty miles from the Arcata-Eureka Airport and would have no impact on air traffic patterns, would not substantially increase air traffic levels, and

would not result in substantial safety risks. **A less than significant impact** would occur.

- d) The project would allow continued rural residential use of the site and is compatible with the existing adjacent similar uses. The two parcels would have access off of State Highway 299 and Chezem Road. Access to the new parcels would not substantially increase hazards due to a design feature or incompatible uses. **A less than significant impact** would occur.
- e) The project site is bounded by State Highway 299 and Chezem Road, and is already served by an existing street system. Proposed Parcel 1 will continue to utilize an access on State Highway 299 and proposed Parcel 2 will be accessed via Chezem Road. Adequate emergency access to the project site already exists from these roads, and would continue to exist under the proposed project. Therefore, **a less than significant impact** would occur.
- f) The proposed project would not conflict with policies, plans, or programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. **A less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resource Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resource Code section 5020.1 (k), or			X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?			X	

Discussion

- a- b) The project was referred to the Northwest Information Center and they recommended that an archaeological survey be conducted on the property. The applicant retained the services of William Rich and Associates to perform a Cultural Resources Investigation on the property. The report found that no significant archaeological or historic period cultural resources that, for the purposes of CEQA, would be considered an historical resource exist in the limits of the project area. No further study was required and it was recommended that the standard condition of approval regarding inadvertent discovery be included in the project. Therefore, **a less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Discussion

- a) The parcel is currently developed with a single family residence that will remain on proposed Parcel 1. Existing and future development will be served by on-site wastewater treatment systems that have been approved by the Environmental Health Division. Therefore, the proposed project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. **A less than significant impact** would occur.
- b, e) The proposed subdivision would be served with a shared spring approved by the County Division of Environmental Health. The site will be served by on-site wastewater treatment systems and the Division of Environmental Health has approved the designs of these systems. Therefore, the project would not result in the need for the construction of new water or wastewater treatment facilities or the expansion of existing facilities. **A less than significant impact** would occur.

- c) The proposed project would not require the construction of new storm water drainage facilities or the expansion of existing such facilities, the construction of which could cause significant environmental effects (see Response c-d under the "Hydrology and Water Quality" for analysis). **A less than significant impact** would occur.
- d) The project site receives water service from a spring that has demonstrated adequate volumetric capacities. The proposed project is consistent with existing land use and zoning designations and any incremental increase in demand would not be significant. Therefore, the water system would have sufficient water supplies available to serve the project from existing entitlements and resources. **A less than significant impact** would occur.
- f, g) The proposed subdivision would create one new parcel which would generate minimal solid waste. The residential use of the site would not change and any potential future development would be required to comply with federal, state, and local solid waste regulations. Therefore, **a less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion:

Certain mandatory findings of significance must be made to comply with CEQA Guidelines § 15065. The proposed project has been analyzed, and it has been determined that it would not:

- Substantially degrade environmental quality;
 - Substantially reduce fish or wildlife habitat;
 - Cause a fish or wildlife population to fall below self-sustaining levels;
 - Threaten to eliminate a plant or animal community;
 - Reduce the numbers or range of a rare, threatened, or endangered species;
 - Eliminate important examples of the major periods of California history or pre-history;
 - Achieve short term goals to the disadvantage of long term goals;
 - Have environmental effects that will directly or indirectly cause substantial adverse effects on human beings; or
 - Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.
- a) The project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. See Biological Resources Section for a specific discussion of biological resources supporting this finding.
- The proposed project would not have the potential to eliminate important examples of the major periods of California history or prehistory because no significant impacts to historic and cultural resources would occur. See Cultural Resources Section for a specific discussion of historic resources supporting this finding.
- b) The project would not have impacts that are individually limited, but cumulatively considerable, because: (1) Given the nature of the project site, the project would not contribute to the cumulative loss of prime farmland, special-status species or their habitat, wetlands or other natural community, mineral resources, or other cumulative impacts to natural resources; (2) Given the relative small size of the proposed project, it would not add appreciably to cumulative utilities or service demand, park demand, water demand, energy consumption, or other growth-related cumulative impacts; (3) The project site is already designated for rural residential use under the County's General Plan and Zoning Ordinance. Hence, some degree of growth at the site has already been assumed in County planning; and (4) The project would not interfere with the ability of the region to attain the PM₁₀ reduction goals set forth in the NCUAQMD's PM₁₀ Attain Plan.
- c) The proposed project has been designed to be consistent with General Plan policies and zoning requirements, and measures to reduce project related impacts to the environment have been incorporated into the project design wherever possible to ensure compliance. Based on the project as described in this Initial Study and a review of

applicable regulations there is no evidence that the proposed project as mitigated will cause substantial adverse effects on human beings, either directly or indirectly.

