



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

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

Hearing Date: March 21, 2019 - **CORRECTED MAPS** -  
To: John H. Ford, Humboldt County Zoning Administrator  
From: Steve Werner, Supervising Planner  
Subject: **Manila Community Services District - Water Infrastructure Improvements Project** Coastal Development Permit  
Case Number CDP-18-012  
Assessor's Parcel Number (APN) 400-011-016 and State/County Right-of-Way  
Manila Area

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Please contact Joshua Dorris, Planner, at 268-3779, or by email at [jdorris@co.humboldt.ca.us](mailto:jdorris@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

| Hearing Date   | Subject                    | Contact       |
|----------------|----------------------------|---------------|
| March 21, 2019 | Coastal Development Permit | Joshua Dorris |

**Project:** A Coastal Development Permit (CDP) application for the Manilla Community Services District (MCSD) to modernize the MCSD water system infrastructure to meet the current minimum health and safety requirements. The majority of the infrastructure is over fifty (50) years old and upgrades are needed to the capacity, functionality, and reliability of the system. The MCSD is proposing to replace and upgrade the following main components of the system: 1) Replace the existing one-hundred thousand gallon (100,000) capacity redwood water storage tank with a one-hundred fifty-thousand (150,000) gallon capacity metal tank to provide working storage, emergency storage, and fire storage; 2) Pumping and disinfection system, along with associated piping, valves and controls within new pump house building; and 3) Select distribution system components, including installation of isolation valves and interconnecting distribution mains, piping and appurtenances.

**Project Location:** The project is located in Humboldt County, in the Manila area. The MCSD storage and treatment location, and MCSD office is located at the northwest corner of the intersection of Lupin Avenue and Park Street on the property known as 1901 Park Street (APN 400-011-016), with eleven (11) other locations in the State of California/Humboldt County Right-Of-Way.

**Present Plan Designations:** 400-011-016: Residential/Low Density (RL); Other sites: State of California/Humboldt County Right-of-Way within areas designated Residential Estates (RE), Residential/Low Density (RL) and Commercial General (CG).

**Present Zoning:** 400-011-016 : RS-5-M/A,B (Residential Single Family – 5,000 square foot minimum-Manufactured Home/Archaeological Resource Outside Shelter Cove, Beach and Dune Area); Other sites: State of California/Humboldt County Right-of-Way within areas classified as RE-20-M/B (Residential Estates - 20,000 square foot minimum-Manufactured Home/Beach and Dune Area), RS-5-M/A (Residential Single Family – 5,000 square foot minimum- Manufactured Home/Archaeological Resource Outside Shelter Cove), RS-5-M (Residential Single Family – 5,000 square foot minimum- Manufactured Home) and CG (Commercial General).

**Case Number:** CDP-18-012

**Application Number:** 14078

**Assessor's Parcel Numbers:** 400-011-016, and California/Humboldt County Right-of-Way.

| <b>Applicant</b>                                                                                         | <b>Owner(s)</b>                                 | <b>Agent</b>                                                         |
|----------------------------------------------------------------------------------------------------------|-------------------------------------------------|----------------------------------------------------------------------|
| Manilla Community Services District (CSD)<br>Attn: Christopher Drop<br>1901 Park St.<br>Arcata, CA 95521 | Manila CSD<br>1901 Park St.<br>Arcata, CA 95521 | GHD, Inc.<br>Attn: Brett Vivyan<br>718 Third St.<br>Eureka, CA 95501 |

**Environmental Review:** As Lead Agency, Manila Community Services District prepared an *Environmental Initial Study/Mitigated Negative Declaration* (SCH #2018012011 – adopted March 15, 2018) and filed a Notice of Determination with the California Office of Planning and Research.

Pursuant to Section 15096 (Process for a Responsible Agency) of the CEQA Guidelines, Humboldt County Planning and Building Department, as the CEQA Responsible Agency, is obligated to make a CEQA determination regarding the activity that is proposed to be undertaken.

**Major Issues:** None.

**State Appeal Status:** Project is appealable to the California Coastal Commission.

**MANILA COMMUNITY SERVICES DISTRICT**  
**COASTAL DEVELOPMENT PERMIT**  
Case No. CDP-18-012  
APNs 400-011-016 and 000-000-000,  
State of California/County of Humboldt Road Right-of-Way

**Recommended Zoning Administrator 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 applications as a part of the consent agenda:

*Find the proposed project consistent with Section 15096 (Process for a Responsible Agency) of the CEQA Guidelines, that all significant environmental impacts have been addressed in the MND for the project, and that no new changes or alterations have been made that require additional environmental review, and make all of the required findings for approval of the Coastal Development Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Manila Community Services District Coastal Development Permit subject to the recommended conditions.*

**Executive Summary:** A Coastal Development Permit (CDP) for the Manilla Community Services District (MCSD) to modernize the community water system and provide a more robust and reliable system, increased ability to isolate system segments, and to meet the current minimum health and safety requirements. The majority of the infrastructure is over fifty (50) years old and upgrades are needed to the capacity, functionality, and reliability of the system.

MCSD is proposing to replace and upgrade the following main components of the system: 1) Water Storage Tank at the MCSD parcel: replace existing one-hundred thousand gallon (100,000) capacity redwood water storage tank with an estimated one-hundred fifty-thousand (150,000) gallon capacity metal tank to provide working storage, emergency storage, and fire storage; 2) Pumping and Disinfection System, along with associated piping, valves and controls within new pump house building. The pumping and disinfection system, along with associated piping, valves and controls, is the key operational system for the MCSD. A new concrete masonry structure would be constructed at the MCSD office parcel to house pumping and disinfection equipment and associated piping and valves. This building would also house the control equipment and a standby generator to power the pumps and control systems; and 3) Select Distribution System Components, including installation of isolation valves and interconnecting distribution mains, piping and appurtenances.

MCSD, as Lead Public Agency for the project under CEQA, prepared an Environmental Initial Study and adopted a Mitigated Negative Declaration (*State Clearinghouse #2018012011*). As Responsible Agency under CEQA, Humboldt County Planning and Building Department, is obligated to make a CEQA determination regarding the activity that is proposed to be undertaken. The work would occur at the MCSD office site at 1901 Park St. (APN 400-011-016), and all other work would take place at eleven (11) sites within the MCSD area at utility easements or within the State or Humboldt County Road ROW. Staging of construction equipment and materials would occur at the MCSD office parcel, the paved area adjacent to the MCSD's wastewater treatment building (APN 400-171-008), or along the shoulder within Lupin Drive ROW. Access along affected roadways would be maintained throughout the project. This has been made a condition of approval.



