

# NOTICE OF PREPARATION 2019049166

To: **Distribution List**

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

**Subject: *Notice of Preparation of a Draft Environmental Impact Report for the North McKay Tract General Plan Amendment, Zone Reclassification, Final Map Subdivision and Planned Development Permit***

**Humboldt County Department of Planning and Building** will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description and the potential environmental effects are attached. A copy of the Initial Study is not attached. ***The Department has determined that the project will likely have significant effects and that an EIR will clearly be required.***

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Michael E. Wheeler at the address shown above. We will need the name, phone number, and email address of a contact person in your **agency**. Your comments may also be transmitted electronically to mwheeler@co.humboldt.ca.us. Please identify the name(s) of the person(s) to contact in the event there are questions about your agency's comments.

**Project Title:** North. McKay Ranch Subdivision, General Plan Amendment (GPA-15-005), Zoning Ordinance Amendment (ZR-15-008), Major Subdivision (FMS-15-004), Planned Development Permit ( PDP-15-001): APNs 017-032-003, 017-071-004, 017-071-009, 017-072-002, 017-072-003, 017-073-007, and 017-073-009; Case Nos.: GPA-15-005, FMS-15-004, PDP-15-001, ZR-15-008. Application No. 9902.

**Project location:** The project is located in Cutten, California, an unincorporated community within Humboldt County, immediately south of the southern boundary of the City of Eureka (Figure 1); United States Geological Survey [USGS] Eureka 7.5-minute Quadrangle, Township 5 North, Range 1 West, Section 36, Humboldt Meridian. The project is located on 7 adjacent legal parcels, for a total of 81.34 assessed acres (Assessor's parcel numbers [APNs] 017-032-003, 017-071-004, 017-071-009, 017-072-002, 017-072-003, 017-073-007, and 017-073-009) (Figure 2) with a central location at latitude and longitude 40.769735° and -124.136079° (Google Earth, 2017). The project area is approximately 2.5 miles south of Humboldt Bay at its nearest point, 2.5 miles southeast of downtown Eureka and U.S Hwy 101, and 1,800 feet southeast of Sequoia Park at its nearest point.

**Project Applicant:** Kramer Properties

Date March 28, 2019

Signature Michael E. Wheeler

**Governor's Office of Planning & Research**

Title: Senior Planner

**APR 29 2019**

Telephone (707) 268-3730

**STATE CLEARINGHOUSE**

## Project Description

- Project title:** North McKay Ranch Subdivision, General Plan Amendment (GPA-15-005), Zoning Ordinance Amendment (ZR-15-008), Major Subdivision (FMS-15-004), Planned Development Permit (PDP-15-001): APNs 017-032-003, 017-071-004, 017-071-009, 017-072-002, 017-072-003, 017-073-007, and 017-073-009; Case Nos.: GPA-15-005, FMS-15-004, PDP-15-001, ZR-15-008. Application No. 9902.
- Lead agency name and address:** Humboldt County Planning & Building Department, 3015 H Street, Eureka, CA 95501-4484; Phone: (707) 445-7541; Fax (707) 445-7446
- Contact person and phone number:** Michael Wheeler, Senior Planner (707) 268-3730; fax: 707-445-7446; email: mwheeler@co.humboldt.ca.us.
- Project location:** The project is located in Cutten, California, an unincorporated community within Humboldt County, immediately south of the southern boundary of the City of Eureka (Figure 1); United States Geological Survey [USGS] Eureka 7.5-minute Quadrangle, Township 5 North, Range 1 West, Section 36, Humboldt Meridian. The project is located on 7 adjacent legal parcels, for a total of 81.34 assessed acres (Assessor's parcel numbers [APNs] 017-032-003, 017-071-004, 017-071-009, 017-072-002, 017-072-003, 017-073-007, and 017-073-009) (Figure 2) with a central location at latitude and longitude 40.769735° and -124.136079° (Google Earth, 2017). The project area is approximately 2.5 miles south of Humboldt Bay at its nearest point, 2.5 miles southeast of downtown Eureka and U.S Hwy 101, and 1,800 feet southeast of Sequoia Park at its nearest point.
- Project sponsor's name and address:**

Applicant	Owner
Attn: Kurt Kramer	Attn: Kurt Kramer
Kramer Properties, Inc.	Fairhaven Cottages, LLC
1589 Myrtle Ave, Suite B	1589 Myrtle Ave, Suite B
Eureka, CA 95501	Eureka, CA 95501
- General Plan designation:**

**Existing:** The project parcels are designated Residential Low Density (RL) 1-7 units/acre (Humboldt County, 2017a). The RL designation is used for areas suitable for residential use where urban services are available or are anticipated to be available. Single-family units on individual lots are the dominant use, but the designation can accommodate a mix of housing types including townhouses and common-wall clustered units (Humboldt County, 2017c).

