



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: December 13, 2018

To: Humboldt County Planning Commission

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

Subject: **Humboldt Hill Land and Cattle Co. Parcel Map Subdivision and Lot Line Adjustment**
Application Number 13784
Case Numbers PMS-17-015, LLA-17-025
Assessor Parcel Numbers (APNs) 307-031-024, 307-031-052, 307-041-007
7500 Humboldt Hill Road, Humboldt Hill area

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

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
December 13, 2018	Parcel Map Subdivision and Lot Line Adjustment	Trevor Estlow

Project: The project consists of two parts: a Lot Line Adjustment and Minor Subdivision. The Lot Line Adjustment will adjust the boundaries between three parcels resulting in three parcels (Parcel A, Parcel B and Parcel C). Proposed Parcel A will be approximately 91 acres in size and utilized for agricultural purposes. The majority of Parcel A is located within the Coastal Zone, however, no line is being added in the Coastal Zone. Therefore, no Coastal Development Permit (CDP) is required. Proposed Parcel B will be divided into four parcels and a Remainder ranging in size between 16 acres and 22 acres. The parcels will be served with community water and sewer provided by the Humboldt Community Services District. A Fault Evaluation Report has been prepared and approved by the County's consulting geologist. An exception request to the maximum length of a Dead End Road has been submitted to and approved by Calfire. Proposed Parcel C will be approximately 40 acres in size and may be divided in the future, however, no application has been submitted.

Project Location: The project is located in the Humboldt Hill area, at the southerly terminus of Humboldt Hill Road, on the property known as 7500 Humboldt Hill Road.

Present Plan Designation: Coastal Zone: Agriculture Exclusive (AE); Humboldt Bay Area Plan (HBAP). Inland: Residential Low Density (RL); Residential Agriculture (RA); Humboldt County General Plan – Eureka Community Plan. Density: RL: 1 – 7 dwelling units per acre; RA: one dwelling unit per 5 – 20 acres. Slope Stability: Low and Moderate Instability.

Present Zoning: Coastal Zone: Agriculture Exclusive with a 60-acre minimum parcel size (AE-60); Inland: Residential One-Family with combining zones specifying a 10,000 square foot minimum parcel size and Greenway and Open Space (R-1-B-2/GO); Agriculture General with a five acre minimum parcel size (AG-B-5(5)).

Application Number: 13784

Case Numbers: PMS-17-015, LLA-17-025

Assessor Parcel Number: 307-031-024, 307-031-052, 307-041-007

Applicant

Humboldt Hill Land and Cattle
John M. Wahlund
2021 Campton Road
Eureka, CA 95503

Owner(s)

same and Kevin McKenny
PO Box 115
Cutten, CA 95534

Agent

Kelly-O'Hern Associates
Mike O'Hern
3240 Moore Avenue
Eureka, CA 95501

Environmental Review: Project requires environmental review.

Major Issues: Alquist-Priolo Fault Zone

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

HUMBOLDT HILL LAND AND CATTLE PARCEL MAP SUBDIVISION AND LOT LINE ADJUSTMENT

Case Numbers PMS-17-015, LLA-17-025

Assessor Parcel Numbers 307-031-024, 307-031-052, 307-041-007

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 to make all of the required findings for approval of the Parcel Map Subdivision, including the exception request to allow a reduced right-of-way based on evidence in the staff report and public testimony, and adopt the Resolution approving the Humboldt Hill Land and Cattle Co. project subject to the recommended conditions.

Executive Summary: The project consists of two parts: a Lot Line Adjustment and Minor Subdivision. The Lot Line Adjustment will adjust the boundaries between three parcels resulting in three parcels (Parcel A, Parcel B and Parcel C). Proposed Parcel A will be approximately 91 acres in size and utilized for agricultural purposes. The majority of Parcel A is located within the Coastal Zone, however, no line is being added in the Coastal Zone. Therefore, no Coastal Development Permit (CDP) is required. Proposed Parcel B will be divided into four parcels and a Remainder ranging in size between 16 acres and 22 acres. The parcels will be served with community water and sewer provided by the Humboldt Community Services District. A Fault Evaluation Report has been prepared and approved by the County's consulting geologist. An exception request to the maximum length of a Dead End Road has been submitted to and approved by Calfire. Proposed Parcel C will be approximately 40 acres in size and may be divided in the future, however, no application has been submitted.

The Minor Subdivision of resultant Parcel B will divide that parcel into four parcels and a remainder with parcel sizes ranging from 16.4 acres to 22.4 acres. The parcels will be accessed via a southerly extension of Donna Drive, across a parcel owned by the Humboldt Community Services District. HCSD approved the granting of this easement at their November 27, 2018 Board of Directors meeting. This access point is only 20 feet wide, therefore, pursuant to County Code Section 325-9, an exception request was submitted (Attachment 3) to allow this reduced right of way width. The Department of Public Works has reviewed this exception and can support the request (see DPW memo in Attachment 5). Portions of the resultant parcels lie outside of the service district boundary and will be required to annex into the district. HCSD has indicated water and sewer services are available, however, annexation is required prior to serving the parcels (Attachment 5). The annexation requirement has been made a condition of approval.

The project site is located within the State Responsibility Area (SRA) for fire protection, which limits the length of a dead end road accessing the project. Because this site is located at the south end of Humboldt Hill (a dead end road), an exception request was required to be submitted to Calfire. This exception request (Attachment 3) proposed a secondary emergency access via Berta Road to Elk River Road. Calfire reviewed the request and approved it with a condition that an easement be acquired over APN 307-021-021. This easement has been acquired.

This parcel is within the Alquist-Priolo Special Studies Hazard area as mapped on the Fields Landing quad USGS map. SHN Consulting Engineers prepared a Fault Evaluation Report (FER) which was reviewed by the County's contracted geologist, LACO Associates, and found to be in compliance with the State's regulations. The four parcels and Remainder have each identified a building site that is suitable for residential development. These locations are shown on the Tentative Map and will be further identified on a Development Plan. Non-residential development (i.e. garage, barn, etc.) can be located outside of the areas cleared for residential development.

The lands are subject to the Eureka Community Plan policies regarding Parks and Recreation (§4400). While the Plan encourages a Parkland Dedication fee to fund development of new parkland, three sites were identified to provide land suitable for the development of a park. The policy states:

"The County shall not exercise the option of accepting in-lieu fees for development of parkland on the McKay Tract South, Robinson/Dunn and Barry properties. At least 5 acres of usable land shall be dedicated for parkland on each of these three tracts during the subdivision phase (the land dedication shall be required when at least 51 lots are created through subdivision). While the dedication of parkland shall not be required until 51 lots are created, no subdivision of land shall occur without a determination being made as to where the park will be located in the future plan."

This property is known as the "Barry" property and therefore, required to provide a five-acre area to be set aside for future parkland. At the time the policy was written, it was contemplated that a phased final map of more than 51 lots would be proposed on this parcel. Given the current proposal of four parcels and a Remainder, it may be many years, if ever, that over 51 lots within the former Barry property would be created, thereby triggering the dedication of the parkland. As the lands may change ownership over the years, the County has required this land be shown on the Development Plan such that future buyers are aware of this requirement. In addition, because the dedication will occur at some time in the future, the Department suggests an assignable option be executed by the subdivider such that the opportunity to develop this parkland is reserved until the 51st lot is created. Because of the requirement to dedicated parkland, no in-lieu fees are required.

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 and has determined that the project, as proposed, mitigated and conditioned, will not have a significant effect on the environment.

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.

Alternative: The Planning Commission could elect not to approve the project. This alternative should be implemented if your Commission is unable to make all of the required findings. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**Case Numbers PMS-17-015, LLA-17-025
Assessor Parcel Numbers 307-031-024, 307-031-052, 307-041-007**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Humboldt Hill Land and Cattle Parcel Map Subdivision and Lot Line Adjustment.

WHEREAS, Mike O'Hern, on behalf of the owners, submitted an application and evidence in support of approving the Parcel Map Subdivision and Lot Line Adjustment and

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

WHEREAS, the Planning Division, the Lead Department pursuant to Section 202 of Resolution No. 77-29, has prepared a draft Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Parcel Map Subdivision and Lot Line Adjustment (Case Numbers: PMS-17-015, LLA-17-025); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on December 13, 2018.

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

1. The Planning Commission adopts the proposed Mitigated Negative Declaration in Attachment 4, as required by Section 15074 (b) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers PMS-17-015, LLA-17-025 based on the submitted evidence; and
3. The Planning Commission approves the proposed project applied for as recommended and conditioned in Attachment 1 for Case Numbers PMS-17-015, LLA-17-025.

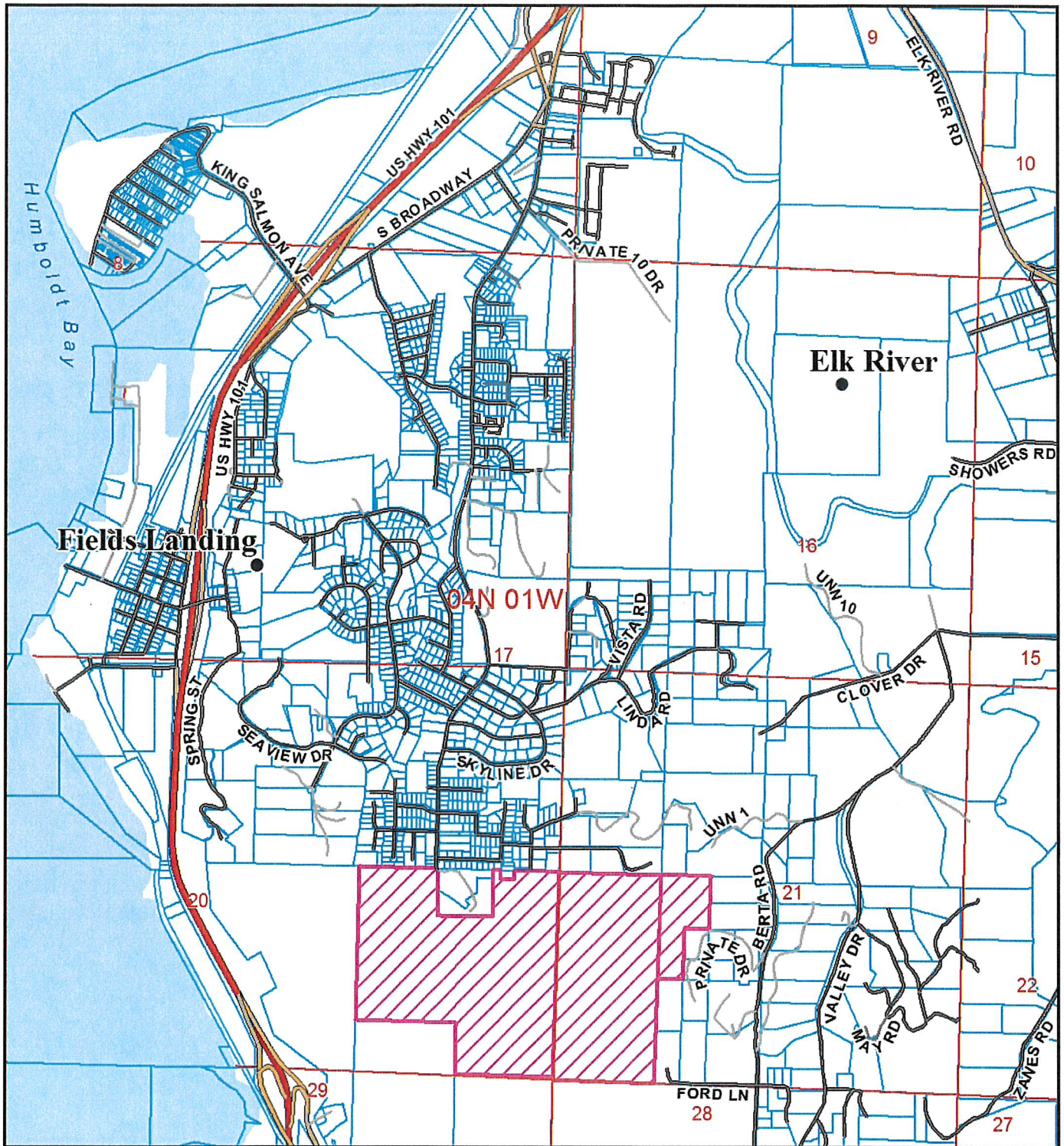
Adopted after review and consideration of all the evidence on December 13, 2018.