Archeological review of this project included a cultural resources investigation, and consultation with three (3) THPOs. A Condition of Approval has been included regarding the inadvertent archaeological feature discovery protocol.

A biological survey, migratory bird survey, and botanical survey were conducted as part of the Initial Study/Mitigated Negative Declaration for this project. Mitigation Measures were developed requiring the applicant to contract with qualified professionals to conduct preconstruction surveys for special-status plant species and red-legged frogs, and prevent disturbance to nesting birds by avoiding construction activities during the nesting season.

The project is consistent with the HBAP and the HCC for the following reasons: 1) the project brings the existing water disinfection, storage and delivery system up to current standards and maintains public safety, and 2) the proposed project does not increase capacity of the water system and does not support development beyond existing conditions.

Based on the on-site inspection, a review of Planning Division reference sources, and a review of comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Coastal Development Permit.

**Alternatives:** Three (3) alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and refer the application to the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval or; 3) the Zoning Administrator could deny approval of the requested permits if unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 19-  
Case Number CDP-18-012  
Assessor's Parcel Numbers 400-011-016 and 000-000-000  
(State/County Right Of Ways)**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Coastal Development Permit.

**WHEREAS**, Manila Community Services District, submitted an application and evidence in support of approving a Coastal Development Permit for upgrades to the drinking water infrastructure improvement project; and

**WHEREAS**, the County Planning and Building Department 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**, pursuant to Section 15096 (Process for a Responsible Agency) of the California Environmental Quality Act (CEQA) Guidelines, Humboldt County Planning and Building Department, as the CEQA Responsible Agency, is obligated to make a CEQA determination regarding the activity that is proposed to be undertaken; 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 Coastal Development Permit (Case No. CDP-18-012); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Zoning Administrator on March 21, 2019.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Zoning Administrator that:

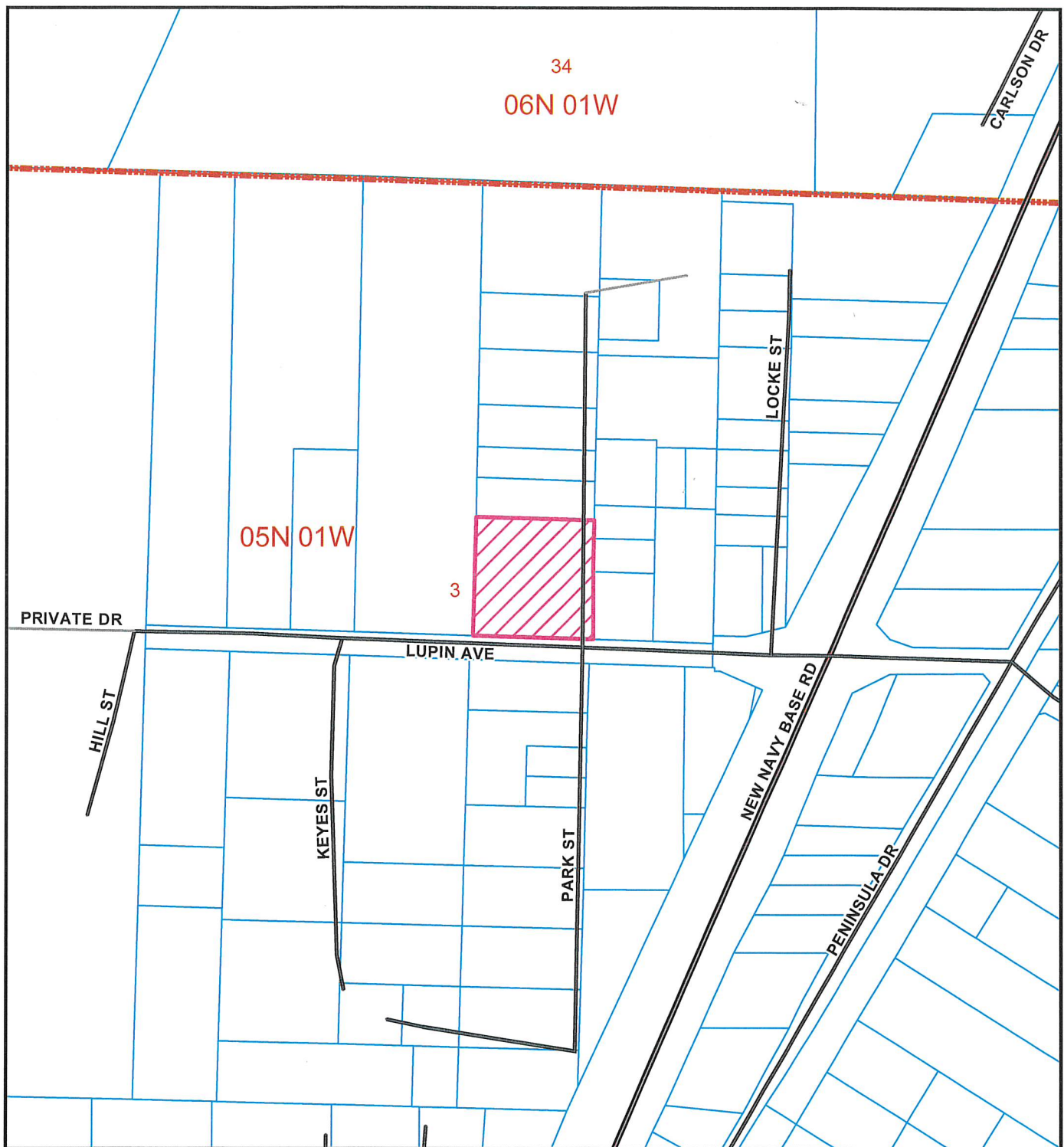
1. The proposed project was evaluated under the Environmental Initial Study for the Manila Community Serviced District Water Infrastructure Improvement Project, and the County of Humboldt, as Responsible Agency pursuant to Section 15096 of the California Environmental Quality Act (CEQA) Guidelines, determined that the Initial Study and Mitigated Negative Declaration have identified and reduced environmental effects to less than significant and that no further environmental review is required; and
2. The findings in Attachment 2 of the Planning Division staff report support approval of Case Number CDP-18-012 based on the submitted evidence; and
3. Approves the Coastal Development Permit Case Number CDP-18-012 as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on March 21, 2019.

