Project Information

Project Title: Slack & Winzler Tentative Map Subdivision (PLN-10797-FMS)

Lead Agency

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

Property Owners

Slack & Winzler Properties John Winzler PO Box 549 Eureka. CA 95502

Project Applicant

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

Project Location

The project is located on the east side of Elk River Road, south of Showers Road, Eureka area.

General Plan Designation

Residential Agriculture (RA): 5-20 acres; Humboldt County General Plan – Eureka Community Plan.

Zoning

Agriculture General with a five- acre minimum parcel size (AG-B-5(5); Qualified Combining Zone

Project Description

The project consists of a Minor Subdivision. The project proposes subdivision of a 44.2-acre undeveloped parcel into five lots as noted below:

Parcel 1: 16.63 acres Parcel 2: 10.06 acres Parcel 3: 5.64 acres Parcel 4: 5.17 acres Parcel 5: 6.71 acres

Each lot has a proposed building envelope, with the building pad on Lot 1 to be located towards the rear of the lot, with the building envelopes on Lots 2-5 proposed on the upslope portion of the project site near the east property boundary. The parcels will be served with community water by the Humboldt Community Services District, and each lot would be developed with on-site wastewater treatment (septic and leach field).

Access to the proposed parcels would be provided by construction of an approximately 2,800-foot long roadway from Elk River Road (a new segment of Eggert Road), partially following the alignment of an existing logging road and leading upslope, with a maximum grade of 15 percent, to the access each of the proposed building envelopes before terminating in a turnaround just to the east on the adjoining parcel. Ultimately, this roadway may be widened and further extended to the east, towards the existing segment of Eggert Road, if lands in the area are developed in the future. An exception request to the maximum length of a dead-end road was submitted to and conditionally approved by Cal Fire and Humboldt Bay Fire.

Baseline Conditions: Surrounding Land Uses and Setting

The project is located on the east side of Elk River Road, south of Showers Road, Eureka area. The site is undeveloped and predominantly under tree canopy coverage. The site slopes upwards towards the east generally at approximately 20%, with steeper portions towards the center of the property. The property fronts Elk River Road.

Surrounding land use and setting:

- -North: Rural residential uses.
- -East: Vacant lands, full tree canopy coverage. (These lands are designated as the "Eggert South Property" in the Eureka Community Plan, with potential Planned Unit Development of up to 240 residential units; there is no pending application for development of these lands.)
- -South: Rural residential and agricultural uses.
- -West: Across Elk River Road, rural residential and agricultural uses.

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, CalFire, Humboldt Bay Fire JPA.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?

Yes. The project was initially referred to local Tribes under the original subdivision proposal for five lots in 2016, and included an archaeological survey and records search for the subject property prepared in 2009 as part of a Timber Harvest Plan for several properties in the project area. Based on referral responses, including from the Wiyot Tribe and the Northwest Information Center, no further action was deemed necessary. The standard accidental discovery of cultural/archaeological resources is provided as a condition of approval for the Tentative Map.

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 21080.3.2.) 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.

	Affected: The environmental factors checkinvolving at least one impact that is a "Pose following pages. ☐ Agricultural and Forestry Resources ☐ Cultural Resources ☐ Greenhouse Gas Emissions ☐ Land Use/Planning ☐ Population/Housing ☐ Transportation ☐ Wildfire	
Negative Declaration will be I find that although the proposed there will not be a significant made by or agreed to by the prepared. ☐ I find that the proposed proposed in an example of the proposed proposed proposed in an example of the proposed in an example of the proposed in t	oject could not have a significant effect of e prepared. Posed project could have a significant eff nt effect in this case because revisions in the project proponent. A Mitigated Negat oject may have a significant effect on the	fect on the environment, in the project have been give Declaration will be environment, and an impact" or "potentially it one effect 1) has been legal standards, and 2) has is as described on attached halyze only those effects that fect on the environment, lequately in an earlier EIR or layer been avoided or ding revisions or mitigation ther is required.
Brian Millar, Contract Planner Printed Name	Humboldt Co	ounty Planning Department

Evaluation of Environmental Impacts

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 question. 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 off-site as well as on -site, 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 physic al impact may occur, 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. (California Code of Regulations, title 14 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. N/A
 - 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. **N/A**
 - 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. N/A

Environmental Checklist

Checklist and Evaluation of Environmental Impacts: An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on - site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the Checklist, the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"**No Impact**" means th at the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the project.

