Furtado-Washington Terrace

Final Subdivision and Planned Development Permit (PLN-2020-16515)

Initial Study/Mitigated Negative Declaration

June 28, 2021



Prepared By:



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

Project Information

**Project Title:** Furtado-Washington Terrace Final Subdivision and Planned Development Permit (PLN-2020-16515)

# Lead Agency

Humboldt County Planning and Building Department – Planning Division 3015 H Street

Eureka, CA 95501

(707) 445-7541

**Property Owners**

JLF Construction, Inc.

3329 Halfway Ave

McKinleyville, CA 95519

# Project Applicant

Jim Furtado

3329 Halfway Ave

McKinleyville,CA 95519

# Project Location

The project is located on the west side of Washington Avenue, approximately 280 feet north from the intersection of Washington Avenue and School Road, in the McKinleyville area. APN: 508-242-044

# General Plan Designation

Residential Low Density (RL), Density: Range is 1 to 8 units per acre, McKinleyville Community Plan (MCCP), 2017 General Plan, Slope Stability: Relatively Stable (0).

# Zoning

Residential One-Family (R-1), Noise Impact (N)

# Project Description

The project is a Major (Final Map) Subdivision of an approximately 7.6-acre parcel into forty (40) residential parcels, ranging in size from approximately 3,800 square feet to 7,500 square feet. A minimum of 15 percent of the lots would meet affordable housing requirements. A Planned Development Permit is also requested to allow for reduced lot sizes on 10 of the 40 lots (below the R-1 Zone’s standard minimum lot size of 5,000 square feet), and to allow 40-foot-wide lot widths on these 10 smaller lots. Additionally, an exception to County shading requirements is requested for Lots 12-15 and 37-40.

The applicant states: “*The Planned Unit Development designation will allow for greater design flexibility. The Planned Unit Development requests to reduce lot dimensions as well as lot areas down from the 5,000 Square Feet size required by R1 Zone. Per the Tentative Map, 10 lots are currently proposed to be smaller than the R1 zoning requirements, with the smallest being Lot 37 at 3,653 Square Feet. Lot dimensions for these 10 lots are proposed to be 40 feet wide by just over 90 feet deep. As a condition of development from the purchase of this formerly publicly owned property, 15% of the total lots must meet affordable housing requirements per the income limits specified by the U.S. Department of Housing and Urban Development (HUD). Thus, a minimum of 6 lots out of the 40 total subdivision lots proposed must meet these requirements. Supporting the above lot sizes and dimensions will allow the project to better adapt to site conditions and meet its affordable housing target.”*

The lots will be served with community water and sewer by the McKinleyville Community Services District (CSD). Access to the proposed project would occur via a single street connection to Washington Avenue, with access to individual lots provided by two cul-de-sac streets. In addition to 40 residential parcels, on-site storm drainage would be provided via an on-site basin (proposed Parcel C) and two linear swales (Parcels A and B). These can be maintained by a homeowner’s association, the Services District or the County (the applicant has indicated a preference for the County to maintain the facilities).

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# Baseline Conditions: Surrounding Land Uses and Setting

The project is undeveloped and is predominantly open, covered with grasses, shrubs, and clusters of trees (Monterey and shore pines). The site slopes generally at approximately 3 percent from a low elevation of approximately 138 ft in the northeast corner to a high elevation of approximately 165 ft in the southwest corner. The property fronts Washington Avenue to the east.

Surrounding land uses:

-North: Single-family residential

-East: Single-family residential

-South: Undeveloped parcel (owned by McKinleyville Community Services District)