**Proposed:** Residential Low Density (RL) 1-7 units/acre, Residential Medium Density (RM) 7-16 units/acre, and Commercial General (CG). The project areas proposed for single-family residential development are proposed to retain their existing RL land use designation. The project areas proposed for multifamily residential development are proposed to have their general plan designation changed to the RM land use designation. The project areas proposed for neighborhood commercial development

are proposed to have their general plan designation changed to the CG land use designation. The areas proposed for each land use designation are shown in Figure 3B.

## 7. Zoning:

**Existing:** The project parcels are zoned Residential Single Family (R-1), with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway with Open Space (GO): R-1/P, R, GO.

**Proposed:** Residential Single Family (R-1), with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway with Open Space (GO): R-1/P, R, GO; Apartment Professional(R-4), Planned Unit Development (P), and Greenway with Open Space (GO): R-4/P, GO; Neighborhood Commercial (C-1), Planning Unit Development (P), and Greenway with Open Space (GO): C-1/P, GO. The project areas proposed for single-family residential development are proposed to be rezoned to R-1/P, GO. The project areas proposed for multifamily residential development are proposed to be rezoned to R-4/P, GO. The project areas proposed for neighborhood commercial development are proposed to be rezoned to C-1/P, GO.

## 8. Possible Permits and Approvals

- Humboldt County General Plan Amendment, Major Subdivision, Planned Development Permit, and Zoning Ordinance Amendment
- Annexation into Humboldt Community Services District approved by Humboldt Local Agency Formation Commission (LAFCO)
- California Department of Forestry and Fire Protection (Calfire) Timberland Conversion Permit (TCP) and Timber Harvest Plan (THP)
- Humboldt County Special Permit for vegetation removal and work within a Streamside Management Area
- Humboldt County Building Division Grading Permits
- Humboldt County Department of Public Works Encroachment Permits
- Humboldt County Building Permits
- Regional Water Quality Control Board Stormwater Pollution Prevention Plan (SWPPP)
- Regional Water Quality Control Board 401 Water Quality Certification
- CA Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement
- Army Corps of Engineers Section 404 Permit

9. **Project Site History:** During the historic period, the primary forests of the Ryan Slough area were harvested by Ryan and Duff Company and then the McKay & Co., who owned this section after 1875. This creek valley was the main artery of the McKay & Co. land holdings and facilitated an early logging railroad along the flat canyon bottom which conveyed logs to the Occidental Mill near the bottom of the Freshwater Channel. Several early Eureka City maps show a "trail" in the project vicinity, which was used by McKay & Co. workers to reach the street car station near Sequoia Park (Rohde, 2014). Through the 1900s, pieces of the McKay Tract property were sold to the Pacific Conservation Company. For 35 years, the Pacific Conservation Company allowed the forest to regrow (Rohde, 2014). In 1967, the Georgia Pacific Corporation acquired the property and built truck roads through the tract in

place of the old railroad grades. Georgia Pacific resumed logging operations in the area at that time. The project location remained in timber production, under the ownership of Green Diamond Resource Company. Kramer Properties, Inc. recently purchased a portion of the McKay Tract timber property where they are proposing a new subdivision referred to as the McKay Ranch Subdivision. It will border the existing Redwood Fields ballpark (APNs 017-073-008 and -010), which is a cut-out within the western portion of the project site that is owned by the Field Committee Corporation.

10. **Surrounding land uses and setting:** The project site is located in the Cutten area, near Sequoia Park, to the east of Walnut Drive. The site is currently accessed from Walnut Drive by Fern Street. This access is utilized by users of Redwood Fields and other users of the project site. Currently the site is surrounded by adjacent forests buffering residences to the west and northwest. Views to the site or from the site are very limited. To the south is Glen Paul School. To the north is the gulch occupied by Ryan Creek and development at the end of Manzanita Avenue. Northeast is Redwood Acres Fairgrounds. To the east is a PG&E powerline, Ryan Creek/Slough, the McKay Community Forest (owned by Humboldt County), and Green Diamond Industrial Timberland.
11. **Description of project:** Kramer Properties, Inc. proposes to subdivide 7 parcels of land, approximately 81 acres total in size, into 154 mixed-use lots (Figures 3A-3E). Uses for the lots are intended to include single-family dwellings, multifamily dwellings, and neighborhood commercial. A total of 320 residential units are proposed which, based on market conditions, may include 110 single-family houses and 210 multifamily units. Two commercial parcels are also proposed as part of the project, which will contain approximately 22,000 square feet of commercial space. The project would occur as a nine-phase subdivision; other on-site improvements would include open space, access roads, utilities, landscaping, stormwater infrastructure, etc. Consistent with Humboldt County Zoning Regulations Section 313-31.1.6.5.4, all utilities shall be placed underground. Lots are to be served by community water, wastewater, and street lighting services which are to be extended from Humboldt Community Services District (HCSD). The project includes annexation into HCSD. The project includes a General Plan Amendment and Rezoning. A Planned Development is proposed to allow for lots smaller than the minimum parcel size for this zone. Redwood and Arbutus Streets are proposed to be extended east, with Arbutus Street curving north and eventually intersecting with Redwood Street. Additional side streets will be constructed southeast and northeast of Redwood and Arbutus Streets. All development is proposed to occur on the flat upper terrace portion of the property. Development will have an approximate 100-foot buffer from the 30% break in slope to protect steep slopes from erosion, thereby protecting Ryan Creek and accompanying wetlands. Steep slopes and drainages will remain in protected open space area, in addition to stands of trees to protect adjacent viewsheds and provide habitat. The project is located in the unincorporated area of Humboldt County, California (Township 5 North, Range 1 West, in the Northwest quarter of Section 36) and is within the United States Geological Survey (USGS) 7.5-minute Eureka topographic quadrangle. Elevations at the site occur between 150 and 200 feet above mean sea level.