I, John H. Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

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John H. Ford  
Zoning Administrator



# LOCATION MAP

## PROPOSED MANILA COMMUNITY SERVICES DISTRICT COASTAL DEVELOPMENT PERMIT

MANILA AREA

CDP-18-012

APN: 400-011-016

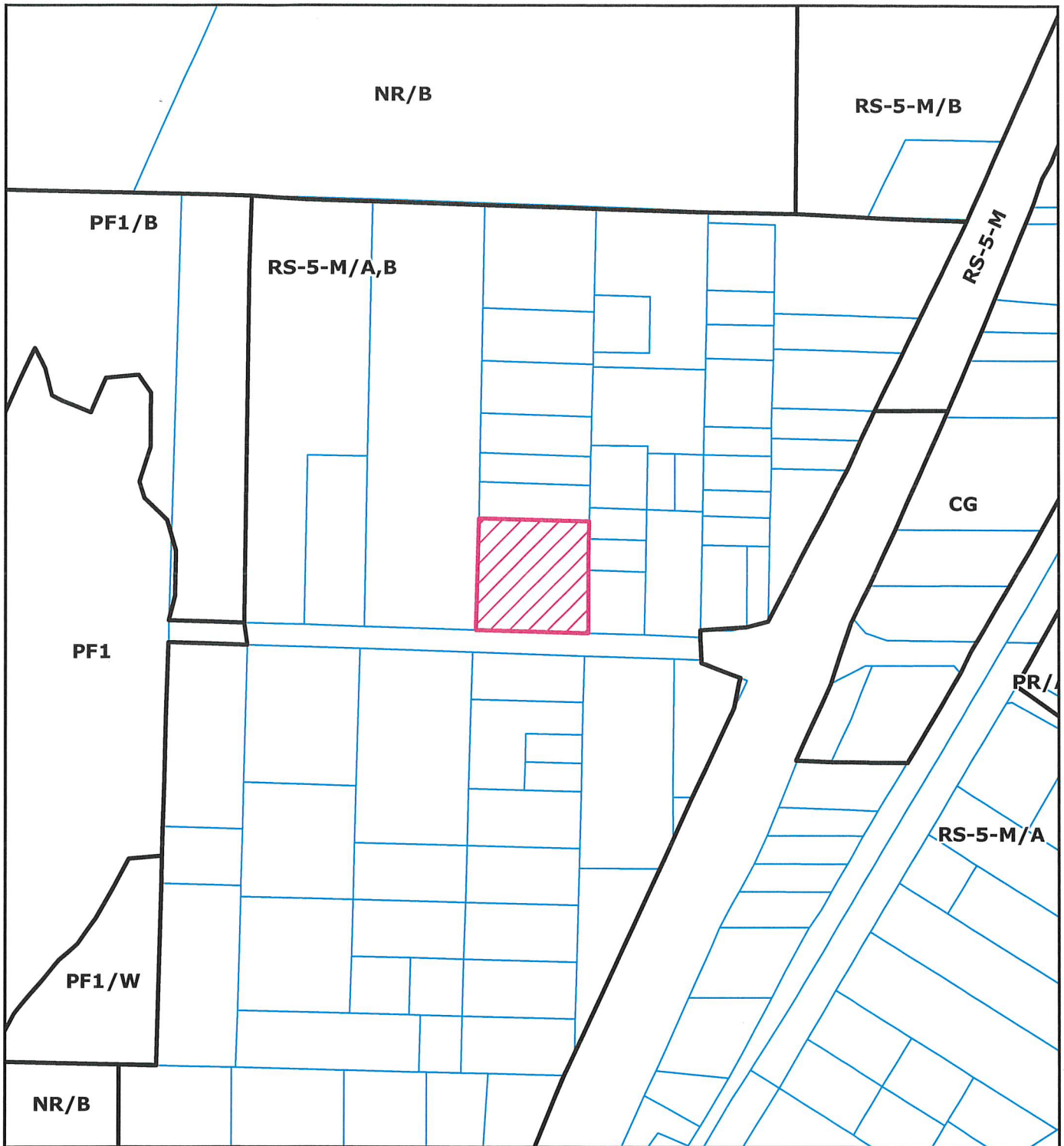
T05N R01W S03 HB&M (Eureka)

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.