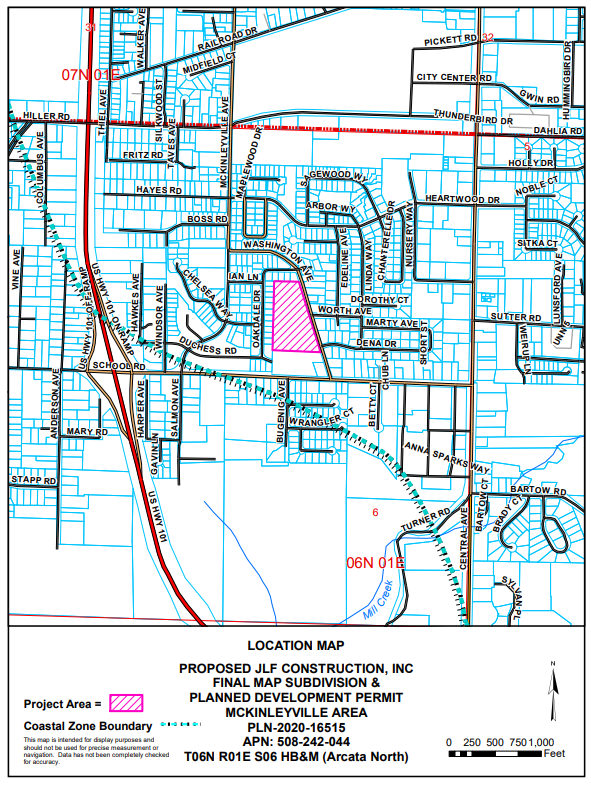
-West: Single-family residential

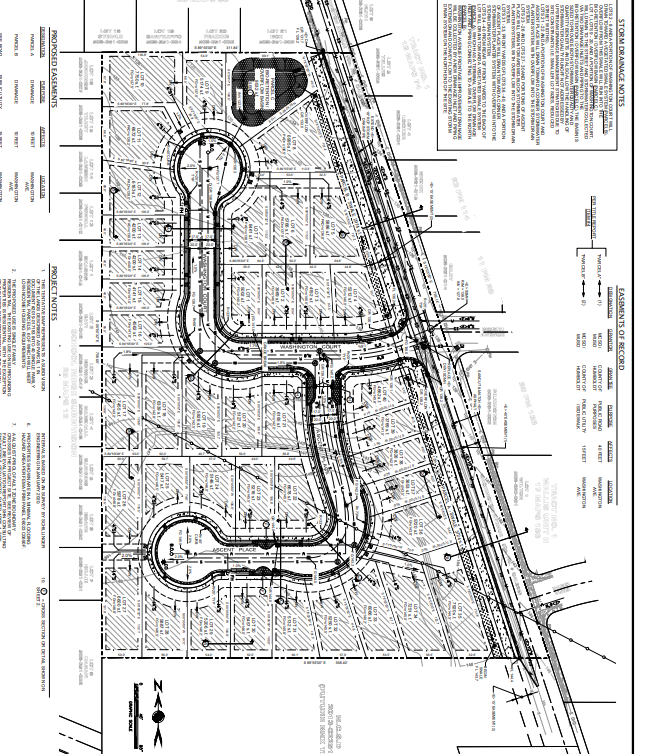
**Other Public Agencies Whose Approval Is or May Be Required** (permits, financing approval, or

participation agreement): Humboldt County Public Works Department, Division of Environmental Health, Building Division, Arcata Fire District, McKinleyville Community Services District.

**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 referred to local Tribes. Based on referral responses, including from the Wiyot, Blue Lake Rancheria and Bear Creek Tribes, no further action was deemed necessary. The standard accidental discovery clause of cultural/archaeological resources is provided as a condition of approval for the Tentative Map and mitigation measure.

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**Environmental Factors Potentially Affected:** The environmental factors checked below would be

potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

|  |  |  |  |
| --- | --- | --- | --- |
| * Aesthetics |  | * Agricultural 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 |  | * 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.

Stop with solid fill I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **Mitigated Negative Declaration** will be prepared.

* I find that the proposed project **may** have a significant effect on the environment, and an

**Environmental Impact Report** (EIR) is required.

* I find that the proposed project **may** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has

been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only those effects that

remain to be addressed.

* I find that although the proposed project could have a significant effect on the environment,

because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or

**Negative Declaration** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

 6-25--21

Signature Date

Brian Millar, Contract Planner Humboldt County Planning

Printed Name and Building Department

# Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each 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).

1. 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.
2. 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.
3. "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).

1. 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:
   1. Earlier Analysis Used. Identify and state where they are available for review. **N/ A**
   2. 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**
   3. 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 that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the project.

