

<p>TRINITY COUNTY PLANNING COMMISSION STAFF REPORT</p>

OWNER: Terry Melerding

APPLICANT: Salyer Mutual Water Company

REPORT BY: Frank Lynch

APN: 008-490-65

PROPOSAL: Use permit to authorize the construction and operation of a new water treatment facility, including the development of new access improvements, a 520 sq ft treatment building, a 125,000 gallon storage tank and other associated utilities .

LOCATION: In the community of Salyer, lying at the northerly terminus of Arnesen Road (pvt), 800+- ft north of its intersection with Councilman Road. AKA 191 Arnesen Road.

PROJECT INFORMATION:

Existing General Plan Designation: Village

Existing Zoning: Unclassified

Existing Land Use: Residential and public facility

Adjacent Land Use Information:

<u>Land Use</u>	<u>Zoning</u>	<u>General Plan Des.</u>	
North:	Vacant	Unclassified	Village
South:	Residential	Unclassified	Village
East:	Residential	Unclassified	Village
West:	Residential	Unclassified	Village

PROJECT DESCRIPTION: The Rush Creek Mutual Water Company (RCMWC) is proposing to upgrade its water treatment facility. This will enable the Salyer Mutual Water Company (SMWC) to upgrade their system to comply with Title 22, Section 64652 of the California Code of Regulations for water treatment. Residences have been under a Boil Water Advisory since April 2009. This project will also provide additional water storage capacity (125,000 gallon tank) to meet domestic and fire demands in the community, as well as emergency fire demands in the surrounding area. Improvements are planned as follows: (1) install a new pipeline from the pump house located above the Trinity River intake area to the Water Treatment Plant (WTP); and (2) install new water treatment facilities at the Salyer Mutual Water Company’s WTP. The water treatment and delivery system was constructed approximately 50 years ago and in the absence of any major upgrades to the system, it has become increasingly unreliable due to repeated water main failures. Repeated failures such as breaks and leaks along the main lead to storage tanks draining and water outages which cause undue strain on the local populace. Current water use varies seasonally, but has an average daily demand of 30 gpm and a peak flow of about 46gpm. The proposed improvement would provide a treatment capacity of 50 gpm, by constructing chemical treatment and filtration facilities.

The sole water source for the SMWC is the Trinity River. Currently, water is withdrawn from the Trinity River throughout the year under an existing Domestic Water Supply Permit (Permit No. 01-01-12(P)004) issued by the CDPH Division of Drinking Water & Environmental Management Branch. The existing raw water is untreated and delivered to two existing 12,000-gallon tanks. The water is then distributed to the Salyer residents in its raw, untreated form.

The major components of the project include:

- Install a new 4" raw water main, 6" distribution main, and telemetry cable from the pump house to the Salyer mutual Water Company's WTP site. The pipeline installation would be subsurface and require relatively shallow trenching activities along the extent of this portion of the project.
- Install two new laterals along the length of the main distribution line to service two 6" blow-off valves.
- Modify/Install water treatment and distribution facilities at the Salyer Mutual Water Company's WTP including modifying the use of the existing water storage tank(convert to back wash facility); and installation of new piping, new pumps, new treatment processing by adding new filters, chemical treatment, and a new 125,000-gallon water storage tank.
- The construction schedule for the proposed project will last approximately ten months.

ENVIRONMENTAL EVALUATION: The California Department of Public Health was the lead agency under CEQA and has adopted a mitigated negative declaration for the project on June 6, 2014 (State Clearinghouse #2014042067) The following is a summary of that analysis, largely copied (in many areas verbatim) from that environmental document:

Aesthetics: The new pipeline, storage tanks and leach field are located in an existing right-of-way, or existing undeveloped area within the subdivision where easements will be acquired.

Construction activities that may be seen from Highway 299 include very limited views of short duration of the pipeline work to be conducted due to the heavily vegetated landscape. The project would not adversely impact any visual resources that can be seen along Highway 299.

Two mitigations were adopted to insure visual compatibility with the surrounding community:

Mitigation Measure No. 1. The SMWC will implement visual improvements to the new reservoir, including but not limited to installing a new fence and vegetated screen, to minimize visual impacts to the neighborhood from the new reservoir to the satisfaction of the Trinity County Planning Department. .

Mitigation Measure No. 2. Any and all exterior lighting on the property shall be located and shielded such that no light or glare extends beyond the property line. In addition, no portion of the illuminated fixture or lens shall extend below or beyond the canister or light shield to the satisfaction of Trinity County Planning Department. .