I.	Aesthetics . Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?			Х	
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			Х	
c)	In non -urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			х	
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			Х	

Discussion:

(a-d) Less Than Significant Impact: The project site is not within an area mapped or designated with scenic vistas or resources nor is it in the Coastal Zone where specified areas of scenic values are mapped and certified by the state. The site is located approximately 1.5 miles east of Highway 101 and views of the site from the Highway are primarily blocked by Humboldt Hill to the west. The proposed subdivision is consistent with the current zoning and general plan designation, and is consistent with the planned buildout of the area. The parcels will be served by a new roadway connection to Elk River Road, a County Road. The project proposes a building envelope on Lot 1 at the east edge of the lot (upslope, and set back approximately 550 feet from Elk River Road), and four building envelopes for Lots 2-5 at the far east edge of the property; these building envelopes are anticipated to largely screened from downslope views from the west by trees on the project site. The Department finds no evidence that the division of the parcel within the area will have a substantial adverse aesthetic impacts, and there is no indication that the project will significantly increase light or glare or effect nighttime views in the vicinity.

II.	Agriculture and Forestry Resources. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 nonagricultural use?			х	
b)	Conflict with existing zoning for agricultural use, or a Williamson Act Contract?			Х	
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 Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			Х	
d)	Result in the loss of forest land or conversion of forest land to non-forest use?			Х	
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 forest land to non-forest use?			Х	

(a-e) Less Than Significant: Neither the subject property nor adjacent lands are within a Williamson Act Contract. The site does not contain prime farmland soils. Furthermore, agricultural protection policies identified in the General Plan involve lands planned Agriculture Exclusive and not Residential Agriculture (RA), as the subject parcel is planned. The site's RA5-20 designation is used for rural residential designations for lands with slopes generally less than 30% and served by individual water and wastewater systems and good road access. The site does not contain unique farmland. The proposed subdivision is consistent with the existing zoning and General Plan designation. One-family residential is a primary and compatible use within the RA5-20 designation and is principally permitted in the site's AG-B-5(5) zoning district. General agriculture is an allowed use, and the subdivision willnot limit future agricultural opportunities on the parcels. The Department finds no evidence that the project will result in a significant adverse impact on agricultural resources.

III.	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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?			Х	
b)	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?			х	
c)	Expose sensitive receptors to substantial pollutant concentrations?			Х	
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			Х	

Discussion:

(a-e) Less than Significant: 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 divides a parcel into five parcels all suitable for single-family residential development. The project 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.

IV.	Biological Resources. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?		х		
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 and Game or U.S. Fish and Wildlife Service?			X	
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means Fish?			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?		х		
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?			Х	

- (a) Less Than Significant with Mitigation Incorporated. Northern spotted owl centers (NSO) have been spotted within one mile of the project site, though not on the project site, based on a series of NSO surveys conducted for timber harvesting in the project area. Both the USFWS and CDFG have recommended additional surveying to evaluate potential impact to habitat on-site and to avoid any incidental take of NSO habitat. This is included as Mitigation Measure 1, below.
- (b-d) Less Than Significant: The project site has no defined watercourses, and contains forest canopy coverage mainly consisting of coast redwood and Sitka spruce. The subdivision will require widening of the existing logging road (to be a new roadway segment of Eggert Road), and construction of a new roadway segment where the roadway alignment differs from that to the logging road. A botanical survey was conducted for the property as part of a Timber Harvest Plan for lands in the project area in 2007. That survey did not identify any rare or special status species being present on the site, and no mitigations were identified as being necessary.
- (e) Less Than Significant with Mitigation Incorporated: The project was initially referred to the CDFW for review. 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. In order to comply with the Migratory Bird Treaty Act and Fish and Game Code, tree removal and brush clearing, which would occur as the Eggert Road segment is developed, must be conducted outside of the nesting season. This measure is included in Mitigation Measure No. 2.

(f) Less Than Significant: The project site is not within an adopted or proposed habitat conservation plan. The area is developed to suburban residential levels. The Department finds no evidence that the project will result in a significant adverse impact on any habitat conservation plan.

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."