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| **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? |  |  | X |  |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? |  |  | X |  |
| 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? |  |  | X |  |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? |  |  | X |  |
| **Discussion**:  **(a-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 in a largely urbanized area within the McKinleyville community, and surrounded on three sides (to the west, north and east) by developed single-family residential neighborhoods. The proposed subdivision is consistent with the current Zoning and General Plan designation and is consistent with the planned buildout of the area. The project would result in development of 40 single-family residences built on lots ranging in size from approximately 3,800 square feet to 7,500 square feet. The lots would be developed consistent with County setback standards and building height limitations. The county finds no evidence that the subdivision of the parcel within the area will have substantial adverse aesthetic impacts, and there is no indication that the project will significantly increase light or glare or affect nighttime views in the vicinity. | | | | |

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| **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 non-  agricultural use? |  |  | X |  |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contra ct? |  |  | X |  |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section  4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? |  |  | X |  |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? |  |  | X |  |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? |  |  | X |  |

**Discussion**:

**(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, nor does the site 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 site’s R-1 Zone. The county finds no evidence that the project will result in a significant adverse impact on agricultural resources.

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| **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? |  |  | X |  |
| 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? |  |  | X |  |
| c) Expose sensitive receptors to substantial pollutant concentrations? |  |  | X |  |
| d) Result in other emissions (such as those leading to odors ) adversely affecting a substantial number of people? |  |  | X |  |
| **Discussion:**  **(a- d) 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 PM 10 emissions to levels necessary to meet California Ambient Air Quality Standards (CAAQS). 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 would divide a parcel into 40 lots, 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. | | | | |

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| **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? |  | X |  |  |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of 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? |  | X |  |  |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? |  |  | X |  |
| **Discussion:**  **(a-c)** **Less Than Significant with Mitigation Incorporated.** Seasonally appropriate floristic surveys were completed on March 22 and June 18, 2021, for potentially occurring special status plants. No special status plants were detected onsite. The parcel contains a mixture of native and non-native dominated vegetation communities, including non-native Monterey pine woodland, native coastal brambles, invasive Scotch broom, and mowed grassland dominated by non-native sweet vernal grass (GHD 2021, p 7). Vegetation includes: a 0.27-acre patch of disturbed coastal brambles dominated by California blackberry (*Rubus ursinus*), which are considered a Sensitive Natural Community (S3 G4); a 1.11-acre stand of trees dominated by planted Monterey pine (*Pinus radiata*); a 0.11-acre patch of invasive Scotch broom (*Cytisus scoparius*); and a 5.33-acre mowed field dominated by non-native sweet vernal grass (*Anthoxanthum odoratum*) (GHD 2021, p. 7). Although Monterey pine is rare (CRPR 1B.1) (CNPS 2021) within its native range in the Central Coast of California, it has been widely planted and naturalized on the North Coast (GHD 2021, p. 5). Many escaped exotic species and several species designated as invasive by the California Invasive Plant Council (Cal-IPC) were noted onsite (GHD 2021, p. 5).  If removal of the coastal bramble patch or any trees is planned onsite, it should occur outside of the breeding season (March 15-August 15), or surveys will be needed to ensure any nesting birds in the area are protected. The recommended mitigation measure for potential impacts to nesting birds protected under MBTA has been provided in Mitigation Measure No. 1. It is also recommended that the landowner incorporates native trees and shrubs by landscaping or preservation of native trees and shrubs currently on the parcel as feasible. Recommended native landscaping species that could replace the native habitat value of the recently established coastal brambles on the parcel include California blackberry, coast silk tassel (*Garrya elliptica*), red flowering currant (*Ribes sanguineum*), evergreen huckleberry (*Vaccinium ovatum*), or coast twinberry (*Lonicera involucrata*), among other locally occurring plants that may be available at a restoration nursery.  The site consists of 3-parameter uplands based on field investigations that showed a lack of one and three parameter wetlands, and no wetlands have been previously mapped on the parcel (GHD 2021, p. 5).  Based on the Complete Botanical Surveys and Habitat Assessment (GHD 2021), a mitigation measure is included addressing protection of special status, migratory, and nesting birds. With this mitigation measure, the project is not anticipated to 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. Additionally, with the project mitigation measures, the project is not anticipated to 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.  **(d) Less Than Significant:** The project site has no defined watercourses or defined wildlife corridors and would not adversely impact 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) Less Than Significant with Mitigation Incorporated:** The Complete Botanical Surveys and Habitat Assessment (GHD 2021), included protocol-level floristic surveys for potentially occurring special status plants and investigations for sensitive habitats and potential wetlands onsite were completed on March 22 and June 18, 2021 (GHD 2021, p. 7). The surveys determined that parcel contains a mixture of native and non-native dominated vegetation communities, including non-native Monterey pine woodland, native coastal brambles, invasive Scotch broom, and mowed grassland dominated by non-native sweet vernal grass (GHD 2021, p. 7). Highly invasive Scotch broom, English ivy, Himalayan blackberry, and pampas grass should be high priority for removal, this will be addressed as a recommended condition of approval for the project; invasive English holly, cotoneaster, periwinkle (Vinca major), and bull thistle (Cirsium vulgare), as well as an uncommon nonnative star acacia (Acacia verticillata) are also recommended for removal. If removal of the coastal bramble patch or any trees is planned onsite, it should occur outside of the breeding season (March 15-August 15), or surveys will be needed to ensure any nesting birds in the area are protected (GHD 2021, p. 7).  **(f) Less Than Significant:** The project site is not within an adopted or proposed habitat conservation plan. The project area is developed at and surrounded on three sides by urban residential uses. The Department finds no evidence that the project will result in a significant adverse impact on any habitat conservation plan. | | | | |