The project will be built in nine phases over an anticipated 20 or more years. Market conditions will determine the actual timing and order of phased development. The following is an example of how the property may be built out.

#### **Phase 1**

- Timber conversion of 26 acres with clear-cutting occurring adjacent to and within the loop road described above and selective cutting for the remainder of the project on top of the bench.
- Construction of the loop road from Walnut Drive connecting extensions of Arbutus Street with Redwood Street. Utilities are to be constructed concurrently for this portion.
- Construction of 69 multifamily (MF) units on 11.9 acres.

#### **Phase 2**

- Construction of 56 residential units (12 small-lot single-family (SF) units and 44 multifamily (MF) and 2 commercial units) on 7.6 acres, thereby completing the development surrounding Redwood Fields.

#### **Phase 3**

- Construction of McKay Lane with extension of utilities.
- Construction of 31 residential units (11 SF residences and 20 small-lot SF units) on 5.8 acres.

#### **Phase 4**

- Construction of Oakview Drive with extension of utilities.
- Construction of 45 residential units on 8.8 acres.

#### **Phase 5**

- Construction of S Canyon Lane with extension of utilities.
- Construction of 74 residential units (13 SF residences and 61 MF units) on 8.4 acres.

#### **Phase 6**

- Extension of McKay Lane and Oakview Drive with extension of utilities.
- Construction of 20 SF units on 6.9 acres.

#### **Phase 7**

- Construction of Canyon Court with extension of utilities.
- Construction of 15 SF units on 4.9 acres.

## Phase 8

- Construction of Canyon Circle with extension of utilities.
- Construction of 7 SF units on 3.9 acres.

## Phase 9

- Extension of Manzanita Avenue with extension of utilities.
- Construction of 3 SF units on 1.07 acres.
- NOTE: This phase is separate from the rest of the development and may occur at anytime after annexation.

This results in a total of 320 residential units and 2 Commercial units on 81 acres.

### Off-site Improvements

There are a number of off-site improvements that are subject to approval through this process including transportation, water supply/storage, and wastewater connections. These will be discussed in detail in appropriate sections such as the Transportation, Public Services, and Utilities sections of this document. There is still ongoing discussion on whether these improvements will be paid for through an impact fee or whether they will be built by the applicant and what the timing is for these improvements. Since the original application was submitted to the County in 2015, the Martin Slough Interceptor project has been completed, and the Humboldt Community Services District updated its Sphere of Influence (SHN, 2014) to include this project area. To the extent that off-site improvements have not included sufficient details because they are too speculative to analyze at this time, subsequent CEQA review of the improvements may be necessary prior to approval. These improvements and their required timing will be specified as part of the phased subdivision conditions of approval.

### Construction Activity

As noted, the above phasing is likely to take 20 or more years to complete. As designed, as each phase is completed it will block impacts, such as construction dust and noise, to the existing residential neighborhood to the west and towards recently completed phases. Air quality and greenhouse gas emissions have been considered for each of the phases. Traffic will be primarily construction-related during the construction season until the residences become occupied, at which time a growing number of year-round trips will outnumber seasonal construction-related trips. The construction SWPPP will include year-round sediment and erosion control measures which will continue to be implemented during each phase.

### Access/Parking

The project site is currently accessed from Fern Street, which is a 60-ft wide County right-of-way that is paved approximately 16 feet in width. This road provides access to Redwood Fields and other uses in the area. Fern Street will remain the primary access for the development until the Arbutus Street extension right-of-way is cleared of vegetation and

constructed. Redwood Street will also be extended as part of Phase 1, which requires culverting a first order (headwater) stream and stabilizing a steep section of proposed roadway. The actual phasing of this roadway improvement may occur after Phase 2 is completed. Other proposed roadways will be paved as described in the Phasing Plan.