Mitigation Measure No. 2. The applicant shall have a northern spotted owl (NSO) survey prepared to evaluate potential presence and habitat impacts to the NSO related to project site development prior to roadway construction and development on the project parcels. The NSO survey shall be prepared by a qualified wildlife biologist and submitted to CFWS, USFWS and the County Planning Division. Based on the results of the survey, modifications to the project site plan, including project roadway and building envelope locations, may be considered.

V.	Cultural Resources. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				Х
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		Х		
c)	Disturb any human remains, including those interred outside of formal cemeteries?		Х		

Discussion:

- (a) No Impact: No historical resources have been documented on site. The site is currently vacant, therefore, the project will have no impact on historical resources defined in California Environmental Quality Act (CEQA) §15064.5.
- (b, c) Less Than Significant with Mitigation Incorporated: Pursuant to AB52, the project was initially referred to local Tribes under the original subdivision proposal for five lots in 2016, with a formal invitation sent in December 2020 and included an archaeological survey and records search for the subject property prepared in 2009 as part of a Timber Harvest Plan for several properties in the project area. Based on referral responses, including from the Wiyot Tribe and the Northwest Information Center, no further action was deemed necessary. The standard accidental discovery of cultural/archaeological resources is provided as a condition of approval for the Tentative Map and Mitigation Measure No. 3, below.

Mitigation Measure No. 3. The following note shall be place on the project Final Map 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 Wiyot Tribe; 3. The professional historic resource consultant, Tribe 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 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."

VI.	Energy. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			Х	
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			Х	

Discussion:

(a-b) Less Than Significant Impact: The project will result in short-term energy consumption during the construction phase, with long-term energy consumption associated with the ongoing occupancy of the homes. The construction phase is not anticipated to utilize excessive energy and the five new residences that could be constructed on the project's five proposed lots would be compliant with the energy requirements of Title 24 of the Building Code. Therefore, a less than significant impact will occur.

VII.	Geology and Soils. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			Х	
	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.			х	
	ii) Strong seismic ground shaking?			Х	
	iii) Seismic -related ground failure, including liquefaction?			Х	
	iv) Landslides?			Х	
b)	Result in substantial soil erosion or the loss of topsoil?			Х	
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 on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			Х	
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			Х	
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			Х	
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

- (a) Less Than Significant Impact: There are no known earthquake faults located within the site. (i-iv) Less Than Significant impact: The project site is located outside an Alquist-Priolo Earthquake Fault Zone. The proposed project divides one parcel into five, each of which will be suitable for residential development. Development associated with the subdivision will not expose people or structures to potential substantial adverse effects from rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction. The project is not within an area subject to landslides; therefore, the project will not expose people or structures to risk of lost, injury, or death involving landslides.
- **(b) Less Than Significant impact:** Any future home construction or road improvements will utilize appropriate Best Management Practices (BMPs) which will prevent soil erosion and loss of topsoil.
- **(c) Less Than Significant impact:** The project is not located in or soils that are classified as having moderate slope stability. All future construction activities on the site including completion of the access roadway leading from Elk River Road to the five proposed building envelopes, construction of five residences, and installation of sewage disposal systems on each of the lots, would be required to adhere to County grading, Building Code and Environmental Health Division requirements, and the project is not anticipated to result in the creation of new unstable areas either on or off site due to physical changes in a hill slope affecting mass balance or material strength.
- (d) Less Than Significant impact: The project site is not located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994); therefore, the project will not create substantial risks to life or property.
- **(e) No Impact:** The project will connect to community water provided by the Humboldt Community Services District.
- (f) No Impact: There are no known paleontological resources or unique geologic features on site.

VII	I. Greenhouse Gas Emissions. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			Х	
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			Х	

(a-b) Less Than Significant Impact: 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 the division of a parcel into five lots for single-family 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.

IX.	Hazards and Hazardous Materials. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			Х	
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?			Х	
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			Х	
d)	Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			Х	
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			Х	
f)	Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?			Х	
g)	Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?			Х	

(a-g) Less Than Significant impact: The project site is not included on a list of hazardous material sites, nor does the proposed subdivision involve routine transport, use or disposal of hazardous materials. The project site is several miles south of the Eureka Municipal Airport, and would not impact airport operations or be impacted by the Airport. There are no private airstrips within the vicinity of the project site. The site will not result in unanticipated risk to the occupants of the site. The Department finds no evidence that the project will create, or expose people or property to, hazardous materials, or impair implementation of, or physically interfere with, an adopted emergency response plan.