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| **Mitigation Measure No. 1: Protect Special Status, Migratory, and Nesting Birds**  Ground disturbance and vegetation clearing shall be conducted, if possible, during the fall and/or winter months and outside of the avian nesting season (March 15 – August 15) to avoid any direct effects to special status and protected birds. If ground disturbance cannot be confined to work outside of the nesting season, a qualified ornithologist shall conduct pre-construction surveys within the vicinity of the project area, to check for nesting activity of native birds and to evaluate the site for presence of raptors and special status bird species. The ornithologist shall conduct at minimum a one day pre-construction survey within the 7 - day period prior to vegetation removal and ground disturbing activities. If ground disturbance and vegetation removal work lapses for seven days or longer during the breeding season, a qualified ornithologist shall conduct a supplemental avian preconstruction survey before project work is reinitiated.  If active nests are detected within the construction footprint or within 500 feet of construction activities, the ornithologist shall flag a buffer around each nest. Construction activities shall avoid nest sites until the ornithologist determines that the young have fledged or nesting activity has ceased. If nests are documented outside of the construction (disturbance) footprint, but within 500 feet of the construction area, buffers would be implemented as needed. In general, the buffer size for common species would be determined on a case-by-case basis in consultation with the CDFW and, if applicable, with USFWS. Buffer sizes would take into account factors such as (1) noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity; (2) distance and amount of vegetation or other screening between the construction site and the nest; and (3) sensitivity of individual nesting species and behaviors of the nesting birds.  If active nests are detected during the survey, the qualified ornithologist shall monitor all nests at least once per week to determine whether birds are being disturbed. Activities that might, in the opinion of the qualified ornithologist, disturb nesting activities (e.g., excessive noise), shall be prohibited within the buffer zone until such a determination is made. If signs of disturbance or distress are observed, the qualified ornithologist shall immediately implement adaptive measures to reduce disturbance. These measures may include, but are not limited to, increasing buffer size, halting disruptive construction activities in the vicinity of the nest until fledging is confirmed or nesting activity has ceased, placement of visual screens or sound dampening structures between the nest and construction activity, reducing speed limits, replacing and updating noisy equipment, queuing trucks to distribute idling noise, locating vehicle access points and loading and shipping facilities away from noise-sensitive receptors, reducing the number of noisy construction activities occurring simultaneously, and/or reorienting and/or relocating construction equipment to minimize noise at noise-sensitive receptors. |

