Initial Study and Draft Negative Declaration

Tolowa Dee-ni' Nation

Use Permit for Public Use (Food Processing and Warehousing)

May 2021





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Project Information Summary

1.	Project Title:	Tolowa Dee-ni' Nation Use Permit for a Public Use (Food Processing and Warehousing) – UP2113C
2.	Lead Agency Name and Address:	Del Norte County Planning Commission 981 H Street, Suite 110 Crescent City, CA 95531
3.	Contact Person and Phone Number:	Heidi Kunstal (707) 464-7254 hkunstal@co.del-norte.ca.us
4.	Project Location and APN:	16500 Ocean View Drive, Smith River, CA Assessor Parcel Number 101-021-002
5.	Project Sponsor's Name and Address:	Tolowa Dee-ni' Nation 140 Rowdy Creek Road, Smith River, CA 95567
6.	County Land Use:	Agricultural Prime and Resource Conservation Area
7.	County Zoning:	Agriculture Exclusive District (AE) and General Resource Conservation Area (RCA-1)

8. Description of Project:

Roughly 20 years ago, the Tolowa Dee-nee' Nation (Nation) acquired the 72 acre parcel and the adjoining 11.4 acre parcel to the north from a long standing lily bulb grower. In the early 2000s, the Nation received approval to construct leach fields in a portion of the parcel to be used for treated effluent from an offsite wastewater collection and treatment system constructed by the Nation. Presently, the Nation utilizes the agricultural land for hay production and has identified itself as being certified as organic. The parcel is developed with several buildings which are identified for the agricultural uses as well as for the Nation's public works/construction activities.

The Nation proposes to construct a 60 feet wide by 100 feet long (6,000 square feet) by 23 feet high metal building immediately east of the existing structures in a previously disturbed area. The building will be dedicated for food processing and food storage and is an integral element of the Nation's Food Sovereignty Project which is to gather, grow, harvest and store traditional and high quality food. They plan to grow fruits and vegetables on the land and possibly elsewhere which would ultimately be harvested, processed and stored for later distribution to tribal citizens. There is no commercial aspect to the project; only the employees of the Nation would utilize the building. In addition to crops grown by the Nation, the Nation also has agreements with the California Department of Fish and Wildlife, California Highway Patrol and California Department of Transportation to salvage Elk that are killed as a result of traffic collisions. According to application materials, in a typical year there are four to six elk made available. The meat would also be processed and stored within the building.

The building would be a traditional metal-sided building with tan color exterior walls and a green roof to be built on a concrete slab. The building would have a walk in cooler and freezer for cold storage as well as separate space for dry storage. The food processing area would have all required sinks, tables, containers needed to

sanitarily wash and package produce and meat for storage. Additionally, the building would have several roll-up doors and traditional doors to allow workers, vehicles and equipment (e.g. forklift) to enter/exit the building. Two bathrooms would be included in the building and would be connected to an existing on-site sewage disposal system (#3 on plot plan). The parcel is serviced by public water provided by the Smith River Community Services District.

The applicant was ask to provide information regarding average daily traffic to the site based on existing uses as well as the proposed use. The total amount of daily trips identified was 30 which included the existing public works activities (15 ADT), deliveries (2 trips per week), trash service (1 trip per week) and the garden/food processing staff (4 ADT).