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 H. Ford
Director, Planning and Building Department



LOCATION MAP

PROPOSED HUMBOLDT HILL LAND & CATTLE CO PARCEL MAP SUBDIVISION & LOT LINE ADJUSTMENT HUMBOLDT HILL AREA

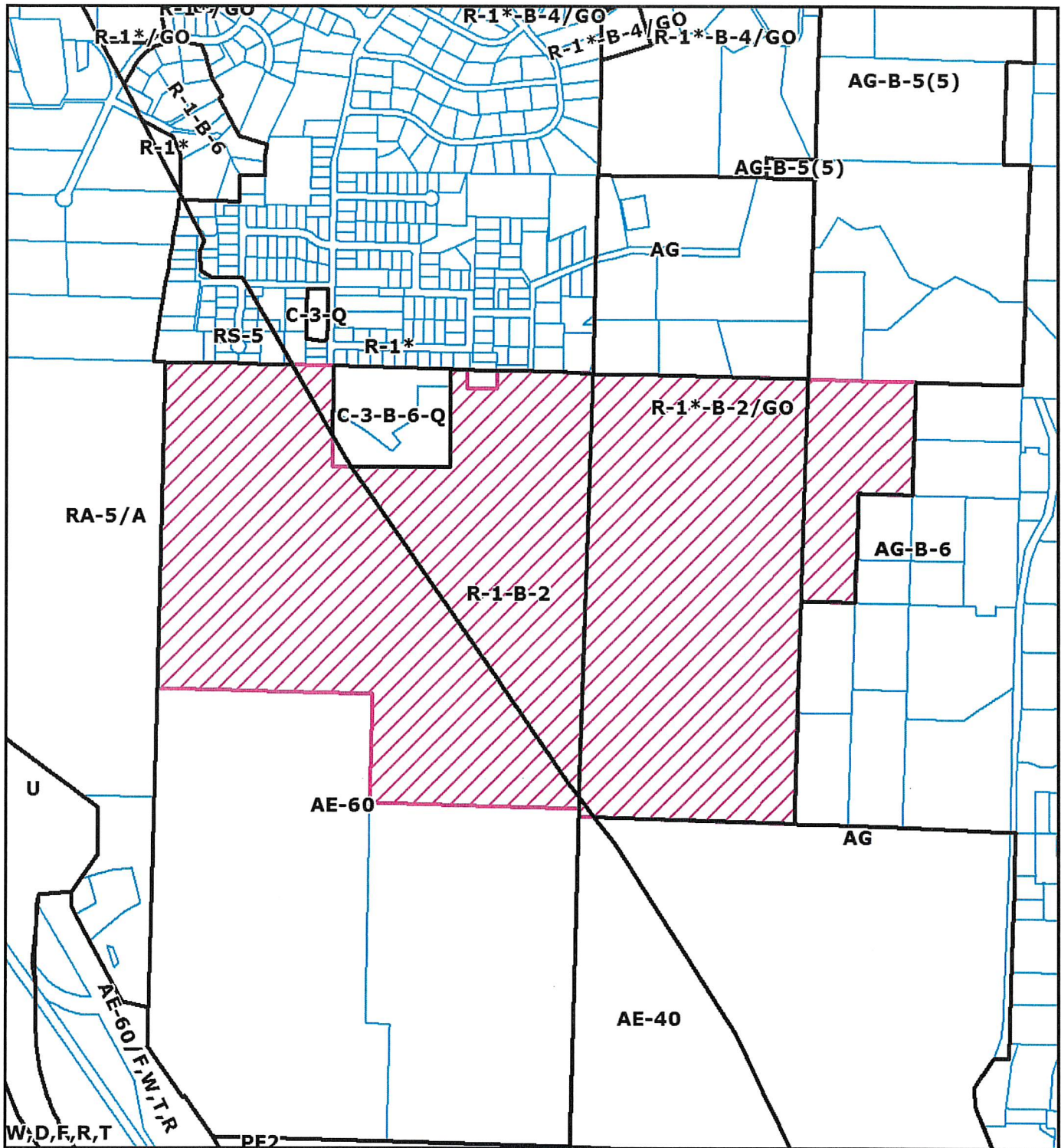
Project Area = 

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.

PMS-17-015/LLA-17-025
APN: 307-031-024 et seq
T4N R1W S20-21 HB&M (Fields Landing)



0 0.25 0.5
Miles



ZONING MAP

PROPOSED HUMBOLDT HILL LAND & CATTLE CO PARCEL MAP SUBDIVISION & LOT LINE ADJUSTMENT HUMBOLDT HILL AREA PMS-17-015/LLA-17-025

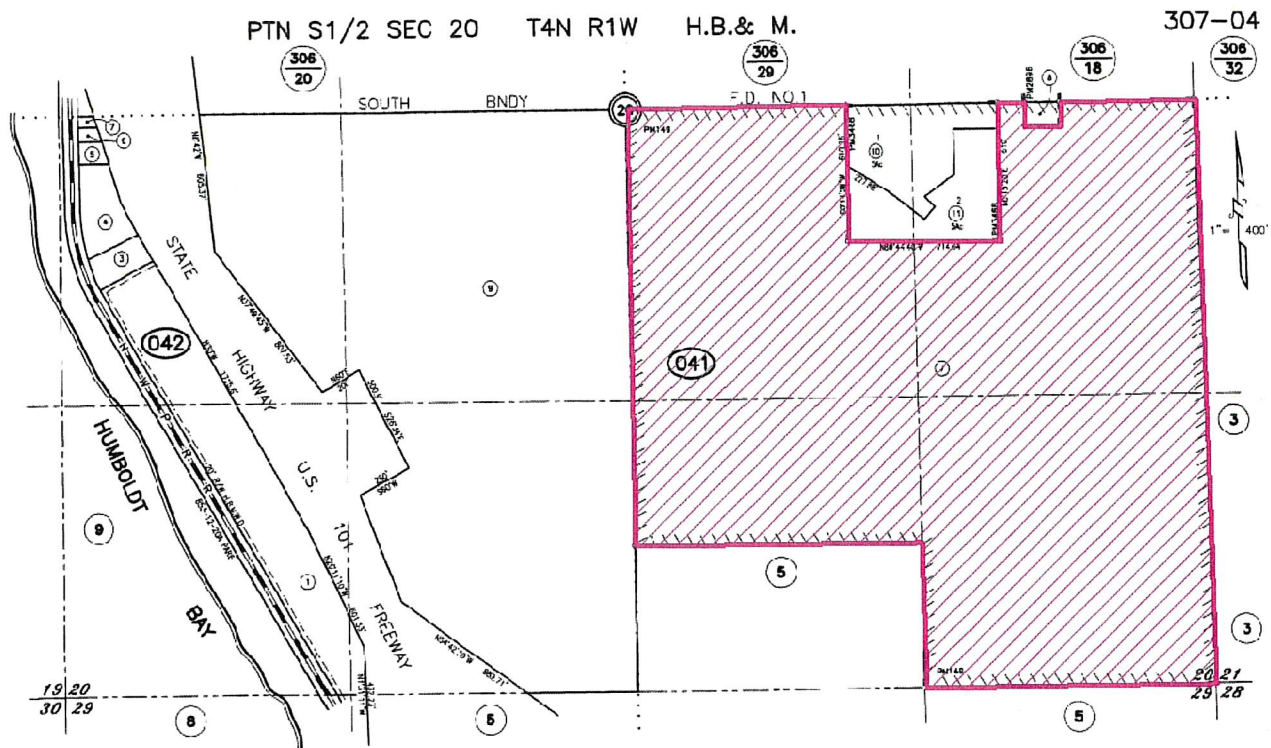
**APN: 307-031-024 et seq
T4N R1W S20-21 HB&M (Fields Landing)**

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.



0 500 1,000
Feet



ASSESSOR'S PARCEL MAP

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

PM149 of PM Bk 2, Pg 56
PM2896 of PM Bk 26, Pg 80
PM3466 of PM Bk 33, Pgs 135-140

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

Assessor's Map Bk.307, Pg.04
County of Humboldt, CA.

100' 200' 400'
Aug 8, 2008

ASSESSOR PARCEL MAP

**PROPOSED HUMBOLDT HILL LAND & CATTLE CO
PARCEL MAP SUBDIVISION &
LOT LINE ADJUSTMENT
HUMBOLDT HILL AREA
PMS-17-015/LLA-17-025**

Project Area = 

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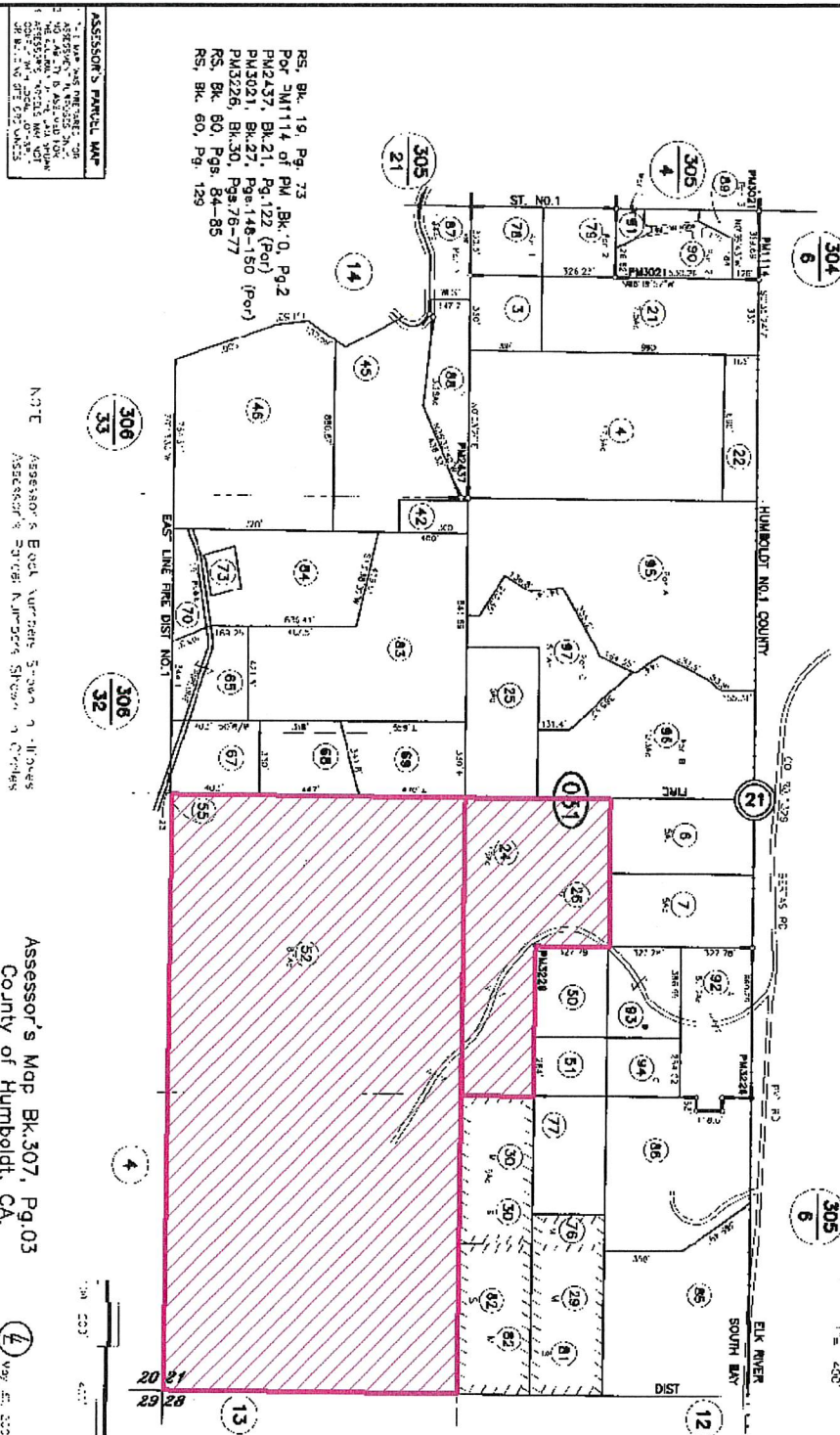
**APN: 307-031-024 et seq
T4N R1W S20-21 HB&M (Fields Landing)**



MAP NOT TO SCALE

W1/2 SEC 21, T4N, R1W

307-03



NOTE: Assessor's Book Number 5-0000 1-11-00
Assessor's Survey Number 5-0000 1-11-00

Assessor's Map Bk.307, Pg.03
County of Humboldt, CA.

ASSESSOR PARCEL MAP

PROPOSED HUMBOLDT HILL LAND & CATTLE CO PARCEL MAP SUBDIVISION & LOT LINE ADJUSTMENT HUMBOLDT HILL AREA PMS-17-015/LLA-17-025

APN: 307-031-024 et seq

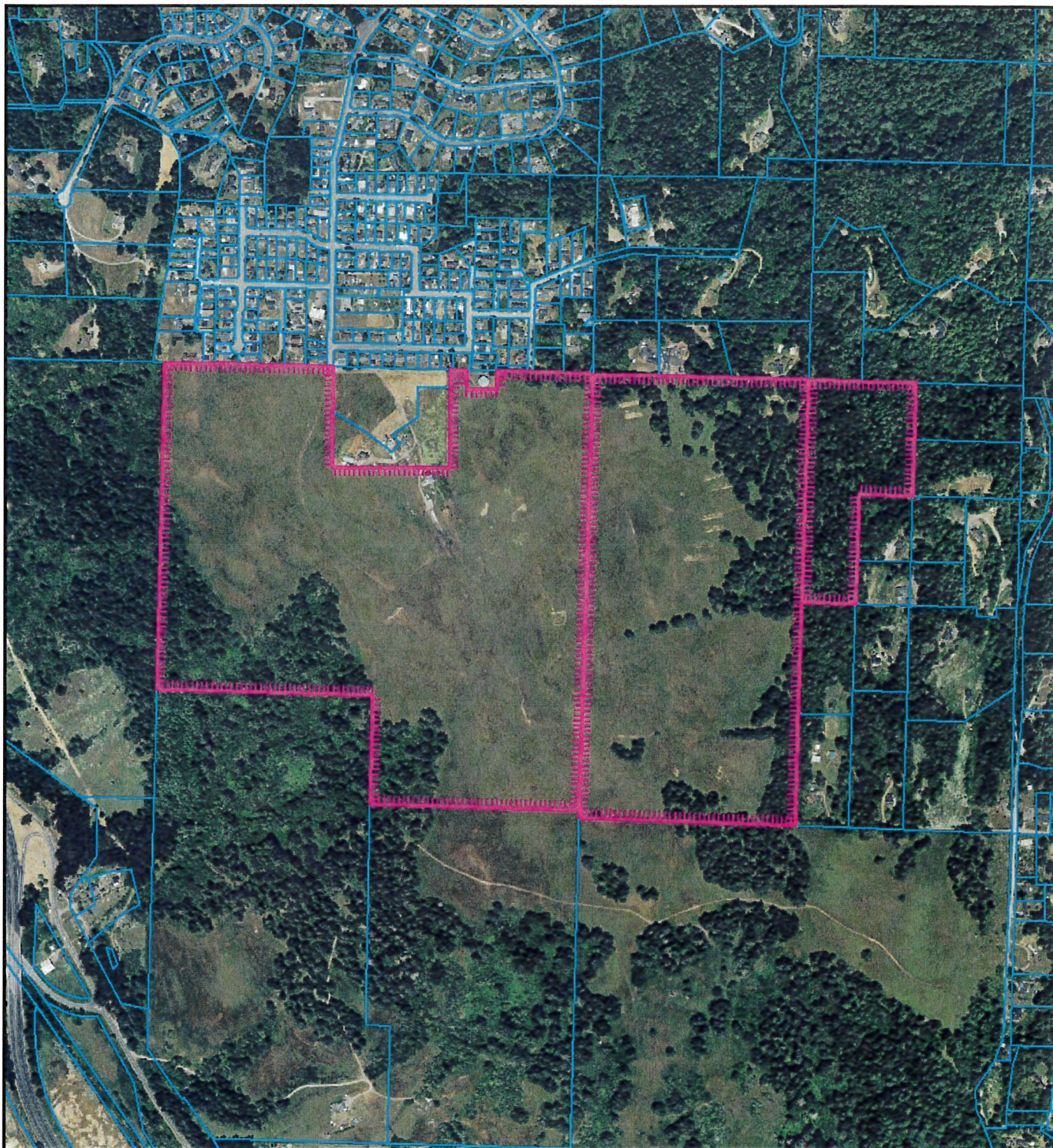
T4N R1W S20-21 HB&M (Fields Landing)