The project proposes to develop several internal access roads and parking areas to serve the project. All of the internal access roads are proposed to be paved, with most sections having on-street parking.

### **Lighting**

The project site currently contains existing outdoor lighting around the Redwood Fields and its associated parking areas. The new roadways and commercial buildings will have street lighting installed for security purposes. All new outdoor lighting will be the minimum lumens required for security purposes, directed downward, and shielded to prevent lighting spillover onto adjacent properties.

### **Landscaping**

As development occurs, the project will provide landscaping throughout the site.

### **Stormwater Management**

Development of the proposed project will create additional impervious surfaces and result in an increase in stormwater runoff. A portion of the site is within Humboldt County's MS4 permit jurisdiction and each individual parcel within the development will be required to comply with the MS4 permit requirements. As described in the Preliminary Drainage Report prepared by Ontiveros (2017), this can be accomplished with a combination of Low Impact Development (LID) features including infiltration galleries, bioswales, rain gardens, rain barrels, trees, etc. All proposed roadways will have a depressed parkway adjacent to the road surface which will function as a bioswale for roadway drainage. Storm drain inlets will be located within the bioswales to convey drainage to the storm drain system for flows exceeding the 85<sup>th</sup> percentile storm. Storm drainage will then be conveyed to the drainage area outlet. Each drainage management area within the MS4 permit area will require additional stormwater detention.

### **Wetlands and Jurisdictional Waters Present**

As shown in the wetland delineation (SHN 2017b), two small pocket wetlands are located in the northern part of the project area within a compacted ATV track (22 sf wetland area) and along a former logging road (1,089 sf wetland area). A large slow-draining wetland (78,147 sf wetland area) is located along the proposed Arbutus Street extension that presumably drains runoff from Cedar and Arbutus Streets into a ravine and thence to Ryan Creek. The wetlands are freshwater emergent wetlands that occur within a third-growth forest and within areas cleared during past land use and development. The wetland delineation also documented two first order (headwater) streams (tributaries of Ryan Creek) along the northwestern border of the project area (SHN 2017b).

The two pocket wetlands (22 sf and 1,089 sf in size) are located within the Phase 7 portion of the project and would be filled (removed) in their entirety at that time. The large slow-draining wetland is located along the proposed Arbutus Street extension and a large portion of it (35,506 sf) would be filled (removed) during Phase 1 of project development. The two first order (headwater) streams cross the proposed Redwood Street extension and would be culverted during construction of that roadway.