9. Surrounding Land Uses and Settings:

The generally flat 72 acre parcel lies between Ocean View Drive and U.S. Highway 101 in the Smith River area. The parcel to the north of the parcel is zoned Agriculture Exclusive and has a General Plan Land Use designation of Agricultural Prime. The parcel is also owned by the Tolowa Dee-ni' Nation and is used for agricultural uses. The parcel to the south shares a portion of Gilbert Creek with the project parcel. Beyond the protected creek area (RCA-1), the land is zoned Agriculture Exclusive and has a General Plan Land Use designation of Agricultural Prime. The parcel is used for the farming of lily bulbs. Multiple parcels are located east of the parcel along Ocean View Drive. The zoning for the area is Rural Residential Agriculture – 5 acre minimum lot size with a Density Combining District to create lots of varied sizes and a C Combining District for special development patterns (RRA-5-D-C(S)) and the General Plan Land Use designation is Rural Residential one dwelling unit per 5 acres. The parcels are developed with single family homes developed to meet hillside development standards due to steeper slopes along the east side of Ocean View Drive. Multiple parcels are located west of the property along the west side of U.S. Highway 101. The zoning for the land is One Family Residence with a B Combining District for 6,000 square foot lots and a C Combining District for bluff hazards and public access (R1-B6-C (A) (H)) and has a General Plan Land Use designation of Rural Neighborhood – six dwelling units per acre. The majority of the lots in this area are developed with well-established single family residences. All land referenced lies within the boundary of the California Coastal Zone.

- **10. Required Approvals:** Use Permit Del Norte County Planning Commission
- **11.** Other Approval (Public Agencies): None.

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Native American tribes, traditionally and culturally affiliated with the project area have been notified of the project application completion and the beginning of the AB 52 consultation period pursuant to PRC §21080.3.1. Notification of the beginning of the AB 52 consultation period was provided April 19, 2021. No requests for consultation pursuant to PRC §21080.3.1 were received.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" without mitigation as indicated by the checklist on the following pages. All mitigation measures are provided in the Mitigation Monitoring and Reporting Program.

Aesthetics	Agriculture and Forestry Resources	Air Quality
Biological Resources	Cultural Resources	Energy
Geology/Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials
Hydrology / Water Quality	Land Use / Planning	Mineral Resources
Noise	Population / Housing	Public Services
Recreation	Transportation	Tribal Cultural Resources
Utilities / Service Systems	Wildfire	Mandatory Findings of Significance

Determination

On the basis of this initial evaluation:

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

Heicei Kunstel

Heidi Kunstal Community Development Director

5-21-2021

Date

Environmental Checklist

1. Aesthetics

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

Discussion of Impacts

- a. This project would have no foreseeable impact on scenic vistas. Nearby viewpoints identified in the Coastal Land Use Plan include Pelican Beach State Park and Kamph Memorial Park. Both are located on the west side of U.S. Highway 101 and would not be impacted by the project
- b. This project would have no foreseeable impact on scenic resources. Ocean View Drive and U.S. Highway 101 are identified as view corridors in the Coastal Land Use Plan. This is not a "scenic" designation. The proposed building is similar in scale (size and height) to the existing structures and will not create any foreseeable impact on scenic resources.
- c. The project would not degrade the existing visual character or public views of the site and its surroundings.
- d. The project does not propose any development which would create a new source of substantial light or glare which would adversely affect views.

2. Agriculture and Forest Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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 non-agricultural use?				

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?		\boxtimes	
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))?			
d) Result in the loss of forest land or conversion of forest land to non-forest use?			\boxtimes
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?			

Discussion of Impacts

- a. While the parcel is zoned Agriculture Exclusive in the County's Coastal Zoning Ordinance, the parcel is not identified as farmland of Statewide Importance per a search of the California Important Farmland Finder (5/15/2021). The project area is located within a non-farmed area and will not result in the conversion of farmed land to a non-agricultural use. Additionally, the proposed use of the building is considered agricultural related as it will be used for the processing and storage of produce produced on the land.
- b. See response to a. Also, the land is not in a Williamson Act contract.
- c. The project would have no impact nor create conflicts with zoning of forestlands or Timber Production Zones.
- d. No. The project will not require the conversion of timberland to a non-timberland use.
- e. The project does not involve any other changes in the existing environment that could adversely affect farmland or timberlands. The construction of the building is a key component of the Nation's ultimate plan to fully utilize their agricultural land holdings for the intended use.

3. Air Quality

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

Discussion of Impacts

a. This project would have no foreseeable impacts on the implementation of an air quality plan.