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



AERIAL MAP

PROPOSED HUMBOLDT HILL LAND & CATTLE CO PARCEL MAP SUBDIVISION & LOT LINE ADJUSTMENT

**HUMBOLDT HILL AREA
PMS-17-015/LLA-17-025**

APN: 307-031-024 et seq


T4N R1W S20-21 HB&M (Fields Landing)

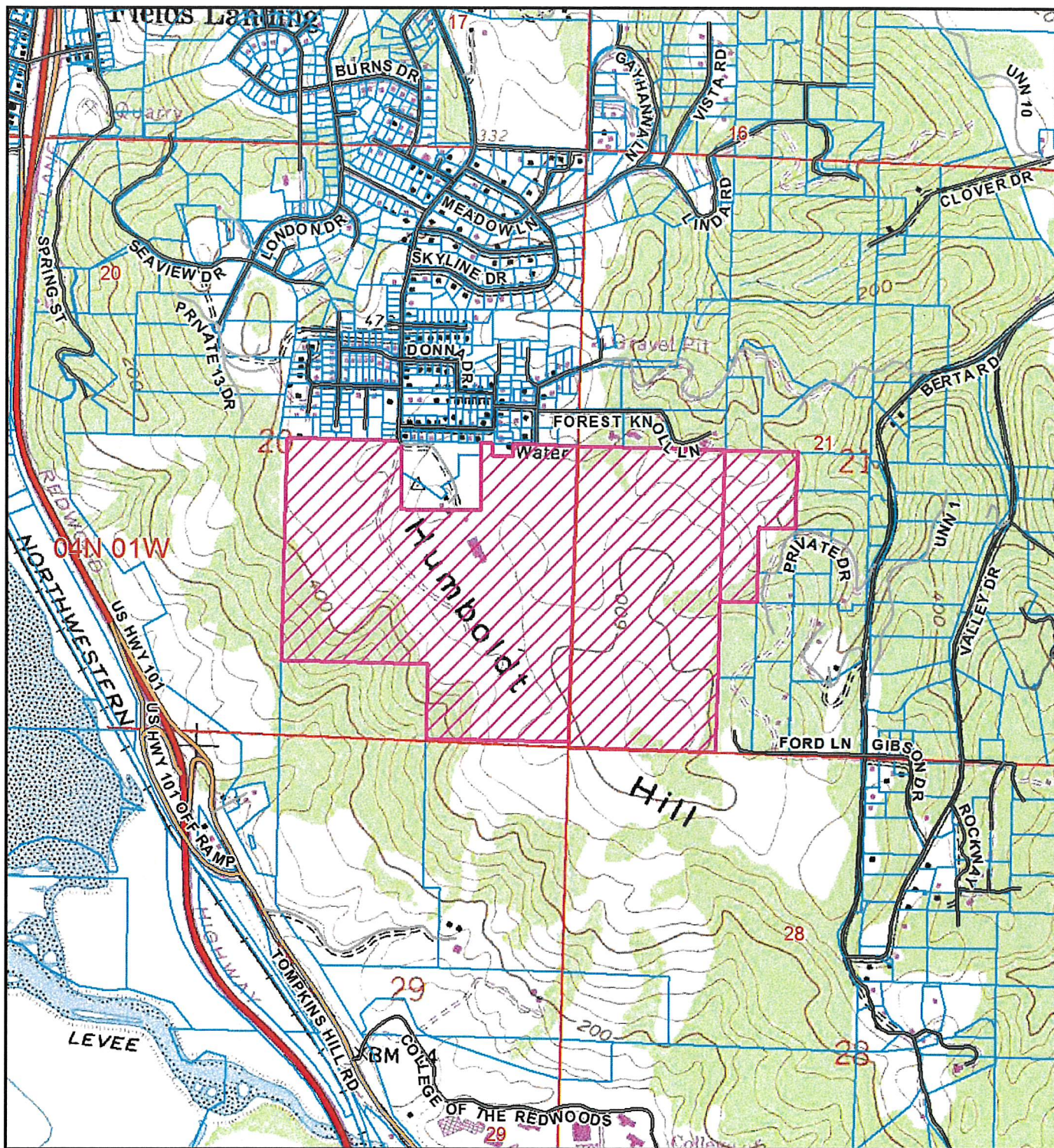
Project Area = 

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.



0 500 1,000
Feet





TOPO MAP

PROPOSED HUMBOLDT HILL LAND & CATTLE CO

PARCEL MAP SUBDIVISION &

LOT LINE ADJUSTMENT

HUMBOLDT HILL AREA

PMS-17-015/LLA-17-025

APN: 307-031-024 et seq

T4N R1W S20-21 HB&M (Fields Landing)

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 0.25 Miles



NOTES

1. THIS TENTATIVE MAP PROPOSES A LOT LINE ADJUSTMENT BETWEEN THREE EXISTING PARCELS AND THE SUBDIVISION OF ONE OF THE RESULTING PARCELS INTO FOUR PARCELS AND A REMAINDER.
2. WATER AND SEWER SERVICES ARE PROPOSED FROM HUMBOLDT COMMUNITY SERVICES DISTRICT (HCSD), FOLLOWING ANNEXATION.
3. CONTOURS ARE PER AERIAL PHOTO BY RICHARD B. DAVIS COMPANY, EST. 2004.
4. PROPERTY LINE INFORMATION: CALCULATED PROPERTY LINES ARE SHOWN.
5. THIS PROPERTY MAY BE ENCUMBERED BY THE FOLLOWING RECORDED INSTRUMENTS:
 - △ BOOK 228 DEEDS, PAGE 347 - EASEMENT FOR A RIGHT OF WAY - AFFECTS PROPERTY BUT IS UNPLOTTABLE.
 - △ BOOK 236 DEEDS, PAGE 428 - EASEMENT FOR PUBLIC UTILITIES GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY - SHOWN HEREON.
 - △ BOOK 247 DEEDS, PAGE 425 - EASEMENT FOR PUBLIC UTILITIES GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY - SHOWN HEREON.
 - △ BOOK 249 DEEDS, PAGE 307 - EASEMENT FOR PUBLIC UTILITIES GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY - SHOWN HEREON.
 - △ BOOK 225 O.R., PAGE 193 AND BOOK 226 O.R., PAGE 436 - EASEMENT FOR PUBLIC UTILITIES GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY - SHOWN HEREON.
 - △ BOOK 453 O.R., PAGE 70 AND BOOK 459 O.R., PAGE 97 - EASEMENT FOR PUBLIC UTILITIES GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY - SHOWN HEREON.
 - △ BOOK 459 O.R., PAGE 88 AND BOOK 459 O.R., PAGE 90 - DOES NOT AFFECT THE SUBJECT PROPERTY.
 - △ BOOK 711 O.R., PAGE 48 - EASEMENT FOR PUBLIC UTILITIES GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY - SHOWN HEREON.
 - △ BOOK 850 O.R., PAGE 355 - EASEMENT FOR PUBLIC UTILITIES GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY - SHOWN HEREON.
6. ADDRESS: 7500 HUMBOLDT HILL ROAD

LOT LINE ADJUSTMENT SUMMARY

PARCEL	BEFORE LLA		AFTER LLA	
	AREA		AREA	
APN 307-041-007	132.30 ACRES +/-			
APN 307-031-024	14.42 ACRES +/-			
APN 307-031-052	80.74 ACRES +/-			
PARCEL A			91.04 ACRES +/-	
PARCEL B			95.55 ACRES +/-	
PARCEL C			40.87 ACRES +/-	
PARCEL B WILL BE SUBDIVIDED INTO FOUR PARCELS SHOWN HEREON PLUS A REMAINDER				

LEGEND

--- COASTAL ZONE BOUNDARY APPROXIMATE LOCATION

- ☒ LINE TO BE DELETED BY LOT LINE ADJUSTMENT
- ☑ LINE TO BE ADDED BY LOT LINE ADJUSTMENT

APN 307-031-024
307-031-052
307-041-007

**LOT LINE ADJUSTMENT AND
TENTATIVE PARCEL MAP**
FOR
**KEVIN McKENNY AND
HUMBOLDT HILL LAND & CATTLE LLC**
IN
SECTIONS 20 AND 21 T4N, R1W, HUMBOLDT MERIDIAN
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
FEBRUARY 2018 SCALE 1" = 200'

COUNTY OF HUMBOLDT
STATE OF CALIFORNIA
KELLY-O'HERN ASSOCIATES
EUREKA, CALIFORNIA

AGENT/SURVEYOR:
MICHAEL J. O'HERN
KELLY-O'HERN ASSOCIATES
3240 MOORE AVENUE
EUREKA, CA 95501
442-7283

OWNER:
APN 307-031-024
KEVIN McKENNY
PO BOX 115
CUTTEN, CA 95534-0115
444-9659

OWNER:
APN 307-031-052 & 307-041-007
HUMBOLDT HILL LAND & CATTLE LLC
ATTN: MCKENNY WAHLUND
2120 CAMPION ROAD STE C
EUREKA, CA 95503
445-8811

Attachment 1A

Conditions of Approval for the Humboldt Hill Land and Cattle Parcel Map Subdivision

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 November 5, 2018 Revised 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.
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 \$110.00 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. 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 10-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 including emergency access road (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) The location of all necessary easements, including water line and other utility easements as necessary;
- (4) Four (4) off-street parking spaces on all lots consistent with Section 314-109.1 Humboldt County Code;
- (5) Location of "cleared" areas for residential development and geological hazard/non-buildable areas per Fault Evaluation Report (FER) prepared by SHN Consulting Engineers dated November 2016. These areas shall be staked in the field by a licensed surveyor to assure they correspond with the areas indicated in the FER.
- (6) Proposed improvements including streets, sidewalks, driveways, drainage and storm water detention facilities, community services facilities, access easements, and emergency access and vehicle turn-around, as applicable, including areas designated as treatment areas for Low Impact Development techniques demonstrating compliance with the MS4 program.
- (7) Areas below the 30% slope break labeled "non-buildable ".
- (8) Five-acre useable area suitable for parkland pursuant to Eureka Community Plan policy 4420.

B. Notes to be placed on the Development Plan:

- (1) "If suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call the Calfire project representative, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe; 3. The professional historic resource consultant, Tribes and Calfire officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.

"If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5; 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 5. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

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

- (2) "Prior to any ground disturbing activities, the applicant shall convene a pre-construction meeting on-site describing the heightened chance of

finding buried archaeological resource and the procedure to be followed if archaeological deposits are uncovered."

- (3) "To ensure continued compliance, property owners are responsible for annual maintenance of the parcels to Fire Safe and wildfire protection standards as required for those items listed under A(2) of the Development Plan Details, above. Compliance with these provisions is subject to inspection by the California Department of Forestry and Fire Protection."
- (4) "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."
- (5) "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 4:00 p.m. on Saturday. All proposed uses must comply with the noise standards identified in Table 13-C of the General Plan."
- (6) If applicable "Development rights for secondary dwelling units 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 secondary dwelling unit on any of the involved parcels. 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) "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."
- (8) "Notice is given pursuant to Government Code Section 66411.1 that the improvement requirements in Exhibit A to Attachment 1 for the subdivision shall be completed to the satisfaction of the Department of Public Works pursuant to Section 2.13 of the above-mentioned Subdivision Requirements."
- (9) "The subdivision is considered a Regulated Project under the State Water Board's Phase II Small Municipal Separate Storm Sewer System (MS4) Program. Areas identified as treatment areas shall be maintained for the life of the project. Development of low impact development techniques other than those included on the improvement plans shall require a site-specific analysis to demonstrate conformance with this standard."