According to the Humboldt County Fire Hazard Severity map, the parcel is located in a high fire hazard severity area. The site is within the Humboldt Bay Fire Protection District, as well as the State Responsibility Area (SRA) for fire protection. Future development of the site will require compliance with the Uniform Fire Code and UBC. Additionally, an exception request to the maximum length of a dead-end road was submitted to and conditionally approved by Cal Fire and Humboldt Bay Fire; a roadway meeting CalFire and Humboldt Bay Fire standards serving all five lots would be constructed from Elk River Road, winding upslope and partially following the alignment of an existing logging road, to the five proposed building envelopes on the project site. The dead-end road would extend approximately 2,800 feet, and would have a turnaround constructed just to the east on the adjoining property. The road would have a maximum grade of 15%, allowing for emergency vehicle access. Ultimately, this roadway may be further extended to the east, connecting to Eggert Road, if lands in the area (classified for residential development as the "Eggert Property South" site in the Eureka Community Plan) are developed in the future, providing a connected roadway system for expanded emergency access.

X.	Hydrology and Water Quality. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			Х	
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			Х	
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner, which would:			X	
	(i) result in substantial erosion or siltation on- or off-site;			Х	
	(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;			Х	
	(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			Х	
	(iv) impede or redirect flood flows?			Х	
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			Х	
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwatermanagement plan?			Х	

(a-e) Less than significant Impact: The proposed subdivision is consistent with the planned density of the area, in terms of both the County's Housing Element and the recently adopted Humboldt County General Plan 2017. The project site is an area that relies upon on-site wastewater systems and use of a community water source (provided by the Humboldt Community Services District). The applicant has submitted soils test results for the installation of septic systems/leach fields for the proposed lots. DEH has not identified any concerns with regard to the project interfering with groundwater recharge; permits would be required from DEH to install the septic systems for each lot. The Department finds no evidence indicating that the subdivision will violate any water quality or waste discharge standards, or otherwise substantially degrade water quality. According to the Flood Insurance Rate Map, the project site is located outside the 100 - and 500- year floodplains. Further, the project site is not within a mapped dam or levee inundation area. The site sits at elevations ranging from approximately 80 to 325 feet, and is outside the areas subject to tsunami run-up. The project was reviewed by Public Works, who has recommended as a condition of approval that the applicant submit a complete hydraulic report and drainage plan. No streams, creeks or other waterways will be altered as a result of this subdivision. The Department finds no evidence that the proposed project will result in significant hydrologic or water quality impacts.

XI.	Land Use and Planning. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?			Х	
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect ?			Х	

(a-b) Less Than Significant Impact: The project site is designated Residential Agriculture (RA5-20) by the Humboldt County General Plan 2017 and is zoned Agriculture General (AG-B-5(5)-Q). The Land Use Element states that RA designation is intended, "...for lands with slopes generally less than 30% and served by individual water and wastewater systems and good road access." The subject property has slopes that are generally 20%, and the site would be served by a community water system, provided by the Humboldt Community Services District. Access will be provided by construction of new driveways and roadways leading to each of the five lots. One-family residential is a primary and compatible use within the RA designation and is principally permitted in the AG zoning district. The neighborhood is characterized as rural residential/agricultural with a mix in parcel sizes to the north, east and south. The division of the existing parcel is consistent with the zoning and land use density (one unit per five acres). The proposed subdivision is consistent with the planned build-out of the area, and is consistent with the policies and regulations specified in the Humboldt County General Plan and Eureka Community Plan. There are no habitat conservation or natural community conservation plans proposed or adopted for this area. The Department finds there is no evidence that the project will result in significant adverse impact with regard to land use and planning.

XII. Mineral Resources. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				Х
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?				Х

Discussion:

(a,b) No Impact: On-site soils and geologic resources are not suitable as commodity materials that would be of value to the region or the state. The site is not designated as an important mineral resource recovery site by a local general plan, specific plan, or other land use plan.