### **Wetland Mitigation**

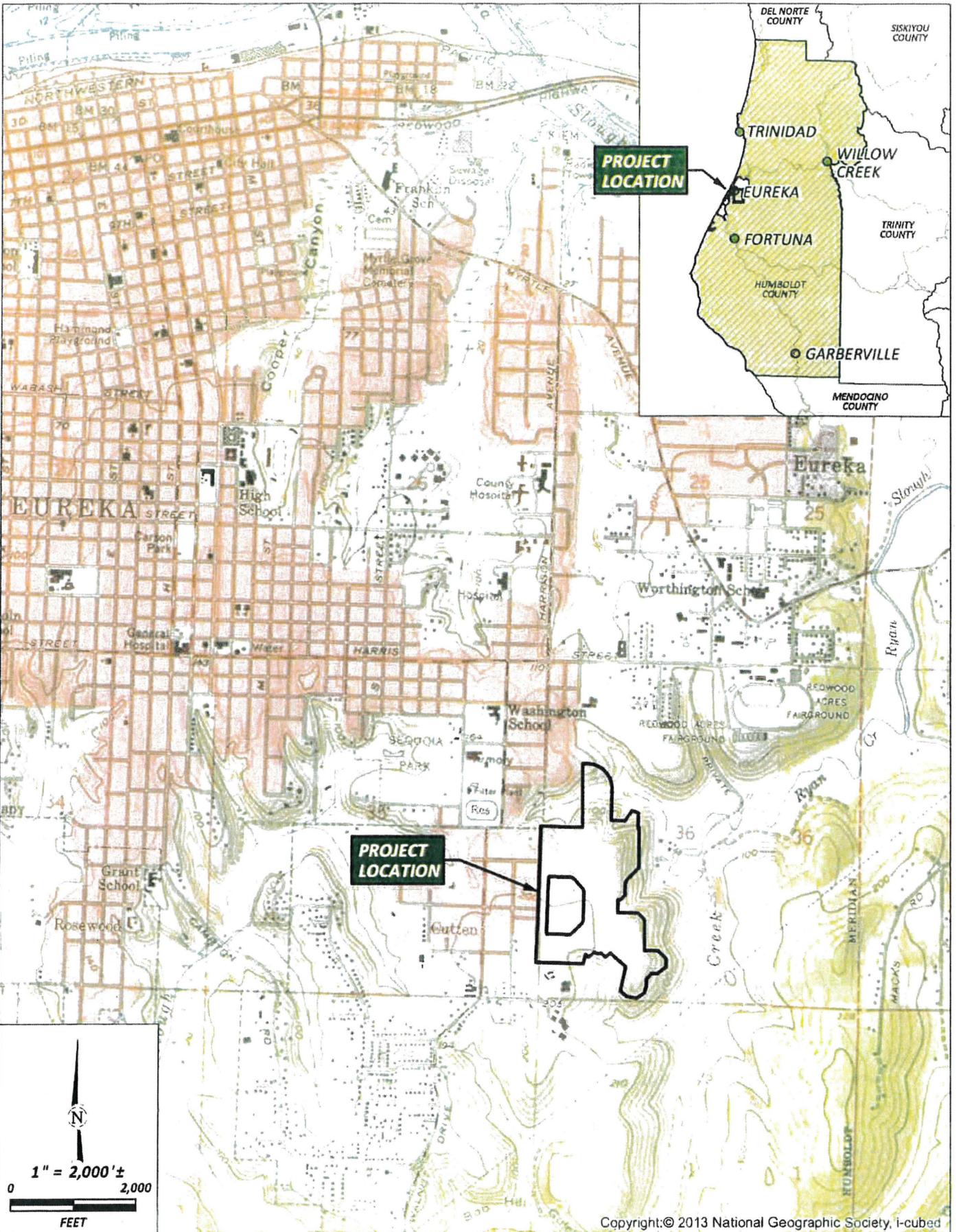
The wetland mitigation, monitoring, and reporting plan (SHN, 2018) proposes to minimize the impacts from the Ryan Creek tributary crossings by using large half-round culverts or small bridges, and to decommission, re-contour, and stabilize the deteriorating logging road within the northern portion of the project. Wetland impacts are proposed to be mitigated at a 1:1 replacement ratio. In accordance with the recommendations of the wetland mitigation, monitoring, and reporting plan, the wetlands expected to be impacted by the project and project-related activities, estimated at 36,617 square feet, would be replaced by the creation of 36,617 square feet of wetlands. The areas mitigated would be planted with native wetland vegetation and contoured to create wetlands of equal or greater value than those lost due to the project. Wetland mitigation would occur within upland areas to ensure that additional wetland area is not lost. Loss of wetland buffer around the southern wetland as a result of the Arbutus Street extension would be mitigated through existing wetland enhancement, and revegetating the highly eroded logging road within the northern portion of the project area. Existing wetlands would be enhanced with the removal of non-native vegetation and planting of native hydrophytes. In addition, temporary fencing would be installed prior to construction to prevent additional wetland disturbance during construction. Wildlife friendly fencing would be installed to prevent accidental encroachment into wetlands following completion of the project (SHN, 2018).

To protect the delineated jurisdictional areas during construction activities, it is proposed to impose a 100 foot development setback from the 30% break in slope, to be designated as non-buildable to reduce erosion and removal of trees, thereby reducing impacts to Ryan Creek and associated wetlands. Temporary construction fencing shall be installed and maintained along the top edge of grade breaks adjacent to the phase(s) that is/are being constructed. The fencing shall be installed prior to the beginning of construction activities and shall be removed after the final inspection is completed by the Humboldt County Building Division. At the completion of the construction phase once the temporary construction fencing has been removed, wooden fencing shall be constructed and maintained along the top edge of grade breaks.

### **Open Space**

The project includes the designation of a number of acres as permanent open space (areas of steep slopes and drainages), to be preserved as open space through the establishment of a permanent easement.

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SHN  
Consulting Engineers  
& Geologists, Inc.