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# **ZONING MAP**

## **PROPOSED MANILA COMMUNITY SERVICES DISTRICT COASTAL DEVELOPMENT PERMIT**

**MANILA AREA**

**CDP-18-012**

**APN: 400-011-016**

**T05N R01W S03 HB&M (Eureka)**

**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.



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# **AERIAL MAP**

## **PROPOSED MANILA COMMUNITY SERVICES DISTRICT COASTAL DEVELOPMENT PERMIT**

**MANILA AREA**

**CDP-18-012**

**APN: 400-011-016**

**T05N R01W S03 HB&M (Eureka)**

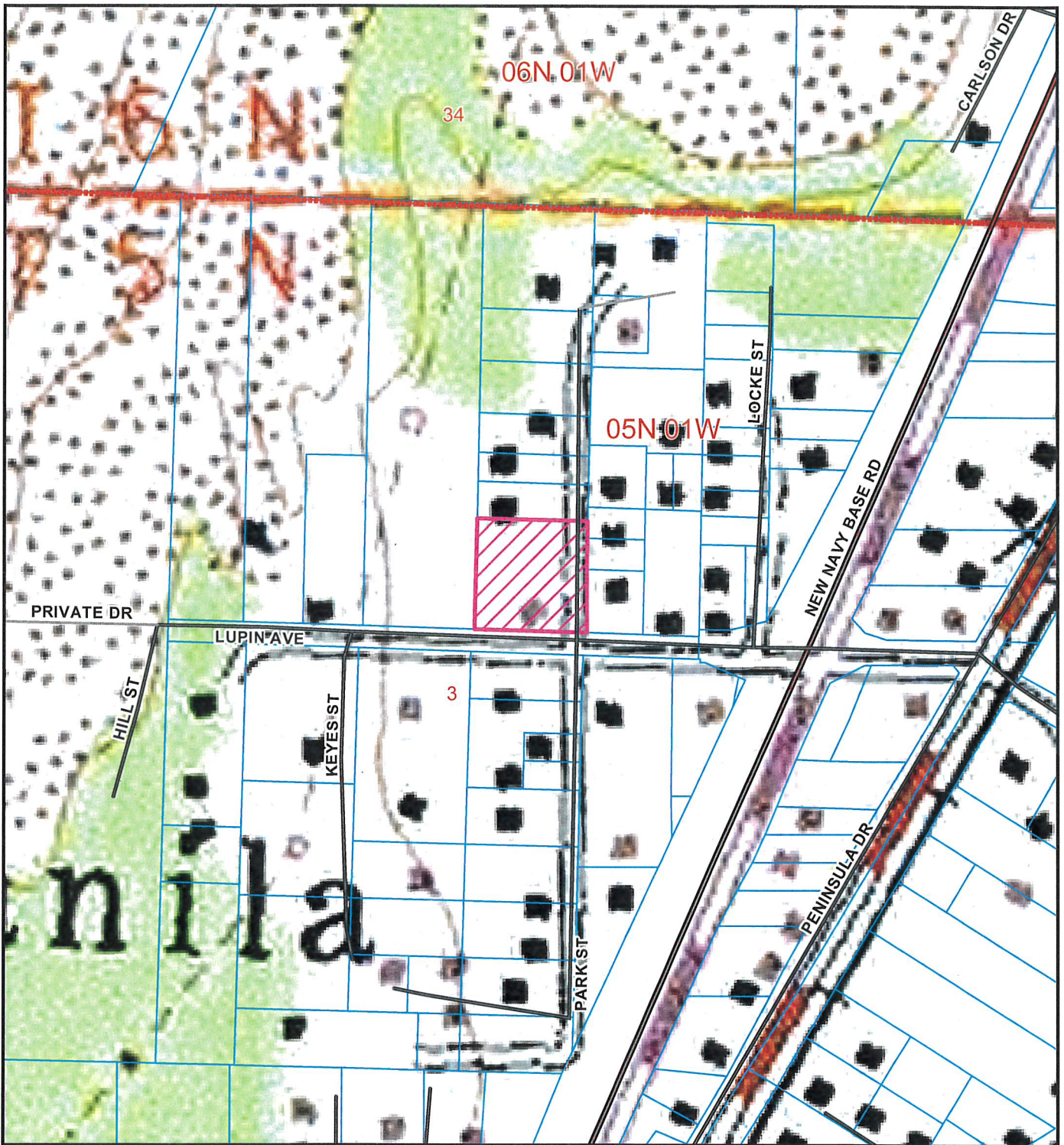
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# TOPO MAP

## PROPOSED MANILA COMMUNITY SERVICES DISTRICT COASTAL DEVELOPMENT PERMIT

MANILA AREA

CDP-18-012

APN: 400-011-016

T05N R01W S03 HB&M (Eureka)

Project Area = 

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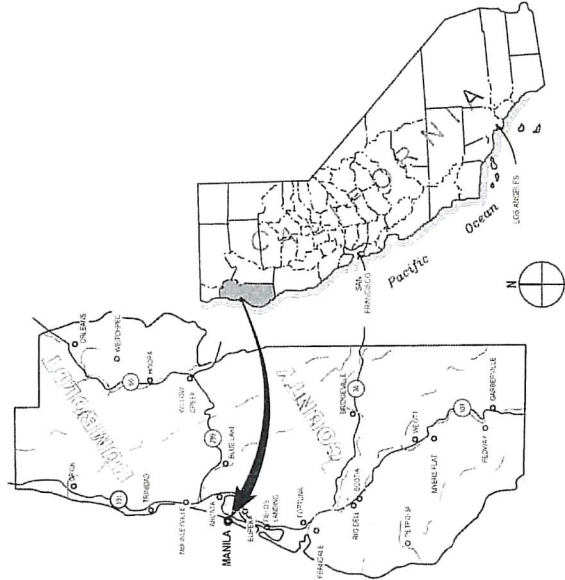


# MANILA COMMUNITY SERVICES DISTRICT DRINKING WATER INFRASTRUCTURE IMPROVEMENT

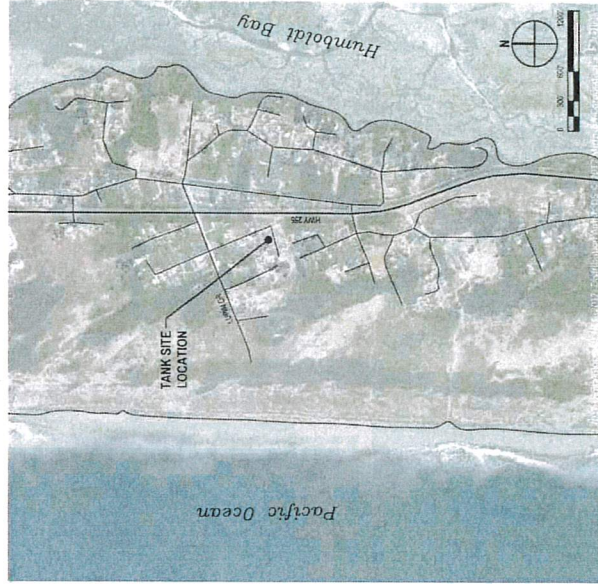


MARCH 2018

## AREA MAP



## LOCATION MAP



## APPROVALS

MANILA COMMUNITY SERVICES DISTRICT  
CHRIS DROP, GENERAL MANAGER

ENGINEER: GHD INC.  
STEVE MCNAMNEY, P.E.

DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_

60% DESIGN

MANILA COMMUNITY SERVICES DISTRICT  
DRINKING WATER INFRASTRUCTURE IMPROVEMENT  
COVER SHEET

Project No. 1110083  
ANSI D G-001

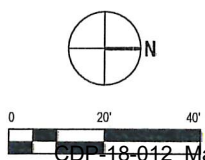
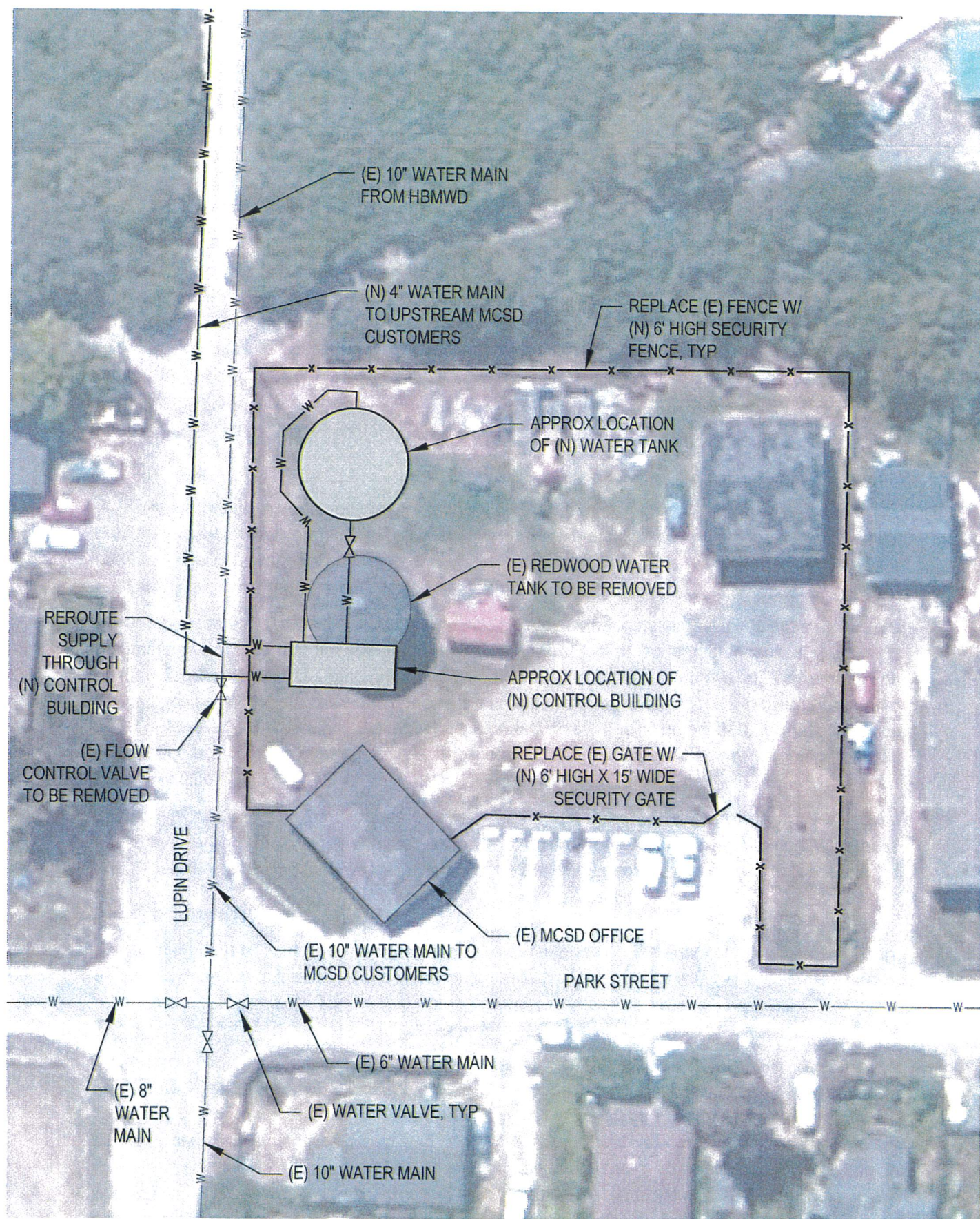




| SURVEY CONTROL POINTS |           |           | SHEET GENERAL NOTES |                                                                                                                                                         |
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| POINT                 | EASTING   | NORTHING  | DESCRIPTION         |                                                                                                                                                         |
| 1                     | 565250.73 | 210564.98 | 74.1                | 1 PROJECT INCLUDES, UNLESS INDICATED OTHERWISE, ALL SHEET GENERAL NOTES, COORDINATE SYSTEM INFORMATION AND SHEET CANNOT BE REPRODUCED FOR ANY PURPOSES. |
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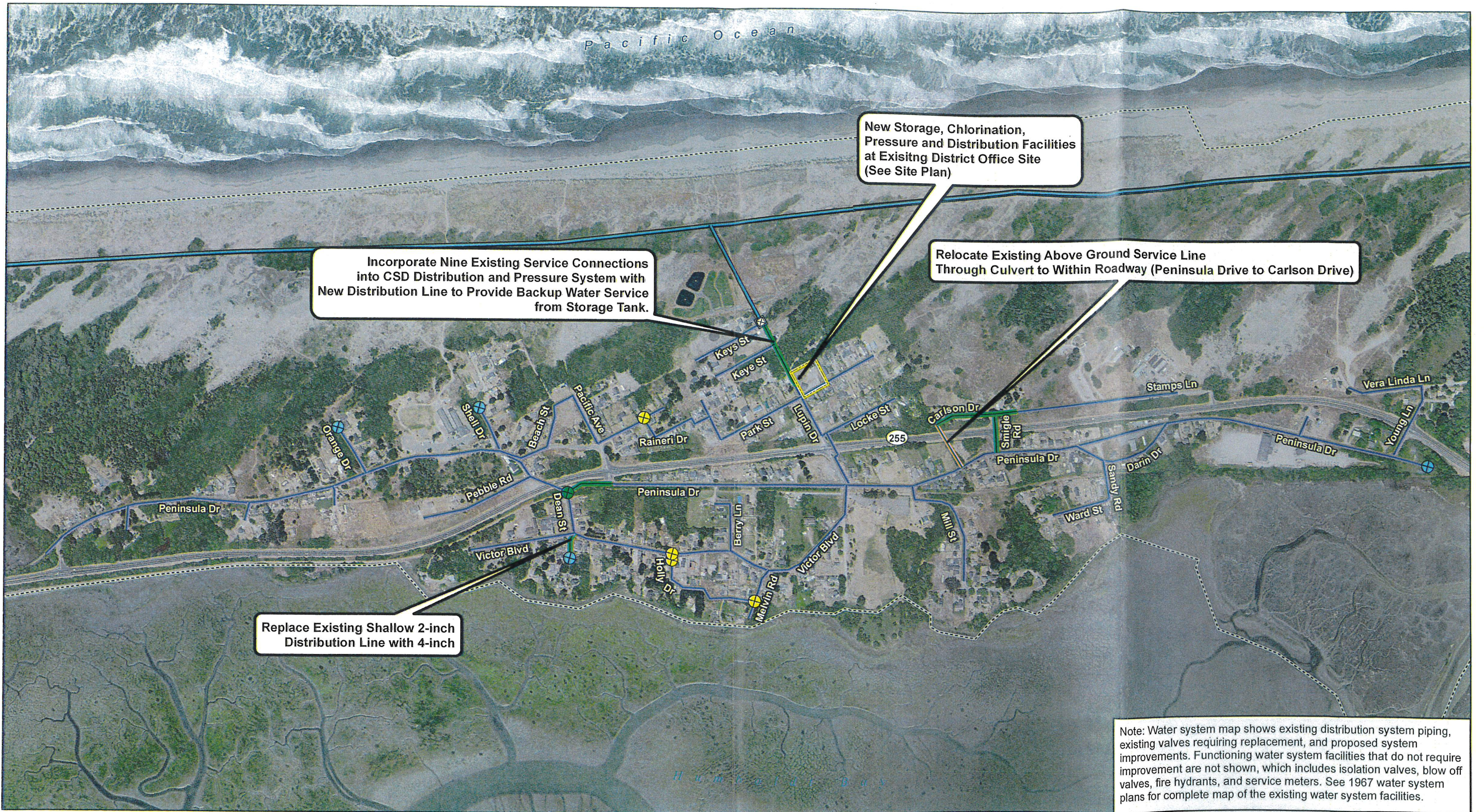
MANILA COMMUNITY SERVICES DISTRICT  
WATER INFRASTRUCTURE  
IMPROVEMENTS PROJECT  
**PROPOSED PROJECT  
SITE PLAN**