XIII	. Noise. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			Х	
b)	Generation of excessive ground borne vibration or ground borne noise levels?			Х	
c)	For a project located within the vicinity of a private airstrip or 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?			Х	

- (a) Less Than Significant: This parcel is not located within a Noise Impact combining zone and will not generate a substantial increase in ambient noise levels in the vicinity of the project in excess of local standards.
- **(b) Less Than Significant Impact:** Noises generated by the proposed project will result in a temporary increase during road/access driveway and residence construction as the project may require the use of heavy equipment (excavator, grader, loader and backhoe). The construction does not include equipment that would result in groundborne vibration. These activities would be consistent with the rural residential and agricultural uses near the site, and no significant permanent change in noise from the existing conditions would result from this project.
- **(c)** Less Than Significant Impact: The project area is several miles south of the Eureka Municipal Airport, the nearest airport to the project site. The noise impacts associated with the airport are not anticipated to present a significant impact to the proposed subject property. Therefore, noise impacts will remain less than significant.

XIV	7. Population and Housing. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?			Х	
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			Х	

Discussion:

(a, b) Less Than Significant Impact. The proposed project divides a parcel into five parcels suitable for single-family residential development. One-family residential uses are primary and compatible uses within the plan designation and zoning district. The subdivision is consistent with the planned density of the area, one unit per five acres. The Department finds no evidence that the project will result in a significant adverse impact on population and housing.

XV.	Public Services. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for 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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Fire protection?			Х	
b)	Police protection?			Х	
c)	Schools?			Х	
d)	Parks?			Х	
e)	Other public facilities?			Х	

(a-e) Less Than Significant: 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 divide a parcel into five. The parcel is accessed by Elk River Road, a County maintained road. The parcels will take access via a newly constructed roadway leading upslope from the property frontage along Elk River Road to five building envelopes, with the Lot 1 envelope approximately 550 feet back from Elk River Road, and the envelopes on Lots 2-5 near the east boundary of the project site. The applicant requested and received approval of a roadway cul-de-sac length exception request from both CalFire and Humboldt Bay Fire. A condition of this exception approval is a requirement that roadway through the project site be developed so that it can be used by adjacent lands to the north as a secondary emergency access; this is included as an off-site improvement requirement in the Tentative Map conditions of approval.

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.

χV	I. Recreation. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	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?			Х	
b)	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			Х	

(a-b) Less Than Significant Impact: The project does not include recreational facilities. The project has been conditioned upon payment of parkland dedication fees in lieu of creating a neighborhood park on the site. Based on the project proposal that would create five lots for single-family residential use, the Department finds no evidence that the project will require construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

XVI	I. Transportation. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			Х	
b)	Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			Х	
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			Х	
d)	Result in inadequate emergency access?			Х	

Discussion:

(a,b) Less Than Significant Impact: The parcel has direct access to and frontage along Elk River Road, a County maintained road. The parcels will take access via construction of a new roadway from Elk River Road that will wind upslope at a maximum grade of 15% towards the east boundary of the site. This roadway will serve as the western portion of the General Plan circulation route for the area that will ultimately connect Eggert Road to Elk River Road. The Land Use Division of Public Works has recommended conditions of approval, including for road improvements. With the creation of five parcels for single-family residential use, the Department finds there is no evidence that the project will exceed the level of service standard, will result in a change in air traffic patterns, will result in vehicle miles traveled beyond that expected, has adequate access to nearby uses, and has adequate on-site parking capacity for each of the proposed five lots. The project will it conflict with adopted policies supporting transportation.

(c,d) Less Than Significant Impact. With respect to road construction/design and emergency access, a roadway (a new segment of Eggert Road) serving all five lots would be constructed from Elk River Road, winding upslope and partially following the alignment of an existing logging road, past the Lot 1 building envelope set back approximately 550 feet from Elk River Road, to four of the proposed building envelopes near the east edge of the project site. The dead-end road would extend approximately 2,800 feet, and would have a turnaround constructed just to the east on the adjoining property. Public Works has required a condition of approval addressing road construction; the roadway would be paved for the first 50 feet from Elk River Road, and would be gravel thereafter. Frontage

improvements would also be required along Elk River Road. The new roadway serving the Road travel lane width would be 16 feet and the roadway easement would be 60 feet, allowing for its widening at a future date as lands to the east may be developed. This roadway will be privately maintained until such time as the road is fully developed to its required cross-section and brought into the County-maintained roadway system. Ultimately, this roadway may be further extended to the east, towards Eggert Road, if lands in the area (classified for residential development as the "Eggert Property South" site in the Eureka Community Plan) are developed in the future. An exception request to the maximum length of a dead-end road was submitted to and conditionally approved by Cal Fire and Humboldt Bay Fire.