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| **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? |  |  |  | X |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? |  | X |  |  |
| c) Disturb any human remains, including those interred outside of formal cemeteries? |  | X |  |  |
| **Discussion**:  **(a) No Impact:** No historical resources have been documented on the undeveloped site. 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. Based on referral responses, including from the Wiyot, Bear Creek and Blue Lake Rancheria Tribes, no further action was deemed necessary. The standard accidental discovery clause of cultural/archaeological resources is provided as a condition of approval for the Final Map and Mitigation Measure No. 2, below. | | | | |

**Mitigation Measure No. 2.** The following note shall be place on the project Final Map. and on the Improvement Plans 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 project representative, a professional archaeologist, the County Planning and Building Department and representatives from the Wiyot Tribe; 3. The professional historic resource consultant, Tribe and County 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 responsible for ensuring compliance with this condition.”

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| **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? |  |  | X |  |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? |  |  | X |  |
| **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 40 homes. The construction phase is not anticipated to utilize excessive energy, and the 40 new homes that could be constructed on the project’s 40 lots will be compliant with the energy requirements of Title 24 of the Building Code. Solar access plans have been developed for each lot to ensure natural solar heating is available; the applicant has requested an exception to County solar access requirements for Lots 12-15 and 37-40, which will be considered as part of the Planning Commission action on the proposed subdivision application. Therefore, a less than significant impact will occur. | | | | |

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| **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: |  |  |  |  |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. |  |  | X |  |
| ii) Strong seismic ground shaking? |  |  | X |  |
| iii) Seismic -related ground failure, including liquefaction? |  |  | X |  |
| iv) Landslides? |  |  | X |  |
| b) Result in substantial soil erosion or the loss of topsoil? |  |  | X |  |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and  potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? |  |  | X |  |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? |  |  | X |  |
| 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? |  |  |  | X |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? |  |  |  | X |
| **Discussion:**  **(a)(i–iii) Less Than Significant impact:** The southwest corner of the project site is located within an Alquist-Priolo Earthquake Fault Zone. The subject property was part of a 1989 LACO analysis, *Geotechnical Investigation, Fault-Rupture Hazard Evaluation, Mad River Fault Zone, Alquist-Priolo Special Study Zone,* which analyzed the potential impacts of the fault zone on future development of the project site and an adjoining property. LACO’s study found that various fault studies in the area document the north trace of the Mad River fault diminishing to the southeast of the project site, stopping just south of its intersection with School Road. As the study had been prepared over 20 years ago, the County utilized a current review of the fault zone study by SHN engineers. The SHN analysis found “the results of the LACO fault study are clear and definitive.” Active faulting at the site appears to be limited; the absence of fault rupture potential on the project site was addressed by trench analysis and on-site investigations. SHN found that no additional fault investigation is required and recommended the 1989 LACO fault evaluation report for the site be accepted by the County. A geotechnical investigation of the project site was also prepared by SHN in 2020.The geotechnical analysis found the site suitable for residential development and included recommendations for site preparation, grading, and residential foundation design. These provisions will be implemented as part of site development plans. Additionally, standard County residential construction measures would be implemented as part of building plan review and issuance for new homes. Development associated with the subdivision will therefore 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.  **(a)(IV) Less Than Significant Impact:** The project site is categorized as relatively stable in the General Plan and has gentle slopes (typically level to three percent grade), with no risk of landslides as a result of the project.  **(b) Less Than Significant impact:** Any future home construction and interior 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 located in or on soils that are classified as having relatively stable slopes, with the site being generally level to approximately three percent grades. All future construction activities on the project site, including installation of utilities, roadways and home construction, would be required to adhere to County grading, Building Code requirements. 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 wastewater services provided by the McKinleyville Community Services District. There will be no on-site sewage disposal as part of the project.  **(f) No Impact:** There are no known paleontological resources or unique geologic features on site. | | | | |

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| **VIII. 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? |  |  | X |  |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? |  |  | X |  |
| **Discussion:**  **(a-b) 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 40 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. | | | | |

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| **IX. Hazards and Hazardous Materials**. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation  Incorporated | Less Than Significant Impact | No Impact |
| 1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? |  |  | X |  |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? |  |  | X |  |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? |  |  | X |  |
| d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code  Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? |  |  | X |  |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? |  |  | X |  |
| f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency  evacuation plan? |  |  | X |  |
| g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires? |  |  | X |  |
| **Discussion:**  **(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 approximately 2.2 miles south of the California Redwood Coast – Humboldt County 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 future residents 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. | | | | |