Staff Comment: Staff does not object to the County being assigned as the responsible entity to carry these mitigations forward, but for the record, we feel compelled to note that the visual screening of a 125,000 water tank is not easily accomplished. We would expect that a neutral color be chosen for the tank itself and that ample vegetation be installed that will achieve a reasonable height and mass to be effective within a defined time frame. County staff recommends the following additional condition language to effectively achieve a screening effect:

New additional mitigation: The landscape plan, prepared by a California licensed landscape architect, shall be prepared prior to construction for review and approval of the Trinity County Planning Department. Said plan shall provide a detailed analysis of the screening goal, and shall include a list of species selected, providing anticipated grow rates, screening capabilities, watering requirement with provision for long term maintenance including replacement provisions.

Agricultural Resources: The proposed project does not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland). There is no land within or adjacent to the project area that is under Williamson Act contract. The proposed project does not contemplate a change in the way that land is currently used in the community. Therefore, the project will not impact agricultural resources.

Staff Comment: An agricultural preserve is located in the area, lying approximately 850 feet west of the project site, which is primarily grazing land at this time. This project however should not result in any significant impact to that agricultural operation

Air Quality: The analysis provided provides an extensive and detailed discussion of air quality standards, including local concerns about “non-attainment” of PM-10 air emissions, which locally can be attributed to wood smoke, and driving on dirt roads. Issues identified and conditions provided primarily address compliance standards for vehicle use during the course of construction. The conditions provided are as follows:

Mitigation Measure No. 3. The applicant, at all times, shall comply with Air Quality Regulation 1, Chapter IV to the satisfaction of the NCUAQMD. This will require taking reasonable precautions to prevent particulate matter from being airborne, including but not limited to: (1) covering open bodied trucks when used for transporting materials likely to give rise to airborne dust; and (2) the periodic application of water to work areas for dust control.

Mitigation Measure No. 17: Vehicle Climate Change Standards: AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the California Air Resources Board (CARB) in September 2004 in response to this legislative initiative. The Proposed Project would comply with this initiative

Mitigation Measure No. 18: Project vehicles that travel on public roadways would comply with the applicable CARB standards as they are implemented. Diesel Anti-Idling: In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling. The diesel-fueled trucks used during construction of the Proposed Project would be required to comply with all adopted CARB measures.

Mitigation Measure No. 19: Heavy-Duty Vehicle Emission Reduction: This program pertains to increased efficiency in the design of heavy duty vehicles and an education program for the heavy duty vehicle sector. The heavy-duty vehicles that travel from the Project Site on public roads during construction of the Proposed Project would be subject to all applicable CARB efficiency standards that are in effect at the time of vehicle manufacture.

Mitigation Measure No. 20: Install energy efficient lighting, heating and cooling systems, appliances, equipment, and control systems. As discussed above, the Proposed Project would more efficiently supply municipal water as well as conduct water treatment when compared to the existing system. In addition, the Proposed Project would also install a proposed pump station and control building that will utilize modern efficient energy saving technologies

Mitigation Measure No. 21: Enforce and follow limits with regard to idling time for commercial vehicles, including delivery and construction vehicles. The diesel-fueled trucks used during construction of the Proposed Project would be required to comply with all adopted CARB measures (e.g., prohibit idling for more than 5 minutes at any location).

Staff Comment: Staff has no reason to question this analysis

Archeological/Cultural Resources: The project was evaluated for potential Cultural and Historic resources by North State Resources Inc. Their report states that a number of historic and prehistoric resources (within 0.5 miles of the project) were evaluated as part of the review, including National Register of Historic Places, California Register of Historic Resources, California Historic Landmarks, California Inventory of Historic Resources, Historic Properties Directory and Archaeological Determinations of eligibility. Two historic-era cultural resources were recorded as a result of the survey within the project area. These resources included the SMWC water treatment filtration system and a concentration of mining tailings.

According to the North State Resources assessment the SMWC facilities "are not associated with any historically significant individuals or events. In addition, the mining tailings had been previously impacted and were summarized as lacking historical integrity and do not appear to be eligible for inclusion on any historic register.

Due to a potential for archaeological resources to be present in the project site, there is a potential that human remains could be located within the project area. However, by incorporating Mitigation Measure No. 11, the potential to disturb human remains is mitigated to less than significant level.

Mitigation Measure No. 11. If Archaeological features or materials are unearthed pursuant to §15064.5 during any phase of project activity, all work in the immediate vicinity of the find shall halt until the significance of the resource has been evaluated. Any mitigation measures that may be deemed necessary shall be implemented by a qualified archaeologist prior to resumption of construction activities to the satisfaction of NAHC. The SMWC will provide the opportunity for Native American monitor's to participate in the identification, evaluation, and mitigation of effects upon, any Native American human remains or cultural resources inadvertently exposed during the proposed construction. Consultation with personnel designated by the NAHC would be acceptable. Should tribal representatives agree to consult on any such discoveries, the costs incurred are the responsibility of SMWC.