Proposed Mitigation Measures, Monitoring, and Reporting Program

Biological Resources

Mitigation Measure No. 1.

The Development Plan shall include the following language: "any brush clearing or tree removal must be conducted outside of the bird breeding season (March 1 – August 15) in order to avoid a "take" as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq.). If any brush or trees must be removed within the breeding season, the Project proponent shall consult with CDFW prior to removal in order to assess the potential for take of active bird nests."

Timing for Implementation/Compliance: Noted on Development Plan and required throughout project construction.

Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction

Evidence of Compliance: Prior to filing Parcel Map.

Cultural Resources

Mitigation Measure No. 2. The following note shall be placed on the Development Plan: "If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition."

Timing for Implementation/Compliance: Noted on Development Plan and required throughout project construction.

Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction

Evidence of Compliance: Prior to filing Parcel Map.

Public Services

Mitigation Measure No. 3. The applicant shall convey future development rights to the County of Humboldt for development of a habitable, industrial or commercial building or structure on Parcels 2. Release from this conveyance may be pursued upon demonstration that adequate structural fire protection services are available consistent with Section 66474.02 of the Subdivision

Map Act or Section 66474.02 of the Subdivision Map Act has been modified to allow development of a habitable, industrial or commercial building or structure. The applicant shall initiate action on a "Conveyance and Agreement" on forms provided by the Humboldt County Planning and Building Department.

Timing for Implementation/Compliance: Completed prior to filing the Parcel Map.

Person/Agency Responsible for Monitoring: County of Humboldt

Monitoring Frequency: Prior to filing Parcel Map.

Evidence of Compliance: Prior to filing Parcel Map.

ATTACHMENT 5

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

Referral Agency	Recommendation	Location
Building Inspection Division	Approval	On file with Planning
County Public Works, Land Use Division Subdivision Requirements	Conditional Approval	Attached as Exhibit A, Attachment 1
Division Environmental Health	Approval	On file with Planning
Caltrans	No response	
CA Department of Fish and Wildlife	No response	
Cal Fire	Approval	On file with Planning
Northwest Information Center	Conditional Approval	On file with Planning
PG&E	No response	

ATTACHMENT 6

SECTION 66474.02 OF THE SUBDIVISION MAP ACT

(a) Before approving a tentative map, or a parcel map for which a tentative map was not required, for an area located in a state responsibility area or a very high fire hazard severity zone, as both are defined in Section 51177, a legislative body of a county shall, except as provided in subdivision (b), make the following three findings:

(1) A finding supported by substantial evidence in the record that the design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code.

(2) A finding supported by substantial evidence in the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities:

(A) A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.

(B) The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.

(3) A finding that to the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and any applicable local ordinance.

(b) (1) Subdivision (a) does not apply to the approval of a tentative map, or a parcel map for which a tentative map was not required, that would subdivide land identified in the open space element of the general plan for the managed production of resources, including, but not limited to, forest land, rangeland, agricultural land, and areas of economic importance for the production of food or fiber, if the subdivision is consistent with the open space purpose and if, for the subdivision of land that would result in parcels that are 40 acres or smaller in size, those parcels are subject to a binding and recorded restriction prohibiting the development of a habitable, industrial, or commercial building or structure. All other structures shall comply with defensible space requirements described in Section 51182 of this code or Section 4291 of the Public Resources Code.

(2) Any later approval to remove a binding restriction placed as a condition of a tentative map, or a parcel map for which a tentative map was not required, that would allow the development of a building or structure for a parcel that has previously been exempted from the requirements of subdivision (a) pursuant to paragraph (1) of this subdivision shall be subject to the requirements of subdivision (a).

(c) This section shall not supersede regulations established by the State Board of Forestry and Fire Protection or local ordinances that provide equivalent or more stringent minimum requirements than those contained within this section.