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| **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? |  |  | X |  |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? |  |  | X |  |
| 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; |  |  | X |  |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; |  |  | X |  |
| (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 |  |  | X |  |
| (iv) impede or redirect flood flows? |  |  | X |  |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? |  |  | X |  |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? |  |  | X |  |
| **Discussion**:  **(a- e) Less than significant Impact:** The project site will be provided with water and sewage disposal by connection to the McKinleyville (CSD), and therefore would not impact groundwater supplies nor require on-site sewage disposal systems. The County 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 (Panel No. 06023 C0690F). Further, the project site is not within a mapped dam or levee inundation area. The site sits at elevations ranging from approximately 138 to 165 feet and is outside areas subject to tsunami run-up. The project was reviewed by Public Works which recommended that the applicant submit a complete hydraulic report and drainage plan as a condition of approval. No streams, creeks or other waterways will be altered as a result of this project. The County finds no evidence that the proposed project will result in significant hydrologic or water quality impacts. | | | | |

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| **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? |  |  | X |  |
| 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? |  |  | X |  |
| **Discussion**:  **(a-b) Less Than Significant Impact:** The 7.6-acre project site is designated Residential Low Density (RL), Density: Range is 1 to 8 units per acre in the General Plan and per the General Plan’s McKinleyville Community Plan. Zoning of the site is Residential One-Family (R-1), Noise Impact (N). The General Plan and Zoning are intended to support single-family residential development. The proposed project would have a resultant density of approximately 5.2 units/acre, consistent with the land use designation. The subject property would be accessed by a primary roadway connection from Washington Avenue, with internal circulation provided by two cul-de-sacs. As such, the design of the project would not divide an established community. A Planned Development Permit is included as part of the project to allow modification of Zone’s R-1 lot width and minimum size standards on 10 of the lots. The Department finds there is no evidence that the project will result in significant adverse impact with regard to land use and planning. | | | | |

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| **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? |  |  |  | X |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? |  |  |  | X |
| **Discussion:**  **(a,b) No 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. | | | | |

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| **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? |  |  | X |  |
| b) Generation of excessive ground borne vibration or ground borne noise levels? |  |  | X |  |
| 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? |  |  | X |  |
| **Discussion**:   1. **Less Than Significant:** This parcel is located within a Noise Impact combining zone (see discussion below under item (c)), though the planned single-family residential uses of the lots is not anticipated to generate a substantial increase in ambient noise levels in the vicinity of the project nor in excess of local standards. 2. **Less Than Significant Impact:** Noises generated by the proposed project development 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 County limits the construction hours, which will ensure the temporary noise increases do not create a significant impact. Construction of the project does not include equipment that would result in significant groundborne vibration. No significant permanent change in noise from the existing conditions would result from this project. 3. **Less Than Significant Impact:** The project area is approximately 2.2 miles south of the California Redwood Coast – Humboldt County Airport, and therefore is not within 2 miles of a public or private airport. The project site is zoned with a “N” (Noise) Combining District, which is used to establish regulations to maintain, within single family structures, low exposure levels to noise associated with airports and major roads. These Noise impact regulations are applied to areas mapped by the General Plan to have a noise exposure level of equal to or in excess of 60 dB Community Noise Equivalent Level - Day-Night Average Level (CNEL-Ldn); the 60 dB noise contour related to Airport noise does not affect the project site, though potential noise related to traffic along the project’s Washington Avenue frontage is identified as a potential noise source impacting the site. Pursuant to requirements of the “N” Combining District, building standards to reduce interior noise levels of new residences will be applied as part of the building permit process to limit noise levels to 45 dB CNEL-Ldn in all habitable rooms. This standard will ensure noise impacts associated with the Airport would not present a significant impact to the proposed subject property. Therefore, noise impacts will remain less than significant. | | | | |