XVIII. Tribal Cultural Resources.		Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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:		X		
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as de fined in Public Resource Code section 5020.1(k), or		Х		
ii) 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?		Х		

Discussion:

(a-i,ii) Less Than Significant Impact:

Pursuant to AB52, the project was initially referred to local Tribes under the original subdivision proposal for five lots in 2016, and included an archaeological survey and records search for the subject property prepared in 2009 as part of a Timber Harvest Plan for several properties in the project area. Based on referral responses, including from the Wiyot Tribe and the Northwest Information Center, no further action was deemed necessary. The standard accidental discovery of cultural/archaeological resources is provided as a condition of approval for the Tentative Map and Mitigation Measure No. 3, previously discussed under Cultural/Historical Resources.

XIX	. Utilities and Service Systems. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			х	
b)	Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			Х	
c)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			Х	
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			Х	
e)	Comply with federal, state, and loc al management and reduction statutes and regulations related to solid waste?			Х	

(a- e) Less than significant: The Department finds there is no evidence that the project will be inconsistent with the planned build-out of the area nor will it result in a significant adverse to utilities and service systems. The parcel is not zoned for commercial or industrial uses. The lots will be served by on -site wastewater treatment systems, and water service to each of the five proposed lots will be provided by the Humboldt Community Services District. The Department of Environmental Health has recommended approval of the project. The parcel currently drains westerly, towards its frontage along Elk River Road. The Division of Public Works reviewed the project and will require as a condition of approval that the applicant provide a complete hydraulic report and drainage plan addressing storm water drainage on the site. The Department finds the project impact to be less than significant.

XX.	Wildfire . If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?			Х	
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?			Х	
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			х	
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			Х	

(a-d) Less than significant: The project is located within the State Responsibility Area (SRA) for fire protection and served by the Humboldt Bay Fire Protection District. An exception request to the maximum length of a dead-end road was submitted to and conditionally approved by Cal Fire and Humboldt Bay Fire; a roadway serving all five lots would be constructed from Elk River Road, winding upslope and partially following the alignment of an existing logging road, to the five proposed building envelopes, with four of the envelopes on Lots 2-5 near the east edge of the project site. The dead-end road would extend approximately 2,800 feet, and would have a turnaround constructed just to the east on the adjoining property. Ultimately, this roadway may be further extended to the east, towards Eggert Road, if lands in the area (classified for residential development as the "Eggert Property South" site in the Eureka Community Plan) are developed in the future; there are presently no pending applications for development of this site. The Department finds the project impact to be less than significant.

XX	I. Mandatory Findings of Significance.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially 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, substantially 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?			Х	
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).			х	

c)	Does the project have environmental effects, which will			
	cause substantial adverse effects on human beings, either		Х	
	directly or indirectly?			

(a through c) Less Than Significant Impact: The proposed project divides one parcel into five parcels suitable for residential development. Staff finds no evidence that the proposed project will significantly degrade the quality of the environment, nor will it have impacts that are individually limited but cumulatively considerable. Based on the project as described in the administrative record, comments from reviewing agencies, a review of the applicable regulations, and discussed herein, the Department finds there is no significant evidence to indicate the proposed project as mitigated will have environmental effects that 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: "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."

Timing for Implementation/Compliance: Throughout project construction Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction

Evidence of Compliance: Visible evidence

Mitigation Measure No. 2. The applicant shall have a northern spotted owl (NSO) survey prepared to evaluate potential presence and habitat impacts to the NSO related to project site development prior to roadway construction and development on the project parcels. The NSO survey shall be prepared by a qualified wildlife biologist and submitted to CFWS, USFWS and the County Planning Division. Based on the results of the survey, modifications to the project site plan, including project roadway and building envelope locations, may be considered.

Timing for Implementation/Compliance: Prior to on-site construction Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction Evidence of Compliance: Submittal of NSO survey

Cultural Resources:

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: Throughout project construction Person/Agency Responsible for Monitoring: Applicant and successors

Monitoring Frequency: Throughout construction

Evidence of Compliance: Visible evidence