- (10) "The policies of the Eureka Community Plan (§4420.2) requires at least five acres of usable parkland be dedicated for parkland. The land dedication shall be required when at least 51 lots are created through subdivision. While the dedication of parkland shall not be required until 51 lots are created, no subdivision of land shall occur without a determination being made as to where the park will be located in the future plan."
- (11) "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."
6. 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 \$415.00 plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Parcel Map
7. **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 \$2,330.75. 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, 2018 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 \$2,280.75 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.
8. The subdivider shall execute an assignable option to reserve the area dedicated for parkland such that it is available for development when the 51st lot is created. The form of the option agreement shall be approved by County Counsel.
9. The owners of the subject parcel shall execute and file the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by Section 314-43.2 of the Humboldt County Code. A copy of the required form will be provided in the final approval packet.
10. The applicant must record a Notice of Lot Line Adjustment prior to the recordation of the Parcel Map.
11. The applicant 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. The Department will provide a bill to the applicant after the Planning Commission and/or Board decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
12. Unless subdivision improvements in Attachment 1, Exhibit A, are completed or a Subdivision Agreement is entered into prior to filing of the Parcel Map, a Notice of Subdivision Improvement Requirements shall be recorded for the subdivision pursuant to Government Code Section 66411.1. The Notice shall be on forms provided by the Planning Division and all applicable recording fees shall apply.

13. Pursuant to the referral comments provided by the Humboldt Community Services District, annexation of APNs 307-031-052 and 307-031-024 into the Humboldt Community Services District is required before service will be provided and the Parcel Map can be filed with the County Recorder.
14. The owner shall execute and cause to be recorded a "Deed Restriction and Hold Harmless Agreement" as required per Section 336-5(i) of the Humboldt County Code, the Geologic Hazards Ordinance, on forms provided by the Planning Division. A legal document review and County notary fee (currently \$135.00) shall be paid to the County, along with the applicable recordation fees.
15. The applicant shall record a "Conditional Certificate of Compliance" for the designated remainder per §66424.6(d) of the Subdivision Map Act on forms provided by the Planning Division. The fees/improvements required as conditions of this Certificate of Compliance need not be completed until a permit or other grant of approval for development of this Remainder parcel is issued by the County of Humboldt. 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 \$271.00 plus applicable recordation fees) will be required. The Conditional Certificate of Compliance shall also be noted on the Parcel Map. The condition to be included on this document are:

"Prior to issuance of any permit or grant of approval for the development of the designated remainder, the property owner shall:

- a. Pay to the Planning Division the deferred Parkland fee of \$1,462.34 (or \$731.17 with conveyance of SDU rights).
 - b. Pay to the Planning Division the deferred map revision fee of \$110 required by ordinance of the Humboldt County Board of Supervisors to cover the cost of the Assessor in updating parcel boundary information.
 - c. Prepare and record a parcel map for the Remainder parcel or receive a waiver from the Parcel Map requirements pursuant to Section 326-34 of the Humboldt County Code."
16. An interpretive sign recognizing the original wagon road shall be installed at a location deemed appropriate by the author of the Cultural Resource Investigation or another qualified archaeologist. The text of the sign shall read as follows:

Bucksport to Goose Lake Prairie Wagon Road

Decker Hill Road

The construction of the original wagon road from Eureka with the area that later became Hydesville began in 1850 in this location. It linked and for years was the main route connecting Humboldt Bay with the Eel River Valley.

In 1872, work began on a low-elevation road near the bay. In 1919, this route saw service as a detour while the Redwood Highway (101) was being built. In 1921, when the detour was abandoned, the Humboldt Times reported that:

"Humboldt Hill, for a season the terror of local motorists and the dread of tourists, is now a thing of the past as a part of the road system of the county, and there is no need for travelers going up there."

Examples of high quality all weather signage is included in the Cultural Resource Investigation, Appendix E.

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) 3-15). 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 \$95.00). 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 _____,
(Specify) (Specify)

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. 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.

Attachment 1B

Conditions of Approval for the Lot Line Adjustment

APPROVAL OF THE LOT LINE ADJUSTMENT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE COMPLETION OF THE PROJECT:

1. A Notice of Lot Line Adjustment shall be recorded for each resultant parcel. The following information must be submitted to the Planning Department for review prior to recordation:
 - a. A copy of the existing deeds and the deeds to be recorded for the adjusted parcels. If the property is not changing ownership, only the existing deeds are required.
 - b. A Preliminary Title Report regarding ownership of parcels involved. The title report documents must be current at time of submittal. Depending on the date of the report preparation, updating may be necessary.
 - c. A completed "Notice of Lot Line Adjustment and Certificate of Compliance" form for each parcel.
 - d. 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 \$271.00 per notice plus applicable recordation fees).
2. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) prepared by a qualified individual must be submitted for review by the Planning and Public Works Departments.
3. 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 \$80.00) as required by the County Assessor shall be paid to the County Community Development Services, 3015 "H" Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
4. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
5. **Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Lot Line Adjustment have been 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 Notice of Lot Line Adjustment to satisfy this condition.** *Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property is acquired as a result of a Lot Line Adjustment and said property has delinquent taxes, the property cannot be combined for tax purposes. This means, that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by lot line adjustment but "divided" by tax sale will require separate*

demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

Informational Notes:

1. A Record of Survey as outlined in the Business and Professions Code of the State of California may be required pursuant to Section 8762 of the Land Surveyors Act which states in part, a Record of Survey shall be filed upon "...the establishment of one or more points or lines not shown on any subdivision map, official map, or record of survey...".
2. Approval of this Lot Line Adjustment does not guarantee that developable parcels will result. Final approval for any development will depend on demonstration of conformance with site suitability requirements in effect at the time development is proposed.
3. This permit, including the Lot Line Adjustment shall expire and become null and void at the expiration of three (3) years after all appeal periods have lapsed (see "Effective Date"). This approval may be extended in accordance with the Humboldt County Code.



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

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

LAND USE 445-7205

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 HUMBOLDT HILL LAND AND CATTLE CO.,
APPLICATION # 13784, APN 307-041-007, PMS #17-015, APPS# 13784
FOR APPROVAL OF A TENTATIVE MAP, CONSISTING OF 223 ACRES
INTO 4 PARCELS

DATE: 08/27/2018
11/05/2018 Revised

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 Kelly-O'Hern dated February 2018, and dated as received by the Humboldt County Planning Division on March 07, 2018.

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 subdivision 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.

If the project includes a lot line adjustment with adjacent parcel(s), the lot line adjustment shall be recorded prior to the filing of the subdivision map. The subdivision map may show the lot line adjustment parcel(s) outside of the subdivision map's distinctive border.

- 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 PROOF OF LEGAL ACCESS:** Applicant shall provide, to the satisfaction of this Department, proof of recorded access from a publicly maintained road to the subject property. The width of the access shall be a minimum of 50 feet and shall be shown on the subdivision map. [Reference: Roadway design standards/classification plats in Section 4.2 of Appendix A of the County Subdivision Ordinance]
- 1.5 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.
- 1.6 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.

- 1.7 PRIVATE ROADS:** Pursuant to County Code Section 323-2(c)(3), the subdivision map shall show the lanes clearly labeled "Non-County Maintained Lane" or "Non-County Maintained Road". Pursuant to County Code Section 323-2(c)(5), the following note shall appear on the map or instrument of waiver, which shall read substantially as follows:

"If the private lane or lanes shown on this plan of subdivision, or any part thereof, are to be accepted by the County for the benefit of the lot owners on such lane rather than the benefits of the County generally, such private lane or lanes or parts thereof shall first be improved at the sole cost of the affected lot owner or owners, so as to comply with the specification as contained in the then applicable subdivision regulations relating to public streets."

[County Code Section 323-2 appears after Section 324-1 in County Code]

- 1.8 DEDICATIONS:** The following shall be dedicated on the subdivision map, or other document as approved by this Department:

(a) PROPOSED UNNAMED ACCESS ROAD:

Access: Applicant shall cause to be dedicated on the subdivision map a non-exclusive easement for ingress, egress, and public utilities for the benefit of the parcels/lots within the subdivision in a manner approved by this Department. The easement shall be 50 feet in width.

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.

The applicant shall cause to be dedicated to the County of Humboldt a PUE over the entire area of the access easement for the road.

Slopes: When cut and fill slopes adjacent to the road are proposed (or currently exist), applicant shall cause to be dedicated a slope maintenance easement to a point 10 feet beyond the toe of fill slopes or top of cut slopes. Said easement shall be for the benefit of the parcels/lots within the subdivision and shall be dedicated in manner, width, and location as approved by this Department.

- (b) DEVELOPMENT RIGHTS:** Applicant shall cause to be conveyed to the County of Humboldt the rights to construct a secondary dwelling unit(s) on Parcels 1 through 4 until such time as (Unnamed access road) is improved to a minimum Category 4 road standard. This shall be noted on the development plan to be filed with the Planning & Building Department. A notice of the development plan must be recorded. The content of the notice must be in a manner approved by this Department.
- (c) SUBDIVISION RIGHTS:** Applicant shall cause to be conveyed to the County of Humboldt the rights to further subdivide the parcels created by this subdivision until such time as (Unnamed access road) is improved to a Category 4 standards.

(d) **DRAINAGE EASEMENT:** To ensure orderly development of adjacent upland properties, applicant shall provide drainage easements to upstream property owners and/or the County as required by this Department. (Also see DRAINAGE section for improvement requirements.)

(e) **NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES:** Prior to submittal of the subdivision map, provide a sign-off from the Post Office on the location of the neighborhood box unit. Applicant shall cause to be dedicated on the subdivision map additional sidewalk easements as necessary to accommodate the NBU.

1.9 **LINES OF OCCUPATION:** Any fences that do not coincide with the property lines shown on the subdivision map need to be adjusted to agree with the subdivision map, or a boundary correction or lot line adjustment must be completed to resolve the discrepancy prior to the map being approved by the County Surveyor.

2.0 IMPROVEMENTS

2.1 **CONSTRUCTION PLANS:** Construction plans shall be submitted for any required road, drainage, landscaping, and pedestrian improvements. Construction plans must be prepared by a Civil Engineer registered by the State of California. Construction plans shall be on a sheet size of 22" x 34", unless approved otherwise by this Department. Construction of the improvements shall not commence until authorized by this Department. This Department will require the submittal of 1 full size (22" x 34") set and 1 reduced (11" x 17") set of the approved construction plans prior to start of work.

The construction plans shall show the location of all proposed new utilities and any existing utilities within 10 feet of the improvements. The plans shall be signed as approved by the local fire response agency and public utility companies having any facilities within the subdivision prior to construction authorization by this Department.

Construction plans shall be tied into elevation datum approved by this Department.

Unless otherwise waived by this Department, record drawing ("As-Built") plans shall be submitted for any road, drainage, landscaping, and pedestrian improvements that are constructed as part of this project. Record drawing plans must be prepared by a Civil Engineer registered by the State of California. Once approved by this Department, one (1) set of "wet stamped" record drawings on 22" x 34" mylar sheets shall be filed with this Department.

2.2 **CONSTRUCTION PERIOD:** Construction of improvements for this project will not be allowed to occur between October 15 and April 15 without permission of this Department.

2.3 **ADA FACILITIES:** All pedestrian facilities shall be ADA compliant. This includes, but is not limited to, providing curb ramps at intersections and sidewalks behind driveway aprons (or ADA compliant driveway aprons).

Fire hydrants, neighborhood box units for mail, utility poles (including down guys), street lights, or other obstructions will not be allowed in sidewalks unless approved by this Department.

Applicant shall replace/retrofit to meet current standards any non-ADA compliant pedestrian improvements within the public right of way (or access easements that the subject property has a legal right to use) contiguous to the project.

2.4 ROAD NAMES: The access road shall be named as approved by the Planning & Building Department - Planning Division.

2.5 TRAFFIC CONTROL DEVICES & SIGNS: Traffic control devices and signs may need to be placed as required and approved by this Department. All signs and striping on County maintained roads shall be installed by the County at the expense of the developer, unless otherwise approved by the Department.

- (a) A stop sign shall be installed on "Unnamed access road" at its intersection with Donna Drive. When the road is paved, a "stop" pavement marking and limit line shall be installed.
- (b) Pursuant to County Code Section 323-2(c)(4), non-county maintained roads shall be posted with a sign of at least 2 square feet in size containing substantially the following words in 2" high black letters on a yellow background: "Not a County Maintained Road" or "Not a County Maintained Street". The sign shall be approved by the Department prior to installation. (last paragraph for private roads)
- (c) No parking signs shall be installed along both sides of the existing Unnamed Access Road from Donna Drive thru APN 306-181-045 and 307-041-008.
- (d) No parking signs shall be installed along the east side of the Unnamed Access Road fronting APN 306-181-044
- (e) No parking signs shall be installed along the east side of the Unnamed Access Road fronting APN 306-181-034 south of the existing driveway.
- (f) Street name signs shall be provided at all road intersections. In State Responsibility Areas, street name signs shall also comply with County Code Section 3113-11.

For streets that will not be named, address signs shall be posted at the intersection. In State Responsibility Areas, the address signs shall comply with County Code Section 3113-11. In the event that addresses are not available at the time that the subdivision map is filed with the County Recorder, then a note shall be added to the development plan indicating that street address signs shall be posted prior to issuance of a building permit.

- (g) Fire hydrants shall be identified with a retroreflective blue colored raised pavement marker. In State Responsibility Areas, street name signs shall also comply with County Code Section 3114-5.
- (h) Additional signing and striping may be required by the Department upon review of the improvement plans. This includes, but is not limited to, centerline striping, two way left turn lane striping, bicycle lane striping, edge lines, dead end road signs, no outlet signs, speed limit signs, warning signs, etc...