- b. This project would have no foreseeable impacts on increasing criteria pollutants in the region.
- c. This project would not expose receptors to pollutant concentrations.
- d. This project would have no foreseeable impacts in increasing any emissions.

4. Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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?				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				
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?				
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?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				
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?				

Discussion of Impacts

a. A quad level species list was obtained from the CDFW Biogeographic Information and Observation System (BIOS) and a subsequent field review of the project by the County's Environmental Review Committee did not identify any biological resources in or adjacent to the proposed building location. The proposed building would be located in a disturbed area that is currently used for farm storage and zoned for agricultural uses exclusively in the County Zoning and Local Coastal Program.

b. Gilbert Creek is located roughly 1,275 feet from the proposed project site. There will no adverse effect on riparian habitat as a result of the project.

c. No wetlands were observed within 100 feet of the project site.

d. The project will not interfere 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 within the project area. The project will result in the addition of a 6,000 square foot building in a disturbed area already developed with three agricultural buildings of similar size and height on a 72.0 acre parcel.

e. This project would not conflict with any local policies or ordinances protecting biological resources. The project site is located more than 100 feet from Gilbert Creek, the nearest identified biological resource.

f. This project would not conflict with any Habitat Conservation Plans, etc.

5. Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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?				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				
c) Disturb any human remains, including those interred outside of dedicated cemeteries?				

Discussion of Impacts

a-c. No cultural resources are known to exist on-site. The County records were searched for known cultural sites in the general project vicinity, and none were identified. The project is located in a heavily disturbed area based on current uses by the Nation and past uses as a lily bulb farm. Notice was provided to two tribes traditionally culturally affiliated with the project area and no comments were given with regard to cultural resources.

6. Energy

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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?				
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				

Discussion of Impacts

- a. The project would have no foreseeable impacts on increasing wasteful, inefficient, or unnecessary energy use due the small scale of the project and the intended use. Primary energy usage will come from the refrigeration of the food but not to a level that would result in a significant environmental impact.
- b. This project does not conflict with nor obstruct a state or local plan for renewable energy or energy efficiency.

7. Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?				
iii) Seismic-related ground failure, including liquefaction?				\boxtimes
iv) Landslides?				
b) Result in substantial soil erosion or the loss of topsoil?				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
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?				
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?				
 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? 				\boxtimes

Discussion of Impacts

a. Del Norte County has not been mapped for Alquist-Priolo Earthquake Fault Zoning. The field visit conducted by the Environmental Review Committee did not identify an obvious risk for landslides related to the project development or note any conditions that would result in substantial soil erosion or the loss of top soil. With respect to seismic impacts and possible risks, northern California is subject to seismic activity associated with the Cascadia Subduction Zone (CSZ).

b. The Environmental Review Committee did not identify any site conditions or identify and concerns in the development proposal that would result in substantial soil erosion or the loss of top soil. Grading would be limited to preparing the building site.

c. The project site has not been identified as being located with 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.

d. Standard and approved engineering practices shall be implemented during any excavation and construction activities. These measures will ensure that the proposed building is structurally sound and future workers/visitors are not exposed to geologic hazards.

e. The building will be connected to an existing on-site wastewater treatment system. The system will be verified by the County's Environmental Health Division prior to issuance of the building permit.

f. The project area is not known to contain a unique paleontological resource or geologic feature.

8. Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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?				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				

Discussion of Impacts

a-b. In 2002, the California legislature declared that global climate change was a matter of increasing concern for the state's public health and environment, and enacted a law requiring the state Air Resource Board (ARB) to control GHG emission from motor vehicles (Health and Safety Code §32018.5 et seq.). CEQA Guidelines define GHG to include carbon dioxide (CO2), nitrous oxide (N2O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The California Global Warming Solutions Act of 2006 (AB 32) definitively established the state's climate change policy and set GHG reduction targets (Health and Safety Code §38500 et seq.). The state has set its target at reducing greenhouse gases to 1990 levels by the year 2020.