March 21, 2019

Project No. 11110683  
Report No.  
Date 15 May 2017

Page 13  
**FIGURE 3**







## **ATTACHMENT 1 RECOMMENDED CONDITIONS OF APPROVAL**

Approval of the Coastal Development Permit is conditioned upon the following terms and requirements which must be fulfilled before work is initiated or during project implementation.

1. Development shall be conducted consistent with the approved Project Description, Site Plan, and Mitigation Measures in the adopted *Mitigated Negative Declaration for the Manila Community Services District Water Infrastructure Impartments Project* dated January 2018.
2. The applicant shall apply for, and obtain, an Encroachment Permit from the County prior to beginning any work on County roads, and an encroachment permit from Caltrans prior to beginning any work on SR 255.
3. The applicant shall provide traffic control and other temporary provisions in accordance with County of Humboldt Encroachment Permit Conditions.

### **On-going Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:**

1. The applicant is responsible for receiving all necessary permits and/or approvals from state and local agencies.

### **Informational Notes**

1. If archaeological finds dating to the prehistoric and/or historic periods are encountered during construction activities, the contractor foreman shall cease all work in the immediate area and within a 20 meter (66 foot) buffer of the discovery location and immediately notify the Manila Community Services District (MCSD) General Manager. A qualified professional archaeologist shall be retained by MCSD to conduct a rapid response examination of the find, assess its potential significance, and recommend a treatment plan in coordination with the Project Engineer and others as appropriate to recover important information where significant impacts cannot be avoided. A professional experienced in historic era archaeology shall be required to evaluate and treat historic period finds. In cases where Native American archaeological constituents are inadvertently discovered, the Tribal Historic Preservation Officers (THPOs) for the Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe will be consulted by the about the discovery's significance and development and implementation of a culturally sensitive treatment plan to be carried out by the consulting archaeologist and tribal representatives as appropriate.

Prehistoric archaeological discoveries may include obsidian or chert flakes and flaked-stone tools; locally darkened ashy midden soils with fire cracked rock; shellfish and faunal food refuse; groundstone artifacts such as mortars and pestles; shell beads and ornaments; and intact human burials or skeletal remains. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to identify the Most Likely Descendant (MLD), who shall recommend to the property owner the appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99. Examples of potentially significant historic archaeological finds include but are not limited to: mortared bricks or rock alignments (possible building foundations) or redwood boards or lined pits (in place structural remains); concentrations of refuse (old bottles, ceramics, metal objects, etc.) that may have been discarded into a pit feature

(privy or well); concentrations of refuse lying below or mixed with a distinct burned layer (marked by charcoal, melted glass, pot-lidded ceramics, etc.). The project needs to also be conditioned by the Inadvertent Discovery of Human Remains" protocol cited in the Nov. 2017 report by Roscoe (Sec. 6.1, Page 35), as it is consistent with State laws.

Finally, the Blue Lake Rancheria does recognize the nearby shell mound site as a Tribal Cultural Resource. The Manila CSD maintains water and sewerlines that unfortunately were installed in this archaeological deposit in the past, however, the current project does not involve this infrastructure and Roscoe's fieldwork infers the CSD office at the corner of Lupin and Park is outside this site boundary. We urge the Manila CSD to take extra care and if future work involves nearby infrastructure within the area mapped for CAHUM-321, that the Blue Lake THPO be contacted very early in project planning. The majority of this TCR is owned in permanent conservation status by the Tribe.

2. This permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date") except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must commence may be extended as provided by Section 312-11.3 of the Humboldt County Code.
3. New Development Requires Permit. Any new development as defined by Section 313-139 of the Humboldt County Code (H.C.C.), shall require a coastal development permit or permit modification, except for Minor Deviations from the Plot Plan as provided under Section 312-11.1 of the Zoning Regulations.
4. 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 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.

**ATTACHMENT 2**  
**STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS**

**Required Findings:** To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making all of the following required findings.

The County Zoning Ordinance, Section 312-17 of the Humboldt County Code (Required Findings for All Discretionary Permits) specifies the findings that are required to grant a Coastal Development Permit:

1. The proposed development is in conformance with the County General Plan; and
2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and
3. The proposed development conforms with all applicable standards and requirements of these regulations; and
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity; and
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; and
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
  - a) is categorically or statutorily exempt; or
  - b) has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
  - c) has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

**1. General Plan Consistency:** 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 Bay Area Plan (HBAP) and the County of Humboldt 2017 General Plan (GP).