2.6 ACCESS ROADS: The access road(s) serving the subdivision shall be constructed to the satisfaction of this Department as follows:

- (a) The intersection of the Unnamed Access Road with Donna Drive shall conform to Humboldt County Code Section 341 regarding visibility.

- (b) Within the subdivision, the **Unnamed Access Road** shall be a minimum of 20 feet in width from Donna Drive to Berta Road. The road shall have a paved surface to the south line of APN 306-181-045.

If the connection to Berta Road will be gated the following shall apply:

- (1) Turn around areas shall be provided at the gate.
- (2) A regulatory sign indicating "emergency access road – do not block" shall be installed on both sides of the gate. Signage indicating who has the key to the gate shall be posted on the gate.
- (3) Signage and gates shall not be erected along the road in a manner that suggests that access is not allowed.

2.7 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.

2.8 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.

2.9 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.

2.10 NEIGHBORHOOD BOX UNIT (NBU) MAILBOXES. When clustered mailboxes (neighborhood box units) are required by the Post Office, applicant shall obtain approval for the location of the mailbox unit from the Post Master. The pad for the mailbox unit shall be constructed as part of the subdivision and shall be encompassed by a sidewalk easement or other easement, as approved by this Department.

Note: The Post Office may not require an NBU for this project.

2.11 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.

2.12 COMPLETION OF IMPROVEMENTS ON PARCEL MAP SUBDIVISION: Pursuant to Government Code section 66411.1 improvement timing. Fulfillment of reasonable on- and off-

site construction requirements may be imposed prior to Parcel Map filing with the County Recorder if found necessary for the public health or safety or orderly development of the area. The following improvements shall be completed within twenty-four (24) months from the filing date of the parcel map: <NONE>

2.13 PARCEL MAP SUBDIVISION AGREEMENT: When a parcel map is to be filed with the County Recorder and the construction of improvements will be deferred to a later date, the following shall apply:

- (a) For parcel map subdivisions projects with a subdivision agreement, include the following note on the development plan: "This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The developer has entered into a subdivision agreement with the County to defer construction of these improvements. **Subdivision improvements must be completed within the timelines specified in the subdivision agreement. In general, building permits cannot be obtained until the required improvements are constructed to the satisfaction of the County.** The improvements required in the subdivision agreement are shown on the improvement plans prepared by _____, dated _____, and are signed as approved by the County on _____. Contact the Land Use Division of the Department of Public Works for details."
- (b) For parcel map subdivisions without a subdivision agreement and improvements have not been constructed prior to the filing of the map, include the following note on the development plan: "This subdivision was approved with requirements to construct improvements. At the time the parcel map was filed, the improvements were not completed. The developer has elected to not enter into a subdivision agreement with the County that would specify the timing of when the deferred improvements must be constructed. **Building permits cannot be obtained until the required improvements are constructed to the satisfaction of the County.** The improvements required in the subdivision are shown on the improvement plans prepared by _____, dated _____, and are signed as approved by the County on _____. Contact the Land Use Division of the Department of Public Works for details."
- (c) The Department shall cause to be recorded at the time of filing of the parcel map with the County Recorder a *Notice of Construction Requirements*.

3.0 DRAINAGE

3.1 DRAINAGE ISSUES: Applicant shall be responsible to correct any involved drainage problems associated with the subdivision to the satisfaction of this Department.

3.2 DRAINAGE REPORT: Applicant must submit a complete hydraulic report and drainage plan regarding the subdivision for review and approval by this Department. This may require the construction of drainage facilities on-site and/or off-site in a manner and location approved by this Department.

3.3 LOW IMPACT DEVELOPMENT (LID): The subdivision is required to comply with County Code Section 337-13. The applicant shall submit a Storm Water Information Sheet for review and approval by the County. The improvement plans must incorporate LID strategies for the entire subdivision, including roads, lots, and other areas.

At the time that the subdivision improvements are constructed, the LID elements related to an individual lot may be deferred until such time as the lot is developed. It is intended that any deferred LID strategies shown on the improvement plans for a lot are conceptual in nature and subject to adjustment/refinement at the time that the building permit is applied for. Any deferred LID improvements must be shown and identified on the Development Plan.

When there will be deferred LID improvements, a separate sheet in the improvement plans shall be provided for the LID concepts proposed for the individual lots. It is intended that this sheet will be attached to the development plan to facilitate issuance of a building permit at a later time.

4.0 GRADING

<NONE>

5.0 MAINTENANCE

5.1 MAINTENANCE OF IMPROVEMENTS: The improvements to be constructed as part of this subdivision will not be maintained by the County. Pursuant to Humboldt County Code Section 323-2* (b) regarding Private Lanes, the Applicant must provide a permanent maintenance plan acceptable to this Department for all improvements including, but not limited to, the following: roads, drainage systems (pipes, drainage inlets, detention basins), pedestrian facilities, and landscape areas. An engineer's estimate for the cost of yearly maintenance must be approved by this Department. Maintenance shall be provided by a maintenance association, district, or other means as approved by this Department. More than one maintenance plan may be required. [*Section 323-2 is listed in County Code after Section 324-1]

Based upon the tentative map, it appears that the following will need to be maintained by a maintenance plan:

A maintenance plan for the non-county maintained road known as the Unnamed Access Road.

If a maintenance association currently exists for the access road, applicant shall attempt to the satisfaction of this Department to annex the subdivision into the existing road maintenance association. That portion of this condition regarding road maintenance may be waived if the applicant provides evidence satisfactory to this Department that the subject property already belongs to a maintenance association for the access road(s).

A maintenance plan is not required for driveways; as driveways serve only one parcel. A maintenance plan is *optional* for roads that serve only two parcels. A maintenance plan is required for roads serving three or more parcels.

6.0 DEVELOPMENT PLAN

<NONE>

7.0 LANDSCAPING

<NONE>

// END //

ATTACHMENT 2

Staff Analysis of the Evidence Supporting the 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.

A. Subdivision Required 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.

B. Lot Line Adjustment Findings: Title III, Division 2 of the Humboldt County Code, Section 325.5-6 specifies the findings that must be made to approve a Lot Line Adjustment. Basically, the Hearing Officer may approve a Lot Line Adjustment if the applicants have submitted evidence that supports making all of the following findings:

1. The application is complete;
2. The project is consistent with the Subdivision Map Act;
3. The project proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations and that the lot line adjustment neither causes non-conformance nor increases the severity of pre-existing nonconformity with zoning and building ordinances;
4. The project is in conformance with all applicable policies and standards of the General Plan; and
4. The project will not adversely impact the environment.

Furthermore, the California Environmental Quality Act requires that the required CEQA findings be made for any development that is subject to the regulations of CEQA.

Staff Analysis:

A.1./B.4. 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 the Humboldt County General Plan, the Eureka Community Plan (ECP) and the Humboldt Bay Area Plan (HBAP).

Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<u>Inland</u> Land Use Designations Section 4.8 <u>Coastal Zone</u> Land Use Designations Section 4.10 (HBAP)	Residential Low Density (RL) Areas suitable for residential use where urban services are available or are anticipated to be available. Density: 1 - 7 dwelling units per acre. Residential Agriculture (RA) Large lot residential uses that typically rely upon on-site water and wastewater systems. Density: one dwelling unit per 5 - 20 acres. Agriculture Exclusive (AE) To protect prime and non-prime agricultural lands for long term productive agricultural use.	The project consists of a Lot Line Adjustment (LLA) between three parcels and the subsequent subdivision of Parcel B adjusted by the LLA. Parcel B will be divided into four parcels and a Remainder. Proposed Parcel 1 is developed with a barn and other outbuildings and the remaining parcels are vacant. Single-family residential development is principally permitted under the RL land use designation. Note that the Coastal AE lands and the Inland RA lands are not being divided but are included as portions of the parcels adjusted by LLA.
Water and Wastewater Facilities: § 4500 (ECP)	New development shall be located within existing developed areas or in areas with adequate public services.	The parcel is within an urban area and is served with community water and sewer by Humboldt Community Services District (HCSD). Portions of the resultant parcels lie outside of the service district boundary and will be required to annex into the district. HCSD has indicated water and sewer services are available, however, annexation is required prior to serving the parcels (Attachment 5). This has been included as Condition of Approval #13. The Division of Environmental Health has recommended approval of the project.
Housing: § 2400 (ECP)	Housing shall be developed in conformity with the goals, policies and standards of the Humboldt County Housing Element.	The proposed subdivision will result in four parcels and a remainder. Only APN 307-031-052 was utilized by the Department of Housing and Community Development in determining compliance with housing element law and identified one potential dwelling unit. With four parcels and a remainder proposed, the project will exceed the number of units identified in the Housing Element.

<p>Hazards: §3100 (ECP)</p>	<p>New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards. §3200 Geologic §4700 Fire §3300 Flood Hazards</p>	<p>The property is located in an area of low to moderate slope instability and within the Alquist-Priolo Fault Hazard Zone. SHN Consulting Engineers prepared a Fault Evaluation Report (FER) in November 2016. The FER identified numerous fault zones throughout the property and found suitable building sites for all parcels created by the subdivision. These sites are identified in the FER and generally depicted on the Tentative Map. The specific locations of the areas cleared for residential development will be surveyed in the field and be illustrated on the Development Plan as a condition of subdivision approval. The proposed subdivision site is in an area of moderate fire hazard severity. The parcels are within both the Humboldt Bay Fire Protection District and the State Responsibility Area (SRA) for fire protection. Because of the location within the SRA, an exception to the maximum length of dead end road was required (Attachment 3). The applicant has secured an easement across APN 307-021-021 to provide emergency access to Berta Road. Calfire reviewed and approved the exception request (Attachment 5). According to the FIRM Panel 1005, the site is outside of any flood hazard area.</p>
<p>Sensitive and Critical Habitats: §3400 (ECP)</p>	<p>To protect designated sensitive and critical resource habitats.</p>	<p>The parcel is located at the southern end of Humboldt Hill. According to the California Natural Diversity Database, the site has potential habitat for bristle-stalked sedge, western lily and Oregon Coast Paintbrush. The site has been historically grazed by cattle and is not known to possess wetlands, natural drainages or other types of Sensitive or Critical Habitats. A referral was sent to the Eureka office of the California Department of Fish and Wildlife and they did not respond with any concerns.</p>

<p>Cultural Resource Protection: §3500 (ECP)</p>	<p>New development shall protect cultural, archeological and paleontological resources.</p>	<p>The project was referred to the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria, the Wiyot Tribe and the Northwest Information Center (NWIC). NWIC, as well as the local Tribal Historic Preservation Officers (THPOs) requested that a cultural resource study be completed. The applicant retained the services of Nick Angeloff, who prepared a Cultural Resources Investigation. The report recommends that monitoring occur by a professional archaeologist during initial ground disturbing activities, an interpretive sign be installed recognizing the original wagon road, and heightened inadvertent discovery protocol. This has been included in the Conditions of Approval.</p>
<p>Parkland §4400 (ECP)</p>	<p>The County shall not exercise the option of accepting in-lieu fees for development of parkland on the McKay Tract South, Robinson/Dunn and Barry properties. At least 5 acres of usable land shall be dedicated for parkland on each of these three tracts during the subdivision phase (the land dedication shall be required when at least 51 lots are created through subdivision). While the dedication of parkland shall not be required until 51 lots are created, no subdivision of land shall occur without a determination being made as to where the park will be located in the future plan. (§4420.2 (ECP))</p>	<p>The project site is known as the "Barry" property and subject to this policy. A Condition of Approval requires that the five-acre area of usable parkland shall be identified on the Development Plan for the ultimate development of a park. Therefore, no in-lieu fee is required.</p>

A.2./B.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 will create four parcels and a Remainder, all suitable for residential development. Evidence submitted by the applicant, staff site inspections and referral agency comments indicate that the proposed lots will be suitable residential locations.
Access and Drainage 324-1	Improvements shall be required for the safe and orderly movement of people and vehicles.	<p>The parcel is accessed by an extension of Donna Drive, over a 20-foot wide easement on property owned by the Humboldt Community Services District (HCSD). An exception request has been submitted to the Department of Public Works – Land Use Division per HCC Section 325-9 requesting an exception to the required 50-foot right of way width. An exception request has also been submitted and approved by Cal Fire to allow an exception to the maximum length of a dead end road by providing emergency access to Berta Road, thereby providing a looped road system. The Department of Public Works supports the exception request for the reduced right of way width provided that on-street parking is prohibited along this portion (Attachment 5).</p> <p>A preliminary drainage study as well as a MS4 worksheet were submitted to address drainage impacts associated with the subdivision. The Department of Public Works has provided Subdivision Requirements that require a complete hydraulic and drainage report as well as Low Impact Development techniques to comply with the County's MS4 permit.</p>
Sewer & Water 324-1 (d)	Sewer and water systems shall be constructed to appropriate standards.	Portions of the resultant parcels lie outside of the HCSD boundary and will be required to annex into the district. HCSD has indicated water and sewer services are available, however, annexation is required prior to serving the parcels (Attachment 5).
Access Road Appendix 4-1	Roadway design must incorporate a 40-foot right of way unless an exception is granted.	See above.