Construction of the project may generate GHG emissions as a result of combustion of fossil fuels used in construction equipment. Use of variety of construction materials would contribute indirectly to GHG emissions because of the emissions associated with their manufacture. The construction-related GHG emissions would be minor and short-term and would not constitute a significant impact based on established thresholds.

9. Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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?				
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?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
d) Be located on a site which is included on a list of hazardous				\boxtimes

materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			
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 or excessive noise for people residing or working in the project area?			
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			\boxtimes
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?		\boxtimes	

Discussion of Impacts

- a. The project would not cause a hazard to the public through the routine transport, use, or disposal of hazardous materials.
- b. The project would not cause a hazard to the public or environment through reasonably foreseeable accident conditions involving the release of hazardous materials into the environment.
- c. The project would not create hazardous emissions or require the handling of hazardous waste.
- d. This project is not located on a site which is included on any list of hazardous materials sites.
- e. This project is not located near any airport or within an area covered by an airport land use plan.
- f. This project would not impair implementation of an emergency response plan.
- g. This project is located within a moderate fire hazard severity zone based on CAL FIRE mapping. The project site is in a relatively flat area that has limited vegetation. Because the parcel is located within the State Responsibility Area the building permit will be reviewed for compliance with the Del Norte County Fire Safe Regulations with regard to road standards and ingress/egress as well as setbacks for defensible space. Additionally, new construction will comply with California Wildland Urban Interface (WUI) code and standards.

10. Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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 ground water quality?				X
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				
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:				
i) result in substantial erosion or siltation on-or off-site?				\boxtimes
ii) substantially increase the rate or amount of surface runoff in				\boxtimes

a manner which would result in flooding on- or off-site;		
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional source of polluted runoff; or		\boxtimes
iv) impede or redirect flood flows?		\boxtimes
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?		\boxtimes
e) Conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan?		\boxtimes

Discussion of Impacts

a. Project activity, on-site would not generate any significant runoff pollutants. Stormwater runoff would be limited to rainfall onto graveled and/or paved areas and is not expected to violate water quality standards. It is the policy of the County to follow existing and future Federal and State water quality standards. An erosion control and runoff plan would be required by the County Engineer to assure that water quality and waste discharge requirements are not violated.

b. The proposed project would not result in any net deficit of groundwater recharge. The applicant is proposing the use of public water provided by the Smith River Community Services District.

c. The project, a 6,000-square foot food processing and storage facility would not exceed the capacity of any existing or proposed stormwater drainage systems or provide substantial additional sources of polluted runoff. No alterations of any stream or river or other drainage pattern would occur that would cause substantial erosion or siltation. Also, there will be no change in site characteristics as a result of the project that would alter a course of a stream or river, or substantial increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.

d. The project is not located within a flood hazard zone, tsunami or seiche zone and would not result in the risk of pollutants due to project inundation.

e. The project would not conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan.

11. Land Use and Planning

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

Discussion of Impacts

The proposed project would not divide any community, designated planning area or surrounding area. The project site is located with the Smith River Planning Area and is designated as Agricultural Prime and Resource Conservation Area (Gilbert Creek) in the County's Coastal Land Use Plan. The site is zoned AE (Agriculture Exclusive - 40 acre minimum lot size) and RCA-1 (General Resource Conservation Area District) in the Del Norte County Title 21 Coastal Zoning Ordinance. The proposed project would not change the land use on the subject parcel. The proposed project would not conflict with any regional land use or environmental plans. No environmental plans or policies of state or regional agencies are directly applicable or would be affected by the proposed project.

12. Mineral Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				

Discussion of Impacts

a. The project site is not located in an area designated to have significant mineral resources, as defined by the California department of Conservation under the Surface Mining and Reclamation Act. The proposed project would not affect mineral resources in the area.

b. The project site and the surrounding area are not subject to mineral resource recovery operations. Thus, the proposed project would not affect mining operations elsewhere in the County.