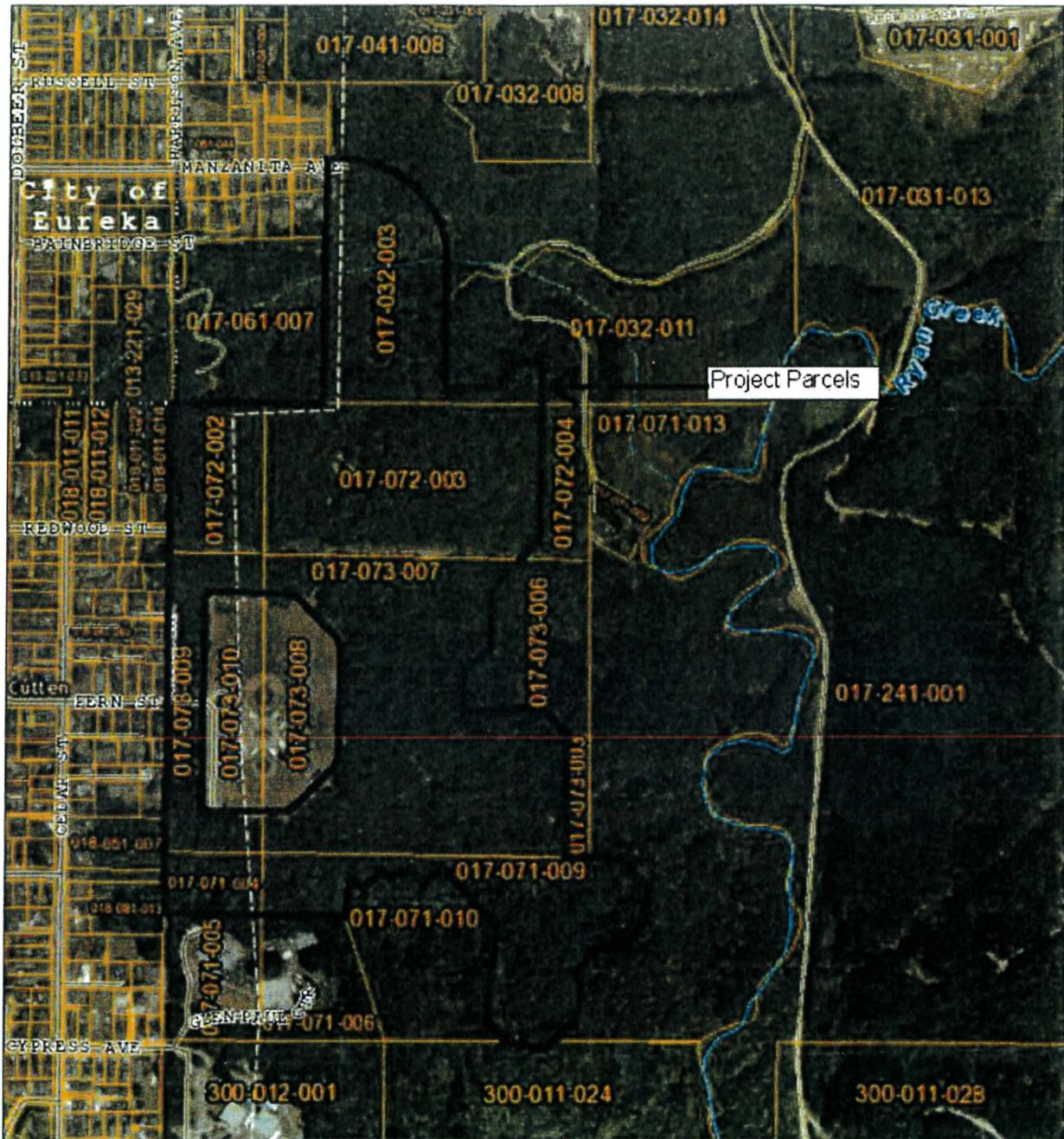
Kramer Properties, Inc.

July 2018

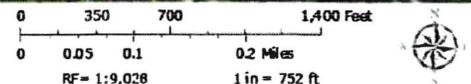
Project Location

SHN 016148

Figure 1



**ArcGIS Web Map**  
Humboldt County Planning and Building Department



- Highways and Roads — Private or Unclassified — Intermittent
- Principal Arterials — Major River or Stream — Subsurface
- Minor Arterials — Blue Line Streams — City Boundary
- Major Collectors — Perennial 1-3 — Counties
- Minor Collectors — Perennial >4 — Parcels
- Local Roads — — Parcels (no APN labels)

Printed: June 11, 2018 Web AppBuilder 2.0 for ArcGIS  
 Map Disclaimer: While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.  
 Source: NRCS, Humboldt County GIS, California Coastal Commission GIS/Mapping Unit, 2014, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, FRAP, FEMA, USGS