Section(s)	Applicable Subdivision Requirements	Evidence Supporting Subdivision Requirement Finding
Government Code § 66411.1 Improvement Timing	Unless the subdivider voluntarily enters into an agreement with the County establishing the timing of the work, fulfillment of reasonable on- and off-site construction requirements are deferred until issuance of a permit or other grant for development of the created lot, except where found to be necessary for the public health and safety or for orderly development of the surrounding area. If not completed prior to parcel map recordation or under agreement with the County, a Notice of deferred construction of subdivision improvements shall be filed concurrently with the parcel map.	Section 2.13 of the Public Works Subdivision Requirements (Attachment 1, Exhibit A), provides options for the subdivider should they enter into a Subdivision Agreement or not.
314-17.1.5 and 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 adjust the boundaries of three separate parcels and divide one of the resultant parcels into four parcels and a remainder. Only APN 307-031-052 was utilized by the Department of Housing and Community Development in determining compliance with housing element law and identified one potential dwelling unit. With four parcels and a remainder proposed, the project will exceed the number of units identified in the Housing Element. Therefore, the project is consistent with this requirement.

Further, pursuant to H.C.C. Section 325-9, in order to grant the exception to the Subdivision Regulations the Planning Commission must find the following:

Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
That there are special circumstances or conditions affecting said property.	As stated in the applicant's request for exception, the existing right of way from Donna Drive is only 20 feet wide. Obtaining additional right of way would encroach onto neighboring residential parcels. The applicant proposes access only through this easement and not any parking along this section of the road. The exception would allow for division of the parcel such that (1) additional parcels can be created, (2) suitable building sites are provided on each, and (3) the build out promoted by the Plan and Zoning may be achieved.
That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.	This access has been planned for access to this property since the original reservation of a portion of the easement in 1988. Cattle operations, timber operations and utility companies maintaining utilities on the subject property use an existing road from the end of Humboldt Hill Road. These uses can continue to use that access and the access from Donna Drive will only be used for residential purposes. The proposed subdivision will result in four (4) parcels and a Remainder consistent with the General Plan and the R-1 zoning. The parcel is located in the Alquist-Priolo Fault Hazard Zone which required substantial fault evaluation to locate building sites, therefore, the lots created by the subdivision will be much larger than the immediate subdivisions to the north.
That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the subject property is located.	The exception would allow subdivision of the subject parcel similar to others in the immediate vicinity that do not have similar restrictions (i.e. narrow access points and existing development). There is no indication that the development of the surrounding lands will be adversely impacted by this exception. All referral agencies have recommended approval of the subdivision.

A.3./B.3. Zoning Compliance and Development Standards: The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
<u>Inland</u> Residential One Family (R-1) §314-6.2 Agriculture General (AG) §314-7.2 <u>Coastal</u> Agriculture Exclusive (AE) §313-7.1	R-1: Single family dwellings are principally permitted uses. AG: Single family dwellings and general agriculture are principally permitted uses. AE: Single family residential, general agriculture and timber production are principally permitted.	The project consists of two parts: a Lot Line Adjustment and Minor Subdivision. The Lot Line Adjustment will adjust the boundaries between three parcels resulting in three parcels (Parcel A, Parcel B and Parcel C). Proposed Parcel A will be approximately 91 acres in size and utilized for agricultural purposes. Proposed Parcel B will be divided into four parcels and a Remainder ranging in size between 16 acres and 22 acres. The parcels will be served with community water and sewer provided by the Humboldt Community Services District. Proposed Parcel C will be approximately 40 acres in size.
Development Standards		
Minimum Parcel Size:	R-1: 10,000 square feet AG: 2.5 acres AE: 60 acres	All resultant parcels will meet their minimum respective parcel sizes.
Minimum Yard Setbacks per Zoning: SRA Setbacks apply	Front: 30' Side: 30' Rear: 30'	Setbacks for future development will be required to meet standards at time of Building Permit.
Maximum Ground Coverage	R-1: 35% AG: 35% AE: none specified	Future development will be required to meet current standards.
Maximum Structure Height	R-1: 35 feet AG: 35 feet AE: none specified	Future development will be required to meet current standards.
Combining Zones		

<p>314-22.2 GO - GREENWAY AND OPEN SPACE</p>	<p>The Greenway and Open Space (GO) Combining Zone is intended to be applied within the urban limits of the Eureka Community Planning Area in sensitive habitat areas historically known as gulches. These regulations are intended to set forth standards for the development of areas containing gulches and to retain the lush vegetation and habitat values for numerous wildlife species such as birds, fish and small mammals. The Board of Supervisors finds that Greenway and Open Space areas serve an important function as natural drainage channels and represent a unique scenic asset to the community. Retaining Greenway and Open Space areas in a relatively undeveloped state is intended to help maintain a high quality of living environment as the community develops.</p>	<p>The majority of the project area is relatively flat, however, there are some areas over 30% slope forming some gulches. All proposed building sites are well above the 30% break in slope. In addition, consistent with the GO combining zone, a detailed development plan will be prepared mapping the 30% break in slope and labeling the area below the break in slope "unbuildable."</p>
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Environmental Impact:

See A.5. below

B4. Public Health, Safety and Welfare:

The project will not be detrimental to the public health, safety and welfare nor will it be materially injurious to properties or improvements in the area because:	Evidence supporting the finding:
All reviewing referral agencies have approved or conditionally approved the proposed project design.	See Attachment 4 - Agency Recommendations
The proposed project is consistent with the general plan.	See previous discussion
The proposed project is consistent with the zoning.	See previous discussion
The proposed project will not cause environmental damage.	See following discussion

A4/B5. Impact on Residential Density Target: See discussion under Section 2 above.

A5. Environmental Impact:

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 Wildlife Code apply to this project. The applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,330.75. [Note: In order to comply with the time limits for filing the Notice of Determination per CEQA, this payment will be requested from the applicant prior to hearing and will be held by the Planning Division pending a decision on the permit.] Pursuant to Section 711.4 of the Fish and Wildlife 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, 2018 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Wildlife 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 \$2,280.75 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 #7 of Attachment 1.

ATTACHMENT 3

Applicants' Evidence In Support of the Required Findings

Document	Date Received by Planning	Location
Tentative Subdivision Map	September 22, 2017	Attached
Application Form	September 22, 2017	On file with Planning
Preliminary Title Report	September 22, 2017	On file with Planning
Exception Request for Right of Way width	September 25, 2018	Attached
Calfire Exception Request for Dead End Road	August 13, 2018	Attached
Drainage Report	April 2, 2018	On file with Planning
Fault Evaluation Report (SHN, Nov. 2016)	November 2016	Attached on CD and available at https://humboldt.gov.org/2347/Major-Projects
Applicant's response to Public Works comments	September 25, 2018	Attached
Easement Grant Deed for easement across APN 307-021-021	September 25, 2018	On file with Planning
Cultural Resources Investigation (Nick Angeloff, July 2018)	July 2018	On file with Planning (confidential)

Kelly – O'Hern Associates

3240 Moore Avenue – Eureka, CA 95501
Email: kellyohern@sbcglobal.net

Professional Land Surveyors
Phone and fax: 707-442-7283

September 25, 2018

Trevor Estlow
Humboldt County Planning Division
3015 H Street
Eureka, CA 95501



RE: Tentative Parcel Map for Humboldt Hill Land & Cattle LLC
APN 307-041-007

Dear Trevor:

Pursuant to Humboldt County Code Section 325-9, the applicant requests an exception from the subdivision ordinance requirement for a 50-foot-wide right of way

The referenced section of the Humboldt County Code lists three conditions that must be met in order to consider an exception. These conditions and the specific information for this request are as follows:

(1) *That there are special circumstances or conditions affecting said property.*

The existing right of way from Donna Drive is only 20 feet wide. The applicant proposes access only through this easement and not any parking along this section of the road.

(2) *That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.*

This access road has been planned for access to this property since the original reservation of a portion of the easement in 1988 (see Book 1885 Official Records, Page 1397). Cattle operations, timber operations and utility companies maintaining utilities on the subject property use an existing road from the end of Humboldt Hill Road. These uses can continue to use that access and the access from Donna Drive will only be used for residential purposes.

(3) *That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.*

Based on the design for parcels of this subdivision and potential designs for subdivisions of adjacent lands, there will be limited traffic using the road.

Please let me know if you have any questions regarding any of this information.

Sincerely,
Kelly-O'Hern Associates



Mike O'Hern (agent)



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street Eureka CA 95501 Fax: (707) 268-3792 Phone: (707) 445-7541
<http://www.humboldt.gov.org>

Date: August 10, 2018

To: CALFIRE
Attn: Chris Ramey, 118 S. Fortuna Blvd., Fortuna CA 95540

From: Trevor Estlow, testlow@co.humboldt.ca.us

Subject: Exception Request from Humboldt County Fire Safe Regulation

Section(s): 3111-8

APN: 307-031-24 & -52, 307-041-07

Property Owners Name: Humboldt Hill Land and Cattle Company

Situs Address: South end of Humboldt Hill Road

Building Permit Application Number: (if applicable) N/A

Enclosed please find a request for an exception to the Humboldt County Fire Safe Regulations. Please review this request and contact **Trevor Estlow** of this office with your agency's decision.

ATTACHMENTS:

- ☒ Exception Request Form
- ☒ SRA Standard Exception for Small Parcels with Fuel Modification Mitigations Checklist
- ☒ March 8, 2018 letter from CDF Re: Basic Project Review Input on all Development Projects
- ☒ Plot Plan
- ☐ Other: _____

Staff Use Only

Receipt # C10766 (\$55.00 fee) Date Accepted: 8/14/18 By: TE Date Mailed to CDF: 8/15/18
Zoning: R-1-B-2 Standard Setbacks: 30' Front; 30' Rear; 30' Side
Date Parcel Created: 1972 Approximate Size of Parcel in Acres: 132

Packet MUST contain all 9 pages to be considered complete



EXCEPTION REQUEST FORM**Humboldt County Fire Safe Regulations**

Exceptions to standards within the Humboldt County Fire Safe Regulations and mitigated practices will be allowed by the County where it can be shown that the exception provides the same overall practical effect as these regulations towards providing defensible space ¹ (Section 3111-8 Humboldt County Code).

1. *This request is for an exception from Section(s) 3112-11 Dead-End Road length limitation of the Humboldt County Fire Safe Regulations which requires* (briefly describe standard or practice (e.g. 30 foot building setback)).

The maximum length of dead-end road for parcels zones less than one acre in size is 800 feet. The road planned for the subject property will exceed this distance.

2. *This request will provide the same overall practical effect as the Fire Safe Regulations because* (specify the material facts that support the granting of the exception)

The owners of this property have acquired an easement for an emergency access road connecting the south line of the subject property to Berta Road. This will be for emergency purposes, which will provide the same practical effect as a through road. This road will also be available for use by owners to the south for access which will alleviate the problem of access at times when Berta Road is flooded.

3. *The following specific mitigation measures are proposed as part of this exception request* (list any measure(s) to be used to meet the intent of the fire safe standard or practice (e.g. use of fire resistive building construction (Class A Roof, etc.) to achieve equivalent of a 30 foot building setback))

Acquisition of this easement provides through access during emergencies. The intent of the standard for the maximum length of dead-end road is to ensure access during times of emergency.

4. *Attached is a plot plan showing the proposed location and sitting of the exception and / or mitigation measures described above.*

¹ Defensible Space is defined as the area within the perimeter of the parcel where basic wild land fire protection practices are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter used is the area encompassing the parcel excluding the physical structure itself. The establishment and maintenance of emergency vehicle access, emergency water reserves, street names and building identification and fuel modification measures characterize the area.

Kelly-O'Hern Associates

3240 Moore Avenue – Eureka, CA 95501
email: kellyohern@sbcglobal.net

Professional Land Surveyors

Phone and fax: 707-442-7283

September 25, 2018

Trevor Estlow
Humboldt County Planning Department
3015 H Street
Eureka, CA 95501



RE: Humboldt Hill Land & Cattle LLC
APN 307-031-24 & -52, 307-041-07

Dear Trevor:

The purpose of this letter is to address comments in the August 27, 2018 memorandum from the Land Use Division, as follows:

PROOF OF LEGAL ACCESS – PRIMARY: There is an existing easement over a portion of the HCSD property (APN 307-041-008). The applicant has requested that HCSD grant an easement over the northerly portion of their property also. Since the easement will need to be granted after a board meeting for HCSD, the applicant requests that this be a condition of approval for the recordation of the map.

PROOF OF LEGAL ACCESS – EMERGENCY: An emergency access easement has been acquired. Please see the attached easement document. Also, an easement has been granted to the owner south of this property for access through the Humboldt Hill Land and Cattle LLC property.

EMERGENCY (SECONDARY) ACCESS: The proposal is to give the Fire District and/or Calfire a key or other means of opening the gates in case of an emergency.

There are limited options for other secondary access routes since the California Coastal Commission has denied an application to amend the Humboldt Bay Area Plan to include a connection between Humboldt Hill Road and Tompkins Hill Road.

LOW IMPACT DEVELOPMENT (LID): A drainage report for stormwater retention and detention, LID details and stormwater information sheet has been prepared and submitted to the Planning Department office.

RIGHT OF WAY (UNNAMED ACCESS ROAD): Attached is an exception request for the right of way width. The proposal to submit letters agreeing to on-street parking is not normally required for parcel maps and the applicant requests that this not be made a condition for this project. Of the parcels listed, APN 306-181-034 does not have frontage on this easement.

September 25, 2018

Page 2

APN 306-181-045 and 307-041-008 are owned by Humboldt Community Services District and there would be no need for parking on this easement. The only parcel that could park on the easement would be APN 306-181-044. The easement for that parcel is for ingress and egress and not specifically parking. Requesting letters from adjacent owners is problematic since conceivably one party could refuse the respond, which would place the project in a position where there could be no progress. A better way would be to send a letter to that owner and provide an opportunity to respond in writing to the County or appear at the Planning Commission hearing.