If human remains are exposed by project related activity, the SMWC shall comply with California State Health and Safety Code, Section 7050.5, which states that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and the disposition pursuant to California Public Resources Code, Section 5097.98.

Staff Comment: Staff has no reason to question this analysis.

Biological Resources: Suitable habitat for five special status plant species (Howell's montia), coast fawn lily, Oregon goldthread, running pine, and Bald Mountain milkvetch) is located within portions of the project area that will be disturbed by construction. No special status species were detected during the focused botanical survey; therefore, the proposed project is not expected to result in any impacts to special status plants.

Suitable habitat for several special status fish, wildlife, and invertebrate species exists within the project area, but the construction activities will avoid the majority of suitable habitat (riparian corridor for the Trinity River), minimize impacts, or the species already avoids, (e.g., fishers, marten, goshawks, spotted owls) the project area due to human activity in Salyer. One special status snail species was reported by CNDDDB (hooded lancetooth) and the presence of two others (Trinity bristle snail (TBS) and the Trinity shoulderband) were evaluated during specific surveys within the project area. None of these species were detected during surveys conducted however recommendations have been incorporated into the biological report to provide additional protection for the potential occurrence of these species

The Trinity River is known to support native anadromous fish and other species including amphibians, invertebrates, and reptiles. Flow rates in the Trinity River are of importance to the survival of species that occur and / or depend on the river for various life stages. Based on the project analysis included in the Utilities and Service Systems section, the proposed project will not result in an increased rate of withdrawal from the Trinity River as they withdraw rates will remain at the baseline levels.

Trinity River contains Southern Oregon / Northern California (SONCC) Coho Salmon Evolutionary Significant Unit (ESU), which is a state and federally listed as threatened, Klamath Mountains Province Steelhead ESU, which is a CDFW species of special concern. By implementing Mitigation Measure No 6, 8, 9, and 10, which restricts construction timelines, implements Storm Water Pollution Prevention Plan (SWPPP), and provide for Hazardous materials standards, the proposed project will not result in a significant impact to SONCC Coho Salmon and Klamath Mountains Province Steelhead ESU.

Due to site constraints, the project precludes any work to occur within 200 feet of any watercourse. Following construction, disturbed areas will be covered with rice straw mulch or certified weed free mulch and planted with native species appropriate for the local area. Further, BMP associated with erosion control and strict adherence to the SWPPP will ensure potential impacts are reduced to a level that is less than significant.

Based on the results of an assessment and focused invertebrate and botanical surveys and by incorporating the mitigation measures listed below, the proposed project will have less than a significant impact on biological resources.

Mitigation Measure No. 4.

1. Prior to the start of construction operations, a qualified biologist shall meet with construction crews implementing the clearing of vegetation at the WPT site. The biologist shall work with the construction crew leader to designate mature hardwood and conifer species for retention. Any down woody debris within impact

areas will also be inspected. Emphasis will focus on the interstitial spaces where snails would most likely be found.

2. The designated biologist shall also designate key large woody debris elements to be retained onsite and distributed within the work space upon completion of construction activities. Any TSB occurrence shall bring an immediate halt to all activities and consultation with the CDFW will commence.

3. Cobbles collected from the surface within the construction area shall be stored in stockpiles adjacent to the work area. Following completion of construction activities cobbles shall be distributed where feasible within the construction area.

4. Existing trees surrounding the water treatment plant will be retained to the extent possible and the revegetation plan shall be implemented in areas designated on the engineering plans following operations.

5. Periodic site inspections will be conducted by the project biologist/ecologist to ensure compliance with the above measures.

6. CDFW personnel may inspect the project site at any time per their discretion.

Mitigation Measure No. 5. The new structures at the water treatment plant will permanently remove approximately 0.11 acres of habitat on the WTP parcel. To reduce the impacts from this loss, it is proposed to replant areas pursuant to the revegetation areas designated on the engineering plans.

Mitigation Measure No. 6. To mitigate potential impacts to SONCC Coho Salmon ESU and Klamath Mountains Province Steelhead ESU from impacts during construction operations, construction activities within and near the Trinity River will be conducted from April 15 to September 15, (operations outside this period would initiate SWPPP measures) to the satisfaction of CDFW. From the period of October 15 to November 15, the National Weather Service forecast will be monitored for a "chance" (30% or more) of rain on that or the following day. If weather conditions call for a chance of rain, construction operations below the Ordinary High Water Mark (OHWM) will cease. Under no conditions shall the work period be extended past November 15.

Mitigation Measure No. 7. Upland areas that are disturbed will be covered with rice straw mulch and riparian areas that are disturbed will be covered with certified weed free mulch to reduce the potential for erosion to the satisfaction of RWQCB and CDFW.