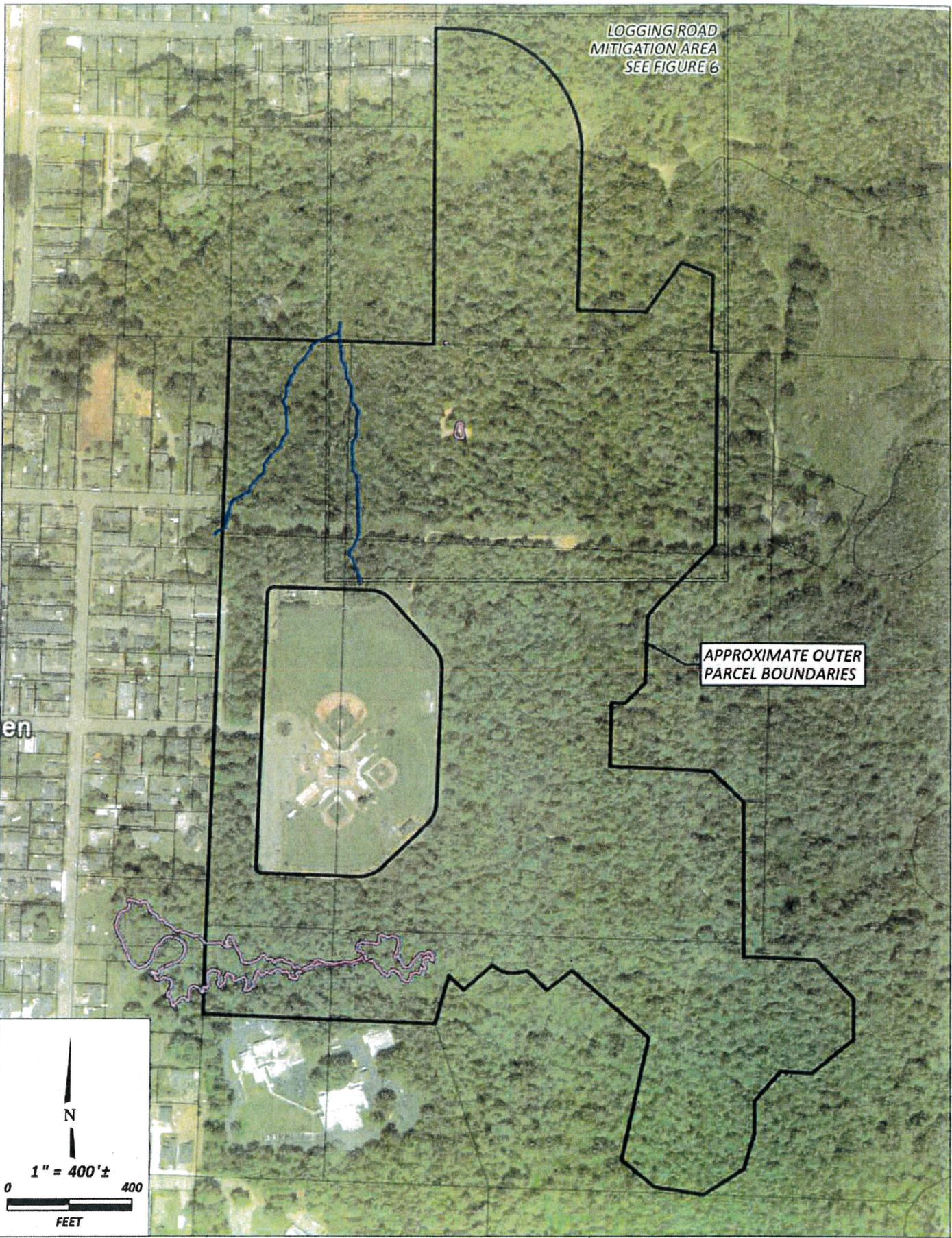


Kramer Properties, Inc.  
July 2018

Project Parcels  
SHN 016148

Figure 2

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LOGGING ROAD  
MITIGATION AREA  
SEE FIGURE 6

APPROXIMATE OUTER  
PARCEL BOUNDARIES

N

1" = 400' ±

0 400  
FEET



Consulting Engineers  
& Geologists, Inc.

Kramer Properties, Inc.  
Initial Study  
McKay Ranch Subdivision, Cutten, California

March 2018

Project Area & Wetlands

SHN 016148

Figure 4





Figure 3B

**O&A**  
 ONTIVEROS & ASSOCIATES  
 CONSULTING ENGINEERS AND SURVEYORS  
 424 N. FORKLAND BLVD. • FORTY, CA 95540  
 Phone (707) 725-2410 Fax (707) 725-7411  
 O&A@ontiveros.com



DEVELOPER  
**kramer investment corp.**  
 1589 MYRTLE AVENUE SUITE B  
 EUREKA, CA 95501  
 (707)444-2919 office  
 (707)444-2396 fax  
 Contacts: Kurt Kramer  
 Chris Mikkelsen