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| **XIV. 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)? |  |  | X |  |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing  elsewhere? |  |  | X |  |
| **Discussion:**  **(a, b) Less Than Significant Impact.** The proposed project would divide a 7.6-acre parcel into 40 lots suitable for single-family residential development. Single-family residential uses are primary and compatible uses within the plan designation and zoning district. The subdivision is consistent with the planned residential density of the site and project area. The land use designation for the property is Residential Low Density (RL), Density: Range is 1 to 8 units per acre, and the proposed project would have a residential density of 5.2 dwelling units per acre. Six of the lots (15 percent of project total) would be provided for affordable housing development, supporting County affordable housing goals. The project site is undeveloped, and there would be no displacement of people or housing as part of project development. The Department finds no evidence that the project will result in a significant adverse impact on population and housing. | | | | |

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| **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? |  |  | X |  |
| b) | Police protection? |  |  | X |  |
| c) | Schools? |  |  | X |  |
| d) | Parks? |  |  | X |  |
| e) | Other public facilities? |  |  | X |  |
| **Discussion:**  **(a- e) Less Than Significant:**  No new or physically altered government facilities are required as a result of the project. The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities. Fire protection would be available to the project site from the Arcata Fire District, who has recommended project approval. The Fire District would not allow on-street parking in cul-de-sac areas to ensure adequate emergency vehicle turnarounds are available; this will be addressed as a project condition of the Final Map. Police protection would be provided by the County Sheriff’s Office. The project would be required to pay appropriate parks fees as part of compliance with the County’s Quimby Act standards, ensuring fair share contribution towards community parks. The McKinleyville Union School District has reviewed the proposed project plans and has recommended approval. Therefore, a less than significant impactwould occur. | | | | | |

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| **XVI. 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? |  |  | X |  |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? |  |  | X |  |
| **Discussion:**  **(a-b) Less Than Significant Impact:** The project does not include recreational facilities. The project will be conditioned upon payment of parkland dedication fees in lieu of creating a neighborhood park on the site. 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. | | | | |

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| **XVII. 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? |  |  | X |  |
| b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? |  |  | X |  |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or  incompatible uses (e.g., farm equipment)? |  |  | X |  |
| d) Result in inadequate emergency access? |  |  | X |  |
| **Discussion:**  **(a-d) Less Than Significant Impact:** The project site has direct access to and frontage along Washington Avenue, which is classified as an Urban Minor Arterial in the General Plan. The project proposes a single roadway connection to Washington Avenue, with internal access to the project’s 40 residential lots provided by two cul-de-sac roadways. The Final Map indicates a planned 46-footwide roadway section for these internal streets, including two vehicle travel lanes, parking lanes on each side of the streets, landscape strips and 5-foot-wide sidewalks. The Land Use Division of Public Works has recommended conditions of approval for the project, including for frontage and internal road improvements. The project developer will be required to construct sidewalk improvements from the southern boundary of the subdivision to School Road in order to provide access to a bus stop on Central Avenue at School Road. This is addressed as a project condition of the Final Map. As noted above, the Arcata Fire District will not permit on-street parking within the cul-de-sac bulb to ensure adequate emergency vehicle turnaround space is provided. With the creation of 40 parcels for single-family residential use, the County finds there is no evidence that the project will not result in a change in air traffic patterns (with the closest Airport over two miles to the north), nor will it result in vehicle miles traveled because it is infill development withing on half mile of an existing transit stop. A Class II bicycle lane is located along School Road, just south of the project site. The project will not conflict with adopted policies supporting transportation. | | | | |

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| **XVIII. Tribal Cultural Resources**. | Potentially Significant Impact | 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: |  |  |  |  |
| 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 |  | X |  |  |
| 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? |  | X |  |  |
| **Discussion:**  **(a-i,ii) Less Than Significant Impact:**  Pursuant to AB52, the project was initially referred to local Tribes. Based on referral responses, including from the Wiyot, Bear Creek and Blue Lake Rancheria Tribes, no further action was deemed necessary. The standard accidental discovery clause of cultural/archaeological resources is provided as a condition of approval for the Tentative Map and Mitigation Measure No. 2, previously discussed under Cultural/Historical Resources. | | | | |