13. Noise

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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?				
b) Generation of excessive groundborne vibration or groundborne noise levels?				
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?				

Discussion of Impacts

a. The project should not result in a significant level of noise beyond that which is already present. The project would result in the addition of a 6,000 square foot building on a 72.0 acre parcel. All activities associated with the use will occur within the enclosed building for sanitation purposes. Surrounding lands uses are primarily low intensity rural residential use or other land used for low intensity agricultural use.

b. The project will not expose any persons to or generate excessive groundborne vibration or groundborne noise levels.

c. The proposed site is not located near the airport. The site would not be exposed to excessive noise from any airport operations.

14. Population and Housing

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

Discussion of Impacts

a. The proposed project would result in one 6,000 square foot building being constructed for food processing and food storage for tribal members only. It would not result in substantial amount of population growth on-site nor would it affect population growth in the area.

b. The proposed project would not displace any housing units located near the site.

15. Public Services

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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:				
Fire protection?				\boxtimes
Police protection?				\boxtimes
Schools?				\boxtimes

Parks?		\boxtimes
Other public facilities?		\boxtimes

Discussion of Impacts

Fire Protection - The project must comply with the requirements of the County and State Fire Safe Regulations for fire safety and fire emergency response. The project is served by the Smith River Fire Protection District and CAL FIRE as it is located with the State Responsibility Area.

Police Protection - The project would not result in the need to alter or expand police service in the area and would not have an adverse effect on existing police service or response times. The area is served by the Del Norte County Sheriff's Office.

Schools - The project would not result in any net increase in the number of school age children and as such no new schools would need to be constructed nor would additions be needed for existing schools. The Del Norte Unified School District collects a school mitigation fee on a per square foot basis for new residential development. The fee goes toward the maintenance of the County school system to assure adequate classroom space is available for a growing population.

Parks - The project would not directly nor indirectly place additional strain on existing parks.

Other Public Facilities - The project would not directly nor indirectly place additional strain on any other public services.

16. Recreation

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

Discussion of Impacts

a. The project would result in limited increase in the use of existing neighborhood and regional parks or other recreational facilities. The impact is not expected to be significant.

b. The project would not result in a substantial increase in users of existing neighborhood and regional parks or other recreational facilities

17. Transportation

Would the project:	Potentially	Less Than	Less Than	
	Significant	Significant Impact	Significant	No Impact
	Impact	with Mitigation	Impact	

	Incorporated		
 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? 			\boxtimes
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?		\boxtimes	
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			
d) Result in inadequate emergency access?			\boxtimes

Discussion of Impacts

a. The project is not anticipated to conflict with a program, plan, ordinance, or policy addressing any circulation system. The food processing and food storage building will have up to 3 to 4 employees. This relatively small addition of employees to the area will not create any significant impacts with the circulation system

b. The project is not expected to be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). According to the Institute of Traffic Engineers Trip Generation, the project is anticipated to generate 10.44 trips per day¹. According to the 2020 Del Norte Region SB 743 Implementation Plan, the Traffic Analysis Zone (TAZ 103) containing in the project area describes the average VMT to be approximately 24.71 base year daily per capita and 22.33 daily per employee. Further, the Plan provides for thresholds of significance that screen certain projects out of constituting a significant impact toward VMT generation. In this case, the project is expected to generate less than 110 trips per day, so it can be considered to have a less than significant impact as a 'Small Project' under Section 3.2.1 of the SB 743 Implementation Plan.

c. The project does not increase hazards due to a design feature. The project would allow access to the property from an existing encroachment from Ocean View Drive to the parcel. Improvements to the encroachments may be a condition of the use permit. There are no dangerous features in the project area and this project would not require improvements that would introduce circulation or traffic safety hazards.

d. The project would not add any new emergency access to the parcel. The only ingress/egress to the parcel already exists. No other emergency access in the surrounding area would be affected by development of this project.

18. Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources 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:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources				\boxtimes	

¹ Average Daily Trips Rate per 1,000 sq. ft. of warehouse is 1.74 per the 10th Edition of the ITE Trip Generation.

as defined in Public Resources Code section 5020.1(k), or		
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. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		

Discussion of Impacts

a. The project would have no foreseeable impacts on tribal cultural resources. A member of the Environmental Review Committee is a Native American representative and has not issued notice of any concern of resources on-site. Further, an AB 52 tribal consultation has been sent to local tribes associated with the project area and no requests for consultations have been received by the Lead Agency.

19. Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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?				
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the providers existing commitments?				
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?				
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				

Discussion of Impacts

a. The project will be connected to an existing on-site sewage disposal system subject to review and approval by the Del Norte County Community Development Department's Environmental Health Division. The new building will not 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

b. The project would not have a significant impact on water supplies available to the parcel. The project will be served by a connection to public water provided by the Smith River Community Services District. The District has not identified itself as being deficient in water.

c. The project will be served by a private onsite wastewater treatment system. No burden will be placed on a public wastewater treatment provider although the applicant is an owner/operate of a wastewater treatment system that collects wastewater from tribal properties located south of the project site. The treated effluent is piped to the project site for final disposing into a state-permitted leachfield.

d. The project site has solid waste pickup service available from local franchisee Recology. Self-hauling to the Del Norte Transfer Station is also available. The solid waste generated by five homes would not significantly impact the capacity of either service provider.

e. No conflict with solid waste regulations is expected.

20. Wildfire

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				
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 a wildfire?				
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?				X
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?				

Discussion of Impacts

a. The project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

b. The project, as designed and sited on the property, would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The project is located on flat terrain in an area of limited vegetation.

c. The project is located within the State Responsibility Area and is designated as a Moderate Fire Risk Area. The project will be required to be developed in substantial compliance with the County's Fire Safe Regulations and/or the State's Minimum Fire Regulations depending upon when the project is physically constructed. Standards for emergency water supply, setbacks for defensible space, ingress/egress must be incorporated into final plans for the development.

Additionally, all structures shall comply with the State's Wildland Urban Interface (WUI) Codes and Standards including Chapter 7A of the California Building Code (CBC) and Chapter R337 of the California Residential Code (CRC).

d. The project as designed and sited will not 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.

21. Mandatory Findings of Significance

Would the project:	Potentially Significant Impact	Less Than Significant Impact 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?				
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)?				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				

a-c. The project does not 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 species 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. Additionally, the project does not have impacts that are individually limited but cumulatively considerable and does not have environmental effects which will cause substantial adverse effects on human beings directly nor directly.

Food Storage Shed

16450 Oceanview Drive

Smith River, CA 95567

Additional Information on Tolowa Dee-ni' Nation Food Sovereignty Project:

The Food Sovereignty Project is a general name for Tolowa Dee-ni' Nation's efforts to gather, grow, harvest, and store traditional & high-quality food. The goal is to increase the food security of the Tribe & Community. In practice, this means increasing the space & effort spent on local gardening & gathering. Prior grants funded creation of "Food Forests" (mix of perennial & annual plants in a single garden) in Crescent City & Smith River.

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PLANNING

COUNTY OF DEL NORIE

Considering ways to increase the supply of fresh food, the Tribe has plans to plant berry bushes, maybe a small apple orchard, and grow annual crops such as carrots, cauliflower, etc. The planned Food Shed is a place to process & store this food, for later distribution to Tribal Citizens. All food will be distributed to citizens, off-site. This is not a commercial operation, but more of an enhanced gardening operation. If you need any additional detail, please let me know.

Prior info included below:

1. 80 -

Applicant plans to construct a 60' x 100' metal Shed Building, to be used for Food Storage & Processing. It will be located adjacent to several existing, similar size sheds and barns, already on property.

The Parcel is an 80-acre parcel, owned by Tolowa Dee-ni' Nation for appx. 20 years. The land was previously used for bulb farming.