PROJECT NAME

**McKAY RANCH SUBDIVISION**  
 TENTATIVE MAP FOR a  
 PLANNED DEVELOPMENT  
 HUMBOLDT COUNTY

APNs 017-073-003 & 009, 017-073-002 & 003, 017-073-007 & 008

SHEET TITLE

**PROPOSED LAND USE DESIGNATIONS**

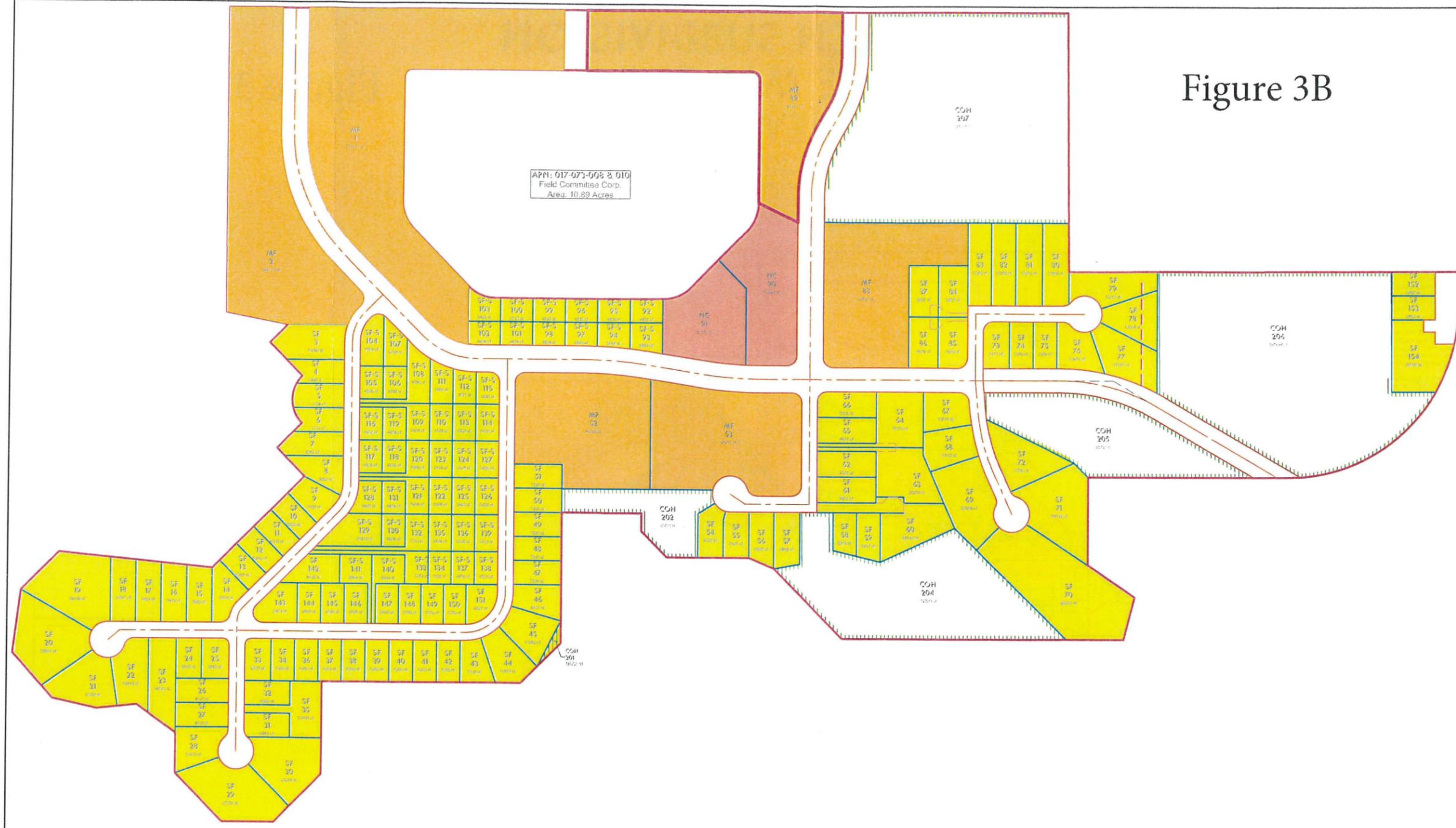
**PLOT INFORMATION**  
 DATE THIS PLAN IS SUBMITTED FOR REVIEW: PROJECT #12 KRAMER INVESTMENT CORP. TENTATIVE MAP FOR A PLANNED DEVELOPMENT MAP 2014-11-19  
 FILED DATE: 11/19/14  
 DATE: 11/19/14

REVISIONS	MARK	DATE	DESCRIPTION

PROJECT NO: 14-102  
 DATE: 04/17/15  
 DRAWN BY: BKCBAG  
 CHECKED BY: BKO

SUBMITTAL STATUS  
 PLANNING NOP REVIEW

**C1.1**  
 SHEET 2 OF 5



**PROPOSED LAND USE DESIGNATIONS**  
 SCALE: HOR 1" = 100'



Lot Type	Zoning Designation/Color	Plan Designation
Single Family	R-1 P, GO	Residential, Low Density (RL), 1 - 6 units/acre
	Residential Single Family (R-1) w/Planned Development (P), and Greenway and Open Space (GO) Combining Zones	
Multi Family Lots 1, 8 & 9	R-4 P, GO	Residential, Multiple Family (RM), 7 - 16 units/acre
	Apartment Professional (R-4) w/Planned Development (P), and Greenway and Open Space (GO) Combining Zones	
Commercial Lots 4	C-1 P, GO	Commercial General (CG)
	Neighborhood Commercial (C-1) w/Planned Development (P), and Greenway and Open Space (GO) Combining Zones. C-1/P, GO	