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| **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? |  |  | X |  |
| b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? |  |  | X |  |
| 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? |  |  | X |  |
| 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? |  |  | X |  |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? |  |  | X |  |
| **Discussion**:  **(a- e) Less than significant:** The County finds there is no evidence that the project will be inconsistent with the planned build-out of the area nor will the project result in a significant adverse to utilities and service systems. The 7.6-acre parcel is zoned and planned for residential development. Water and sewage disposal services would be provided by the McKinleyville CSD. Storm water drainage at the site would be addressed through provision of an on-site drainage basin (proposed Parcel C) and two linear drainage swales (Parcels A and B) that would be designed to allow stormwater collection and bio-filtration. Final plans for these improvements would be subject to the Division of Public Works review and approval, pursuant to a condition of the Final Map. The County’s landfill has capacity to serve the proposed project. The project impact will be less than significant. | | | | |

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| **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? |  |  | X |  |
| 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? |  |  | X |  |
| 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? |  |  | X |  |
| **Discussion**:  **(a-d) Less than significant:** The project is located within the boundaries of, and would be served by, the Arcata Fire District. The project site is located in the urbanized McKinleyville area and is not located in a high-risk wildfire area. Development of the project site and construction of new homes is not expected to exacerbate fire risk or result in temporary or ongoing impacts to the environment. The project impact will be less than significant. | | | | |

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| **XXI. 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? |  |  | X |  |
| b) Does the project have impacts that are individually limited,  but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects). |  |  | X |  |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? |  |  | X |  |

**Discussion:**

**(a-c) Less Than Significant Impact:** The proposed project divides one 7.6-acre parcel into 40 parcels suitable for residential development. There is 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 County 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: Protect Special Status, Migratory, and Nesting Birds**

Ground disturbance and vegetation clearing shall be conducted, if possible, during the fall and/or winter months and outside of the avian nesting season (March 15 – August 15) to avoid any direct effects to special status and protected birds. If ground disturbance cannot be confined to work outside of the nesting season, a qualified ornithologist shall conduct pre-construction surveys within the vicinity of the project area, to check for nesting activity of native birds and to evaluate the site for presence of raptors and special status bird species. The ornithologist shall conduct at minimum a one-day pre-construction survey within the 7 - day period prior to vegetation removal and ground disturbing activities. If ground disturbance and vegetation removal work lapses for seven days or longer during the breeding season, a qualified ornithologist shall conduct a supplemental avian preconstruction survey before project work is reinitiated.

If active nests are detected within the construction footprint or within 500 feet of construction activities, the ornithologist shall flag a buffer around each nest. Construction activities shall avoid nest sites until the ornithologist determines that the young have fledged or nesting activity has ceased. If nests are documented outside of the construction (disturbance) footprint, but within 500 feet of the construction area, buffers would be implemented as needed. In general, the buffer size for common species would be determined on a case-by-case basis in consultation with the CDFW and, if applicable, with USFWS. Buffer sizes would take into account factors such as (1) noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity; (2) distance and amount of vegetation or other screening between the construction site and the nest; and (3) sensitivity of individual nesting species and behaviors of the nesting birds.

If active nests are detected during the survey, the qualified ornithologist shall monitor all nests at least once per week to determine whether birds are being disturbed. Activities that might, in the opinion of the qualified ornithologist, disturb nesting activities (e.g., excessive noise), shall be prohibited within the buffer zone until such a determination is made. If signs of disturbance or distress are observed, the qualified ornithologist shall immediately implement adaptive measures to reduce disturbance. These measures may include, but are not limited to, increasing buffer size, halting disruptive construction activities in the vicinity of the nest until fledging is confirmed or nesting activity has ceased, placement of visual screens or sound dampening structures between the nest and construction activity, reducing speed limits, replacing and updating noisy equipment, queuing trucks to distribute idling noise, locating vehicle access points and loading and shipping facilities away from noise-sensitive receptors, reducing the number of noisy construction activities occurring simultaneously, and/or reorienting and/or relocating construction equipment to minimize noise at noise-sensitive receptors.

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

*Evidence of Compliance*: Visible evidence

# Cultural Resources:

**Mitigation Measure No. 2:** 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