For the past 10 years, the farm has been certified as organic, with primary crop being hay.

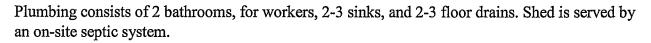
The new Food Storage Shed will be used to store & process vegetable crops, livestock, and hay.

Vegetable crops & hay will be grown on-site, or at other farms. For instance, a planned 6-acre orchard would eventually produce 100,000 lbs of apples/year. This produce needs a shed for processing, washing, and storage.

Meat comes, primarily from Elk, killed in Hwy 101 collisions. Tolowa Dee-ni' Nation has an agreement with CDFW, CHP, and Caltrans to respond to any Elk/Vehicle collision in the area, removing the Elk and salvaging the meat, as much as possible. In a typical year, there are 4-6 such Elk, resulting in several hundred lbs of meat to store.

The Food Storage Shed will have cold storage: walk-in cooler & freezer, and dry storage. The food processing area will have sinks tables, containers, to wash & package produce & meat for storage.

Shed will have several roll-up doors and man-doors to allow workers, vehicles, and equipment (such as forklift) to move in & out of building.



Electrical service consists of a 200amp panel (or, as sized by electrician), with power to feed the refrigeration, lights, and wall outlets.

Shed building is a typical metal-sided, red-steel building, 60' x 100', with 18' sidewalls, built on a concrete slab. It will be tan color walls with a green roof.

In general, food items will be delivered by truck or tractor, unloaded into the shed for processing & storage. Processing typically consists of washing, sorting, packaging.

Later, packaged food (typically in boxes) will be taken to an off-site distribution location, such as the community center.

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If any additional information is needed, please contact me.

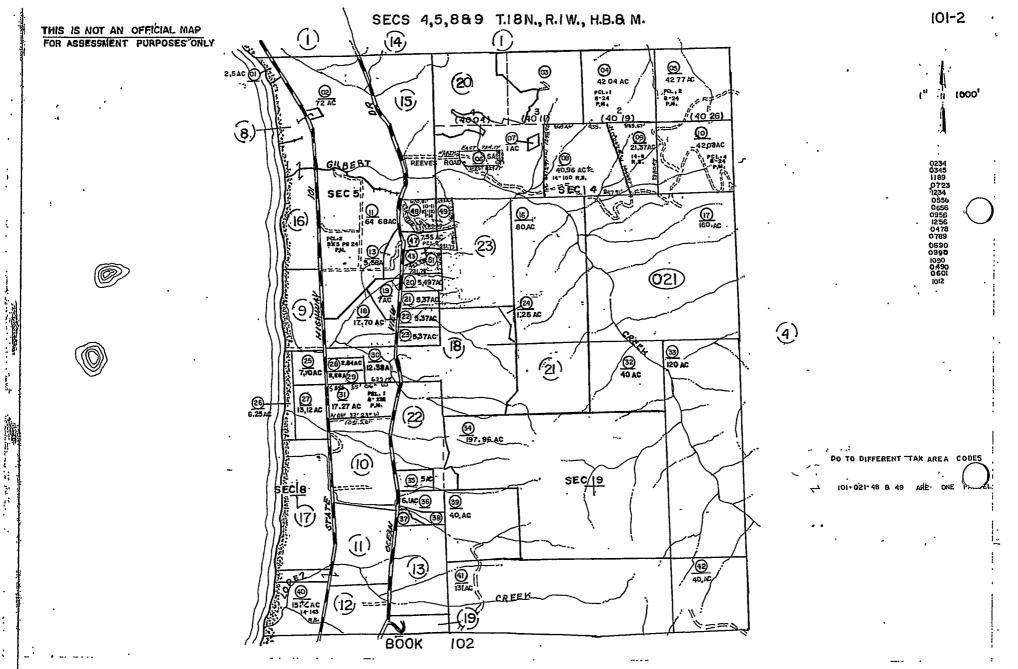
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