Replacement of the water storage tank, construction of the pump station building, and replacing water line infrastructure would occur at the MCSD parcel (1901 Park St.). All other distribution system work including reconnections, installation of interties, and isolation valves, would occur in the State/County ROWs.

| Plan Section(s)                                                                                                                  | Summary of Applicable Goal, Policy or Standard                                                                                                                                                                           | Evidence Which Supports Making the General Plan Conformance Finding                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p>Land Use §4.10 (HBAP)</p> <p>Residential Estates (RE)</p> <p>Residential/ Low Density (RL)</p> <p>Commercial General (CG)</p> | <p>The RL designation is to allow development of areas within Urban Limits where community objectives, including resource protection, limit density of potential development, but where urban services are required.</p> | <p>Replacement of the water storage tank, construction of the pump station building, and replacing water line infrastructure would occur at the MCSD parcel (1901 Park St.) which is designated RL. All other distribution system work including reconnections, installation of interties, and isolation valves, would occur in the road ROWs within areas designated RE, RL, and CG.</p> <p>ROWs maintained by the County are held by easement (e.g., Peninsula Drive) and in fee by the State of California (Highway 255). Roads not maintained by the County also contain segments of the water distribution system (e.g., Orange Avenue). All work will occur within these rights of way or easements held by the District.</p> <p>Roads are an allowed use in all areas of the County subject to conformance with resource protection policies of the HBAP. In the present case, the road ROWs exist and the water lines that lie beneath the roads would be improved to meet current standards. The project would improve the safety and stability of the water system in the area. It would not lead to increased densities in the area and is a consistent use within rural lands. The proposed improvements are confined to the existing service area; no extension of service is proposed.</p> |

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| Visual Resource Protection<br>§3.40 (HBAP)                   | Section 30251(5) of the Coastal Act requires new development to, "where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses."                                                                                                                                                                                                                                                                                                                                                                                                               | The road ROWs in the Manila area are not located along the Coastal Scenic or Coastal View designations of the HBAP. There would be a temporary upset in the visual beauty of the area, but only for the time estimated for construction. No improvements are proposed that would obstruct current views.                                                                                                                                        |
| Public Services<br>§3.22 (HBAP)                              | <p>New or expanded public works facilities shall be designated and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division, provided:</p> <ol style="list-style-type: none"> <li>1. State Highway 1 in rural areas of the coastal zone remain a scenic two-lane road</li> <li>2. Special districts shall not be formed or expanded except where assessment for and provision of the service would not induce new development inconsistent with this division</li> <li>3. Where existing or planned public works facilities can accommodate only a limited amount of new development.</li> </ol> | The proposed project would replace and upgrade water infrastructure components of the MCSD to meet current standards. The majority of the infrastructure is over fifty (50) years old and the improvements would improve the safety and stability of the water system in the area. It is intended to adequately serve exiting development. It would not lead to increased densities in the area and is a consistent use within the Urban Limit. |
| Natural Resources<br>§3.30 (HBAP)                            | Protect designated sensitive and critical resource habitats.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | GHD prepared an Initial Study/Mitigated Negative Declaration (MND) for the project. A Biological Resources Analysis was also completed for the project. Mitigation Measures to reduce impacts/disturbances to sensitive plant and animal species have been incorporated as conditions of approval.                                                                                                                                              |
| Archaeological and Paleontological Resources<br>§3.18 (HBAP) | Protect cultural resources, including historic, archaeological, and scenic resources.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Roscoe and Associates completed a Cultural Resources Investigation Report in November 2017. The Report was referred to the THPOs of Blue Lake Rancheria, Wiyot Tribe, and Bear River Band. The THPOs recommended the inadvertent archaeological discovery protocol, which has been incorporated as a condition of project approval.                                                                                                             |

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| <p>Community Infrastructure and Services</p> <p>Chapter 5 (GP)</p> | <p>Goals and policies contained in this Chapter relate to adequate public infrastructure and services that are essential for community, and ensuring a safe means for protection of the County's water resources, health, safety and quality of life.</p> <p>Related polies: IS-P1: Coordination with service providers. IS-P16: Support the efforts of water and wastewater system capital improvement programs.</p> | <p>The proposed project would not extend water service into areas not previously served by water. Water storage capacity and delivery levels are consistent with growth projections for planned uses in the GP and HBAP and were considered in the adoption of the EIRs for the GP and HBAP. The Project was designed to accommodate only densities and growth that are currently approved through the HBAP and GP. The proposed project would not constitute an expansion of capacity in excess of that necessary to provide services in the serviceable area as defined and mapped in the GP and HBAP.</p> |
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**2. Zoning Compliance and 3. 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

Replacement of the water storage tank, construction of the pump station building, and replacing water line infrastructure would occur at the MCSD parcel (1901 Park St.). All other distribution system work including reconnections, installation of interties, and isolation valves, would occur in the State/County ROWs.

| Code Section                                                                                                                    | Summary of Applicable Requirement                                                                              | Evidence That Supports the Zoning Finding                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| MCSD site - §313-6.1<br>Residential Single Family (RS)<br><br>Right of way – located adjacent to several districts (RE, RS, CG) | The RS Zone is intended to be applied in areas of the County suitable for low density residential development. | <p>The proposed project is an Essential Services Civic Use Type allowed as a conditionally permitted use in all zoning districts and includes replacement of drinking water infrastructure. A Use Permit is not required for this work because pursuant to Section 53091(e) of the California Government Code, zoning is inapplicable to the construction of facilities for the production, generation, storage, treatment, or transmission of water. A CDP is required, however.</p> <p>The water system largely lies below existing road rights of way, both public and private. ROWs maintained by the County are held by easement (e.g., Peninsula Drive) and in fee by the State of California (Highway 255). Roads not maintained by the County also contain segments of the water distribution system (e.g., Orange Avenue). All work will occur within these rights of way or easements held by the District. Roads are not specifically identified in the use type classifications but are essential and customary to all zone districts where access and circulation are necessary. The proposed line and system improvements are located in the following zones: RE, RS, CG. The project has been conditioned to require that MCSD secure encroachment permits for the work within public rights of way and adhere to a traffic control plan developed in consultation with these agencies to minimize conflicts during construction.</p> |
| Min. Lot Size                                                                                                                   | 5,000 square feet                                                                                              | N/A no subdivision is proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Min. Lot Width                                                                                                                  | Fifty feet (50')                                                                                               | N/A no subdivision is proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| Yard Setbacks               | Front - twenty feet (20'), Sides - five feet (5'), Rear - ten feet (10')                                        | The proposed improvements at the MCSD site would meet setbacks; other improvements would be within the ROW. |
| qa                          | Thirty-five percent (35%)                                                                                       | Complies                                                                                                    |
| Max. Bldg. Height           | Thirty-five feet (35')                                                                                          | Complies                                                                                                    |
| §313-171<br>Civic Use Types | Civic (Public) Uses include... governmental uses of importance to the public and shall be permitted in any zone | The proposed water lines are considered an essential public use and are permitted in all districts.         |