LLA: The designation of a “no build corridor” is not appropriate at this time. If a development is proposed for Resultant Parcel A, this topic can be considered. As noted above, the California Coastal Commission has already denied an application to amend the Humboldt Bay Area Plan to include a connection between Humboldt Hill Road and Tompkins Hill Road.

In summary, the applicant would like to have this project presented to the Planning Commission as soon as possible and have the items discussed in this letter made a condition of approval for recordation of the map.

Please let me know if you have any questions regarding this information.

Sincerely,
Kelly-O'Hern Associates



Mike O'Hern

ATTACHMENT 4

Draft Initial Study and Mitigated Negative Declaration

Project Information

Project Title: Humboldt Hill Land and Cattle Minor Subdivision

Lead Agency

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

Property Owners

Humboldt Hill Land and Cattle
John M. Wahlund
2021 Campton Road
Eureka, CA 95503

Kevin McKenny
PO Box 115
Cuttan, CA 95534

Project Applicant

Humboldt Hill Land and Cattle
John M. Wahlund
2021 Campton Road
Eureka, CA 95503

Project Location

The project site is located in the Humboldt Hill area, at the southerly terminus of Humboldt Hill Road, on the property known as 7500 Humboldt Hill Road.

General Plan Designation

Coastal Zone: Agriculture Exclusive (AE); Humboldt Bay Area Plan (HBAP). Inland: Residential Low Density (RL); Residential Agriculture (RA); Humboldt County General Plan – Eureka Community Plan. Density: RL: 1 – 7 dwelling units per acre; RA: one dwelling unit per 5 – 20 acres. Slope Stability: Low and Moderate Instability.

Zoning

Coastal Zone: Agriculture Exclusive with a 60-acre minimum parcel size (AE-60); Inland: Residential One-Family with combining zones specifying a 10,000 square foot minimum parcel size and Greenway and Open Space (R-1-B-2/GO); Agriculture General with a five acre minimum parcel size (AG-B-5(5)).

Project Description

The project consists of two parts: a Lot Line Adjustment and Minor Subdivision. The Lot Line Adjustment will adjust the boundaries between three parcels resulting in three parcels (Parcel A, Parcel B and Parcel C). Proposed Parcel A will be approximately 91 acres in size and utilized for agricultural purposes. The majority of Parcel A is located within the Coastal Zone, however, no line is being added in the Coastal Zone. Therefore, no Coastal Development Permit (CDP) is required. Proposed Parcel B will be divided into four parcels and a Remainder ranging in size between 16 acres and 22 acres. The parcels will be served with community water and sewer provided by the Humboldt Community Services District. A Fault Evaluation Report has been prepared and approved by the County's consulting geologist. An exception request to the maximum length of a Dead End Road has been submitted to and approved by Calfire. Proposed Parcel C will be approximately 40 acres in size and may be divided in the future, however, no application has been submitted.

Baseline Conditions: Surrounding Land Uses and Setting

The project site is located at the southern end of Humboldt Hill. The site has historically been utilized as grazing land. The parcel is surrounded by urban subdivisions to the north with large rural lots to the east, west and south. Humboldt Bay is located approximately 3,000 feet to the west.

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.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? No. If so, has consultation begun? n/a

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

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.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic | |
| <input type="checkbox"/> Utilities/Service | <input type="checkbox"/> 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

11-9-18

 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 at the southern terminus of Humboldt Hill in an area served with community water and sewer. The subdivision will be accessed by an extension of Donna Drive, a County maintained road. The project site is currently developed with a barn and utilized as grazing lands. The site is minimally visible from Highway 101 as it is obstructed by forested hillsides. The site that is located within the Coastal Zone is not located within a Coastal Scenic area. No development is proposed 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 urban residential development immediately to the north. The site is comprised of rolling hillsides historically used as grazing lands. The project site is currently developed with a barn and other outbuildings. 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 four lots and a Remainder, all suitable for residential 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 contains some lands mapped as prime soils, however, the land has been planned and zoned residential for well over 40 years, long before the adoption of the Eureka Community Plan in 1995. The lands zoned Agriculture Exclusive will not be divided and remain suitable for continued cattle grazing. The lands are not designated Unique Farmland or Farmland of Statewide Importance and are not within a Williamson Act contract. The area to be divided is zoned Single Family Residential with a 10,000 square foot minimum parcel size (R-1-B-2) and is not intended to support large agricultural endeavors. The subject property is bordered by much smaller residential parcels to the north. The proposed subdivision would allow additional residential development which is compatible with existing adjacent uses. Single family residential is a primary and compatible use in the Residential Low Density land use designation and is principally permitted in the R-1 zone. The proposed subdivision would not change the land use or zoning designations and as general agriculture is not a permitted use in the R-1 zone, 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 project may result in conversion of forestland through "Less than 3-Acre Conversion Exemptions," however, this is not considered significant in an area planned for this level of residential density. A **less than significant** impact would occur.

- c, d) The project may require an individual "Less than 3-Acre Conversion Exemption" from Calfire when the vacant parcels are developed. The lands associated with the building sites are not host to timber but may be considered timberland. The loss of timberland is not considered significant as the area was reviewed for this level of development under the Eureka Community Plan and prior plans. 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 four parcels and a Remainder suitable for residential 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 four parcels and a Remainder for residential 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 barn and utilized for cattle grazing. No sensitive species were found on site. According to the California Natural Diversity Database, the site is potential habitat for the bristle-stalked sedge, western lily and the Oregon coast paintbrush. The site has been historically grazed by cattle and is not known to possess wetlands, natural drainages or other types of sensitive or critical habitats. A referral was sent 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 with mitigation incorporated**.
- d) The project area is located in a mixture of mostly open agricultural lands and some small wooded areas. It is unlikely that it would be necessary to remove trees for road improvements or other site improvements, however. 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		X		

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
geologic feature?				
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion

a-d) The project proposal was referred to the Northwest Information Center, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. NWIC and the Wiyot Tribe recommended further study. The applicant retained the services of Nick Angeloff, who prepared a Cultural Resources Investigation. The report recommends that monitoring occur by a professional archaeologist during initial ground disturbing activities, an interpretive sign be installed recognizing the original wagon road, and heightened inadvertent discovery protocol. These measures are included in Mitigation Measures No. 2, 3 and 4. Therefore impacts would be **less than significant with mitigation incorporated**.

Mitigation Measure No.2. Prior to any ground disturbing activities, the applicant shall convene a pre-construction meeting on-site describing the heightened chance of finding buried archaeological resource and the procedure to be followed if archaeological deposits are uncovered (further identified in Mitigation Measure No. 3).

Mitigation Measure No.3. The following note shall be place on the Development Plan and carried out through project implementation: "If suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call the Calfire project representative, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe; 3. The professional historic resource consultant, Tribes and Calfire officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.

"If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 5. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site."

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

Mitigation Measure No.4. An interpretive sign recognizing the original wagon road shall be installed at a location deemed appropriate by the author of the Cultural Resource Investigation or another qualified archaeologist. The text of the sign shall read as follows:

Bucksport to Goose Lake Prairie Wagon Road

Decker Hill Road

The construction of the original wagon road from Eureka with the area that later became Hydesville began in 1850 in this location. It linked and for years was the main route connecting Humboldt Bay with the Eel River Valley.

In 1872, work began on a low-elevation road near the bay. In 1919, this route saw service as a detour while the Redwood Highway (101) was being built. In 1921, when the detour was abandoned, the Humboldt Times reported that:

"Humboldt Hill, for a season the terror of local motorists and the dread of tourists, is now a thing of the past as a part of the road system of the county, and there is no need for travelers going up there."

Examples of high quality all weather signage is included in the Cultural Resource Investigation, Appendix E.

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 topsoil?		X		
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			X	

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
sewers are not available for the disposal of wastewater?				

Discussion

- a-d) The project site is within the Alquist-Priolo Special Studies Hazard area as mapped on the Fields Landing quad USGS map. SHN Consulting Engineers prepared a Fault Evaluation Report (FER) which was reviewed by the County's contracted geologist, LACO Associates, and found to be in compliance with the State's regulations. The four parcels and Remainder have each identified a building site that is suitable for residential development. These locations are shown on the Tentative Map and will be further identified on a Development Plan. Additionally, due to the small "cleared area" suitable for development and the relatively large parcel sizes, the building sites shall be staked in the field by a licensed surveyor to assure they correspond with the areas indicated in the FER. This measure is included in Mitigation Measure No. 5. Non-residential development (i.e. garage, barn, etc.) can be located outside of the areas cleared for residential development. Therefore impacts would be **less than significant with mitigation incorporated**.
- e) Any future development would require connection to community water and sewer provided by Humboldt Community Services District and will not utilize on-site wastewater disposal systems. A **less than significant impact** would occur.

Mitigation Measure No. 5: The Development Plan shall depict the locations of "cleared" areas for residential development and geological hazard/non-buildable areas per the Fault Evaluation Report (FER) prepared by SHN Consulting Engineers dated November 2016. These areas shall be staked in the field by a licensed surveyor to assure they correspond with the areas indicated in the FER.

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 seq.), 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 four parcels and a Remainder, all suitable for residential development. The eventual residential construction on the vacant lots would contribute temporary, short-term increases in air pollution from equipment usage. Because of the temporary nature of the greenhouse gas contributions, coupled with the modest quantity of emission, the proposed project would not have a significant impact on the environment, nor conflict with applicable plan, policy, or regulation for the purposes of reducing greenhouse gas emissions. Future residential use would emit limited 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:				
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				X

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
people residing or working in the project area?				
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 five miles from any airport and is not located within any airport land use plans associated with airports. 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 served by Humboldt Bay Fire Protection District for structural fire protection. According to the County's Fire Hazard Map, the site is located in a moderate fire hazard severity area. The subdivision will have access from an extension of Donna Drive, a dead end road. An exception request was submitted to Calfire to exceed the dead end road length. This exception was granted by Calfire based on the applicant providing a secondary emergency access to Berta Drive, thereby, providing a looped road system in the event of a wildfire or other emergency. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Therefore impacts would be **less than significant with mitigation incorporated**.

Mitigation Measure No. 6: The applicant shall provide emergency access across APN 307-021-021 to Berta Drive consistent with the Department of Public Works Subdivision Requirements, including a turnaround area at the gate location and adequate regulatory signage.

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 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				

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 four parcels and a Remainder in a rural residential setting. The majority of the project site is undeveloped. The parcels accommodate stormwater runoff onsite and there is no proposed change in direction of stormwater runoff. The Department of Public Works has provided Subdivision Requirements that require a complete hydraulic and drainage report as well as Low Impact Development techniques to comply with the County's MS4 permit. 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 the Humboldt Community Services District. 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 500 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 residentially zoned area; (2) involves a subdivision creating four parcels and a Remainder consistent with the prescribed density; and (3) would not block or remove any existing streets. Therefore, **no impact** would occur.
- b) The project site is located in an unincorporated area at the south end of Humboldt Hill and is subject to the Humboldt County General Plan, Eureka Community Plan and the Humboldt Bay Area Plan. The project site totals approximately 227 acres. The project will adjust the boundaries of three parcels resulting in one parcel (Parcel A) located in the Coastal Zone and retained for continued agricultural uses, one parcel (Parcel B) to be subdivided into four residential lots and a Remainder, and one parcel (Parcel C) that will be planned and zoned for residential and agricultural uses. Parcel A is planned and zoned for agricultural activities. Parcel B is planned and zoned for residential uses with a density of one dwelling unit per 1-7 acres. Parcel C is a mixture of residential and residential agriculture lands with densities ranging from 1-7 units per acre (Residential Low Density) to one unit per 5-20 acres.

The proposed subdivision would result in four parcels and a Remainder ranging in size from 16 acres to 22 acres.

The proposed project is consistent with the comprehensive view of the Humboldt County General Plan, Eureka Community Plan and the Humboldt Bay Area 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:				
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 project?			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 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 Humboldt County General Plan for residential areas. The project site is located adjacent to Donna Drive, a County maintained road. The site is over five miles from any airport and is outside of the area affected by any Airport Land Use Compatibility Plan.

The proposed project would create four lots and a Remainder for residential development and planned residential use. 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 five miles from any airport and is outside of the area affected by any 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 housing elsewhere?				X

Discussion

- a) The proposed subdivision would create four parcels and a Remainder, with the eventual construction of a residence on the newly created parcels consistent with the existing land use and zoning designations. 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
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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- e) Emergency response in the project area is the responsibility of the Humboldt Bay Fire Protection District, Calfire and the Humboldt County Sheriff's Office. The proposed project will create four parcels and a Remainder. All parcels will have access from an extension of Donna Drive. 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. Parkland dedication fees are required by the Eureka Community Plan. The Department finds no evidence that the project will require construction or expansion of recreational facilities that 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 via an extension of Donna Drive. Road improvements consistent with the Firesafe Ordinance have been made a condition of the Subdivision Requirements provided by Public Works. The proposed project would create four parcels and a Remainder suitable for residential 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 substantially 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 five miles from any 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 a residential use of the site and is compatible with the existing adjacent similar uses. The parcels would have access via an extension of Donna Drive. 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 located at the southerly end of Humboldt and accessed via an extension of Donna Drive, a dead end road. An exception request was submitted to Calfire to exceed the dead end road length. This exception was granted by Calfire based on the applicant providing a secondary emergency access to Berta Drive, thereby, providing a looped road system in the event of a wildfire or other emergency. (See Mitigation Measure No. 6, Hazards and Hazardous Materials). Therefore impacts would be **less than significant with mitigation incorporated**.
- 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 both the Northwest Information Center at Sonoma State University and the Bear River Band of the Rohnerville Rancheria. There was no evidence of the site containing a tribal cultural resource. Nonetheless, the standard condition of inadvertent discovery has been included as Mitigation Measure No. 3. 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 barn and other outbuildings which will likely remain. Future development will be served by community water and sewer provided by the Humboldt Community Services District (HCSD). HCSD has indicated that it has the capacity to serve the project. 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 community water and sewer provided by HCSD. HCSD has indicated that it has the capacity to serve the project, however, annexation is required prior to serving these parcels. 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 is considered a regulated project and is required to comply with the County's MS4 permit. The applicant has demonstrated compliance with this requirement and Public Works has concurred. The site is large enough such that new storm water drainage facilities or the expansion of existing such facilities, the construction of which could cause significant environmental effects, would not be required. **A less than significant impact** would occur.
- d) The project site receives water service from HCSD. 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 four parcels and a Remainder which would not generate significant amounts of 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			X	

beings, either directly or indirectly?				
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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 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. Prior to any ground disturbing activities, the applicant shall convene a pre-construction meeting on-site describing the heightened chance of finding buried archaeological resource and the procedure to be followed if archaeological deposits are uncovered (further identified in Mitigation Measure No. 3).

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 and prior to Building Permit issuance.

Mitigation Measure No. 3. The following note shall be place on the Development Plan and carried out through project implementation: "If suspected archaeological resources are encountered during the project: 1. Stop work within 100 feet of the find; 2. Call the Calfire project representative, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe; 3. The professional historic resource consultant, Tribes and Calfire officials will coordinate and provide an assessment of the find and determine the significance and recommend next steps.

"If human remains are encountered: 1. All work shall stop and per CA Health and Safety Code Section 7050.5: 2. Call the Humboldt County Coroner at (707) 445-7242; 3. The Coroner will determine if the remains are of prehistoric/historic Native American origin. If the remains are Native American Heritage Commission within 24 hours. 5. The NAHC is responsible under CA PRC 5097.98. (a) for identifying the most likely descendent (MLD) immediately and providing contact information. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site."

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.

Mitigation Measure No.4. An interpretive sign recognizing the original wagon road shall be installed at a location deemed appropriate by the author of the Cultural Resource Investigation or another qualified archaeologist. The text of the sign shall read as follows:

Bucksport to Goose Lake Prairie Wagon Road

Decker Hill Road

The construction of the original wagon road from Eureka with the area that later became Hydesville began in 1850 in this location. It linked and for years was the main route connecting Humboldt Bay with the Eel River Valley.

In 1872, work began on a low-elevation road near the bay. In 1919, this route saw service as a detour while the Redwood Highway (101) was being built. In 1921, when the detour was abandoned, the Humboldt Times reported that:

"Humboldt Hill, for a season the terror of local motorists and the dread of tourists, is now a thing of the past as a part of the road system of the county, and there is no need for travelers going up there."

Examples of high quality all weather signage is included in the Cultural Resource Investigation, Appendix E.

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.

Geology and Soils

Mitigation Measure No. 5: The Development Plan shall depict the locations of "cleared" areas for residential development and geological hazard/non-buildable areas per the Fault Evaluation Report (FER) prepared by SHN Consulting Engineers dated November 2016. These areas shall be staked in the field by a licensed surveyor to assure they correspond with the areas indicated in the FER.

Hazards and Hazardous Materials

Mitigation Measure No. 6: The applicant shall provide emergency access across APN 307-021-021 to Berta Drive consistent with the Department of Public Works Subdivision Requirements, including a turnaround area at the gate location and adequate regulatory signage.

ATTACHMENT 5

Referral Agency Comments and Recommendation

All referral agencies that the proposed project was sent to for review and comment are listed below. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection	X	Approval		X
County Public Works, Land Use Division Memorandum dated October 26, 2018	X	Comments	X	
County Public Works, Land Use Division Subdivision Requirements	X	Conditional Approval	(Exhibit A of Attachment 1)	
County Division of Environmental Health	X	Approval		X
Humboldt Community Services District	X	Conditional Approval	X	
Humboldt Bay Fire Protection District	X	Approval		X
NWIC	X	Recommend Study		X
Calfire	X	Conditional Approval	X	
California Dept. of Fish and Wildlife				
California Coastal Commission				
Wiyot Tribe	X	Conditional Approval		X
Bear River Band of the Rohnerville Rancheria				
Blue Lake Rancheria				
PG&E	X	Comments	X	
LACO Associates (County's Contract Geologist)	X	Conditional Approval	X	



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

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	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner, Planning and Building Department

FROM: Robert W. Bronkall, Deputy Director

DATE: 08/27/2018

10/26/2018 revised

RE: HUMBOLDT HILL LAND AND CATTLE CO., APN 307-031-024, PMS17-015,
LLA17-025

PRELIMINARY SUBDIVISION REPORT: A *preliminary report* was submitted in lieu of a *preliminary subdivision report* as specified in County Code Section 323-6(c).

PROOF OF LEGAL ACCESS - PRIMARY: The project is proposing access through Humboldt Community Services District (APN 306-181-046 and 307-041-008). It does not appear that an access easement has been established –or– that an agreement is in place to acquire the necessary access easement. The department recommends that the County Surveyor approve any agreement or easement deed prior to execution.

The applicant is requesting that providing proof of legal access be a condition of approval for the recordation of the map. The project should not be presented to the Planning Commission until proof of legal access is acquired or that the applicant has an agreement is in place to acquire the easement.

EMERGENCY (SECONDARY) ACCESS: The project proposes to utilize a gated secondary access to Berta Road. Portions of Berta Road are one lane wide and are located in a flood plain subject to frequent closure. It is not clear how utilizing Berta Road provides a reasonable secondary access.

In addition, the Department does not support emergency access routes that are gated. Gates do not afford the public with the necessary knowledge for use during an emergency. If a road is not open on the ground, then the public will not necessarily know that an alternate access is available. The Department's experience is that most of these gates will eventually become physically blocked by landowners.

LOW IMPACT DEVELOPMENT (LID): The subject property is located within the municipal separate storm sewer system (MS4) boundary area, the subdivision requires LID standards

EXCEPTION REQUEST FOR RIGHT OF WAY WIDTH: The Department can support the exception request for a reduced right of way width provided that the area noted as no parking in the exception request is posted as no parking. The Department has conditioned the project to install no parking signs.

RIGHT OF WAY (UNNAMED ACCESS ROAD): The tentative map proposes a 20 foot right of way and proposed access onto Donna Drive through the flag lot parcel APN 306-181-045. The subdivision ordinance specifies a 50 foot wide right of way for a category 4 road. The applicant has submitted an exception requested dated 09/25/2018.

Provided that on-street parking is prohibited as conditioned by the Department, the Department can support the exception request.

Prior to the project being presented to the Planning Commission, the Department recommends that the applicant submit letters of support from the owners of APN 306-181-044, 306-181-045, 307-041-008, and 306-181-034 agreeing to the proposed on-street parking restriction.

LLA: The Department recommends that a "no build corridor" be established on Resultant Parcel A to preserve the ability in the future to construct a general plan circulation route to Tomkins Hill Road.

// END //

May 18, 2018

HUMBOLDT COMMUNITY SERVICES DISTRICT

Tentative Map Conditions
(Referral dated May 9, 2018)
Humboldt Hill Land & Cattle Co. LLA & PMS
APN 307-031-024

APPLICANT: Humboldt Hill Land & Cattle Co.
2021 Campton Rd, suite C
Eureka, CA 95503

I. GENERAL:

1. Water and sewer is available upon payment of applicable fees.
2. Annexation of APNs 307-031-052 & -024 into the Humb. Com Services District is required before service will be provided.
3. There will be no onsite public water or sewer main extensions required by this office.

II. WATER:

1. Adequate water pressure for domestic or fire protection needs may not be adequate to serve the proposed lots due to the higher elevation of the proposed building sites. Privately owned and maintained water booster pumps may be required.
2. The existing water main that would serve this project is undersized and will need to be upsized at applicant's expense.

III. SEWER:

1. Applicant shall designate and submit calculations and pump curves for privately owned and maintained sewage lift pump for any lot that needs one.

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

118 S. Fortuna Blvd
Fortuna, CA 95540
(707) 725-4413
Website: www.fire.ca.gov



Ref: 7100 Planning
Date: September 4, 2018



John Ford, Director
Community Development Services Department
3015 H Street
Eureka, CA 95501

Project/Owner: Humboldt Hill Land and Cattle Co APN: 307-031-024 Area: Humboldt Hill

CAL FIRE has reviewed this exception request for the following Humboldt County Fire Safe Regulations:

19.08.090 Dead-End Roads

Inspection revealed that the proposed subdivision cannot meet the requirements of the Humboldt County Fire Safe Regulations, in regard to the maximum dead end road length. The exception request application provided to CAL FIRE indicates the dead-end road mitigation is an easement for an emergency access road exiting through a neighboring parcel (APN: 307-021-021) to Berta Road. In the event of a wild land fire and the primary road is cut off due to fire, the secondary road may be used for incoming emergency response vehicles and outgoing civilian evacuations. If this emergency access road is to be gated, it recommended that a combination lock or automated gate be used to increase the chances of a successful evacuation.

CAL FIRE will recommend conditional approval of this exception request if an easement is acquired with the owner of APN: 307-021-021 allowing the construction of an emergency access road to the Humboldt County Category 2 road standards or better.

Chris Ramey
Battalion Chief, Fire Planning
CALFIRE
Humboldt – Del Norte Unit
For Kurt McCray, Unit Chief



May 24, 2018

Mr. Trevor Estlow
Humboldt County, Planning Division
3015 H Street
Eureka, CA 95501

Re: Projects PMS17-015, LLA17-025
7500 Humboldt Hill Road, Eureka

Dear Mr. Estlow:

Thank you for giving us the opportunity to review your plans. While PG&E has existing gas transmission facilities on the parcel in question, the proposed parcel map subdivision and lot line adjustment dated May 9, 2018 and received by PG&E on May 22, 2018 does not appear to interfere with these existing PG&E facilities or the company's easement rights; therefore, we have no comments at this time.

However, it is imperative that prior to any future construction activities on this parcel, or if modifications are made in any way, that plans be submitted to the email address below for review to ensure any future development does not come into conflict with PG&E's underground facilities or PG&E's easement rights. Please note that this is our preliminary review and reserve the right for future review as needed.

In the event that you require PG&E's gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management



November 10, 2016

7451.12

County of Humboldt
Planning and Building Department
3015 H Street
Eureka, CA 95501

Attention: Trevor Estlow

Subject: Review of Fault Hazard Evaluation Report
Proposed Major Subdivision, Humboldt Hill, California
APN 307-031-052

Dear Mr. Estlow:

In accordance with our proposal dated June 24, 2015, LACO Associates (LACO) provided a geologic peer review of subject Fault Rupture Hazard Evaluation performed by SHN Consulting Engineers and Geologists (SHN) for the proposed major subdivision of the Humboldt Hill Land and Cattle LLC parcels located in Humboldt Hill, APN 307-031-052 (subject property). SHN was retained by Humboldt Hill Land and Cattle LLC to perform a geologic evaluation of fault hazards as required by Section 2621.5 of the California Public Resources Code and Title III Land Use and Development, Division 3, Building Regulations, Chapter 6 – Geologic Hazards, Section 3a of the Humboldt County Code. This letter provides our review of the Fault Rupture Hazard Evaluation Report dated November, 2016.

Our services were limited to the following: (1) review of reference materials provided by SHN; (2) review of the Fault Rupture Hazard Evaluation Report, dated November, 2016; (3) a cover letter for the Revised Draft Fault Rupture Hazard Evaluation Report containing responses to previous reviewer comments, dated September 2, 2016; and (4) observation of trenching activities at the subject property by a Certified Engineering Geologist over the course of six site visits from July 6, 2015 to August 20, 2016. Based on our review of the documents listed above and the observation of trenching activities, we are in general concurrence with the findings and conclusions presented by SHN in the report.

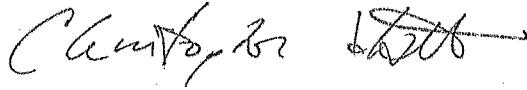
1. At the outset of the investigation we indicated that if exposed conditions did not lend themselves to more conventional methods of dating, the eolian silt unit was acceptable for determining the age of faulting at this site. Earlier interpretations (prior investigations in the area) of the eolian silt were based on a crude understanding of age constraints and its age has since be refined based on recent studies along the west coast of North America and this site in particular. Therefore, we accept the expert opinion from SHN attesting to the age of the eolian silt and consequently, its validity as a critical horizon for determining the activity of the faults.
2. Based on fault complexity, resolution of trench exposures, degree of fault continuity, zone of deformation width, and observed low-displacement faults, we accept the proposed development setbacks which range from 15 to 25 feet from the observed/projected fault traces. A setback of 50 feet is standard for critical structures where significantly active faults or seismic faults with much larger displacements occur.

21 W. 4th Street, Eureka, California 95501 707 443-5054 Fax 707 443-0553
311 S. Main Street, Ukiah, California 95482 707 462-0222 Fax 707 462-0223
3450 Regional Parkway, Suite B2, Santa Rosa, California 95403 707 525-1222

Review of Fault Hazard Evaluation Geologic Report
Humboldt Hill Land and Cattle LLC Property, Humboldt Hill, California
County of Humboldt; LACO Project No. 7451.12
November 10, 2016
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We trust this letter meets your needs at this time. If you have further questions or wish to discuss this matter further, please contact me at (707) 462-0222.

Yours truly,
LACO Associates



Christopher J. Watt
CEG 2415, Exp 3/31/18



CJW/JRB:jc

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