#### COMBINING ZONES

| ZONE                                                                    | Purpose                                                                                                                                                                                                                                                                                               | Finding in Support of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| 313-16.1 <b>A:</b><br>Archaeological Resource Area Outside Shelter Cove | The purpose of these regulations is to provide for reasonable mitigation measures where development would have an adverse impact upon archaeological and paleontological resources.                                                                                                                   | Roscoe and Associates completed a Cultural Resources Investigation Report in November 2017. The Report was referred to the THPOs of Blue Lake Rancheria, Wiyot Tribe, and Bear River Band. The THPOs recommended the inadvertent archaeological discovery protocol, which has been incorporated as a condition of project approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 313-17.1 <b>B:</b> Beach and Dune Areas                                 | The purpose of these regulations is to ensure that any development permitted in coastal beach and dune areas, as designated in the Coastal Land Use Plan Resource Protection Maps, will not detract from the area's natural resource value or their potential for providing recreational opportunity. | The siting of public water system improvements in the Beach and Dunes area is an allowed use where there is no less environmentally damaging feasible alternative and where environmental damage is minimized. Except for the water tank and the pumping and disinfection system and associated controls, all work will take place within existing road rights of way. The new replacement water storage tank and appurtenances will be constructed at the site of the Manila CSD office and corporation yard, a previously disturbed area used for parking and equipment/ materials storage. This site was evaluated by GHD and a Biological Resources Analysis was prepared for the project. This assessment included a species-specific seasonally appropriate plant surveys. No state- or federally-listed plant species were observed. Mitigation measures have been included to prevent disturbance to |

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|                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                          | nesting birds (see BIO-2) and to protect Northern Red-legged Frogs (see BIO-3). GHD also prepared a wetland delineation for the project. With abandonment "in place" of an existing water pipe adjacent to Northern Peninsula Drive, that connects west towards Carson Drive under SR 255, and that is located in the bottom of a wetland ditch, no wetlands will be directly affected by the proposed construction of the water system improvements. |
| 312-39.6.1<br>Supplemental<br>Coastal Resource<br>Protection<br>Impact Findings<br>Beach and Dune<br>Areas | <p>Development shall be sited and designed to prevent impacts that would significantly degrade beach and dune habitat, and shall be compatible with the continuance of such habitat areas.</p> <p>There is no less environmentally damaging feasible alternative.</p> <p>The development will not interfere with the protection of dredge spoils disposal locations designated in the HBAP Resource Protection Maps.</p> | <p>Complies. See above discussion and evidence.</p> <p>The project is not located within the designated dredge spoils disposal locations designated in the HBAP Resource Protection Maps.</p>                                                                                                                                                                                                                                                         |
| 313-28.1 <b>M:</b><br>Manufactured<br>Homes                                                                | Where the development standards are modified for the sole purpose of allowing manufactured homes.                                                                                                                                                                                                                                                                                                                        | No manufactured homes are existing or proposed.                                                                                                                                                                                                                                                                                                                                                                                                       |

**4. Public Health, Safety and Welfare; and 6. Environmental Impact:** The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare, or materially injurious to properties or improvements in the vicinity and will not adversely impact the environment.

| Code Section | Summary of Applicable Requirement                                                                                                                                | Evidence that Supports the Required Finding                                                                                                                                                                 |
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| §312-17.1.4  | The proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity. | All reviewing agencies have recommended approval of the proposed project. The proposed project in fact may contribute to greater safety as the water delivery system will be improved to current standards. |

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| CEQA Guidelines                           | The proposed project is considered a project subject to environmental review pursuant to the CEQA Guidelines.                                                      | *As Lead Agency, the Manila Community Services District (MCSD) adopted the MND (SCH #2018012011 – March 15, 2018) and subsequently filed a Notice of Determination with OPR and County of Humboldt.                                                                                  |
| § 15096 Process for a Responsible Agency* | The Responsible Agency shall reach its own conclusions on whether the MND adopted by the Lead Agency has adequately addressed and mitigated environmental effects. | As Responsible Agency, the County makes the finding that the MCSD, as Lead Agency for the project, identified and reduced or eliminated all significant environmental impacts in the MND. No new changes or alterations have been made that require additional environmental review. |

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

| Code Section                                | Summary of Applicable Requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Evidence that Supports the Required Finding                                                                                                                                                                                                                                                                                                                              |
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| §312-17.1.5<br>Housing Element<br>Densities | The proposed development shall not reduce or increase 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:<br>1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized. | The proposed CDP is to modernize the existing water storage and distribution systems operated by the Manila CSD within the District's existing property and public right of way and does not affect the residential density of any parcel below that utilized by the Department of Housing and Community development in determining compliance with housing element law. |

**ATTACHMENT 3**  
**APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS**

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division.

- Application Form (in file)
- Project Description (in file)
- Plot Plan (attached)
- CEQA Initial Study/Mitigated Negative Declaration (in file)

**ATTACHMENT 4**  
**Referral Agency Comments and Recommendations**

The project was referred to the following agencies for review and comment. Those agencies that provided written comments are checked off.

| <b>Referral Agency</b>        | <b>Response</b> | <b>Recommendation</b> | <b>On File</b> |
|-------------------------------|-----------------|-----------------------|----------------|
| County P/W, Land Use Division | ✓               | Conditional Approval  | ✓              |
| California Coastal Commission |                 |                       |                |
| Building Inspection Division  | ✓               | Conditional Approval  | ✓              |
| Environmental Health          |                 |                       |                |
| Bear River Band               | ✓               | Conditional Approval  | ✓              |
| Wiyot Tribe                   | ✓               | Conditional Approval  | ✓              |
| Blue Lake Rancheria           | ✓               | Conditional Approval  | ✓              |