Mitigation Measure No. 8. The contractor shall be responsible for developing and implementing a SWPPP, which will also include a spill plan to address an accidental release of pollutants, to the satisfaction of RWQCB.

Mitigation Measure No. 9. Prior to the start of any construction operations within the WTP, Best Management Practices (BMPs) will be installed that include, but are not limited to, silt fencing hay bale barriers, and straw wattles. The use of BMPs will mitigate potential discharges and erosion to sensitive resources and ensure that the project will not violate water quality discharge requirements to the satisfaction of RWQCB and CDFW.

Mitigation Measure No. 10. No toxicant, including petroleum products, will be stored or transferred within areas capable of reaching the Trinity River. Fuels and lubricants will be stored so they will not leak; they will be regularly monitored for leakage. A spill control kit will be maintained on site at all times during construction activities near the Trinity River to the satisfaction of RWQCB and CDFW.

Staff Comment: Staff has no reason to question this analysis

Geological Issues: The proposed infrastructure upgrade calls for the construction of water treatment facility and the replacement of the main transmission line. It is not likely that the construction activities would pose a danger to people or property if not properly built and restrained.

Faults in the project vicinity represent geologic contacts formed millions of years ago, and are currently inactive. The nearest known active fault is located approximately 18 miles west of the project. Based on the absence of known active faults, fault rupture hazard for the community of Salyer is less than significant.

The section of pipeline closest to the river is not proposed for replacement and cannot be protected from liquefaction, though it may not sustain significant damage is subject to liquefaction. However, because the portion of the pipeline along the banks of the Trinity River is not in close proximity to any residences, any water released from the pipe due to liquefaction damage would flow down toward the river and should not impact any structures.

Although considered unlikely, portions of the project area that are located on steeper slopes, such as the transmission line from the pump house near the Trinity River could result in the loss of topsoil or soils erosion during construction operations and upon completion of trenching if trenches are not adequately backfilled and compacted

The analysis concludes, based on the discussion above, and by incorporating the mitigation measures below, the proposed project will not substantially expose people to geologic hazards.

Staff Comment: Staff has no reason to question this analysis

Mitigation Measure No. 12. The project shall be designed according to the TVCE Geological Report (September 2013) so that geologic limitations are considered and avoided in project design to reduce any geologic hazards associated with landsliding, strong ground shaking, or liquefaction. This includes, but is not limited to , avoiding landslide scarps, ensuring the water tanks are properly restrained to endure seismic ground shaking (such as being bolted down), and installing a shut off valve for the pipeline from the Trinity River to the SMWC WTP, to the satisfaction of TCPD.

Mitigation Measure No. 13. Standard engineering specifications to be included in the project plans call for check dams to be installed to prevent uninterrupted high velocity flows in trench backfills. Industry standard compaction will be used in trenches, which include 85% relative compaction except in roadways where compaction specified is 90% with the upper 6 inches compaction sub-grade to 95%, to the satisfaction of TCPD.

Mitigation Measure No. 14. During project construction, trenches will be backfilled as they are built. If a section of trench or trench end is left open at the completion of daily construction operations, the trench will be covered with a steel plate to limit soil erosion and promote safety, to the satisfaction of TCPD.

Staff Comment: Staff does not challenge the conclusions but must comment that the applicant and contractor developing the facility will be required to adhere to the conditions set by the lead agency. Staff will ask for a protocol agreement for mitigation compliance be submitted prior to operations.

Hazards and Hazardous Materials: The proposed project does not include the use of regulated materials during construction, such as petroleum hydrocarbons, fuels, and lubricants for the use of heavy equipment. However, the construction contractor is responsible for developing and implementing a SWPPP, which will also include a spill plan to address the accidental release of pollutants. As part of the spill plan implementation, absorbent materials will be stored on site and all jobsite employees will be properly trained to deal with hazardous material spills in the event of an accidental release. All hazardous or regulated materials that are used on site during construction activities will be properly stored and secured, to prevent access by the general public. No hazardous materials will be disposed of at the project site. Procedures will be followed when handling or storing hazardous materials, and all job site employees will be trained in the proper usage and storage of hazardous materials.

The project site is not located within one-quarter mile of a school; therefore, the proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The closest airport is in Hyampom, which is located 18.8 miles from the project area; therefore, the proposed project plan would not interfere with any airport land use plan. The proposed project will not permanently restrict access to or from the residential neighborhoods located in the vicinity

The CDF Fire Hazard Severity Map for Trinity County indicates all areas are at risk of wildland fire with much of the County having a high to extreme fire hazard potential (Trinity County General Plan Conservation Element). The CDF is responsible for wildland fire protection on all private lands within Trinity County and USFS is responsible for wild land fire protection on all federal National Forest lands. Both CDF and USFS are only staffed in the summer months from May to November. For structural fires, the County relies on volunteer fire departments, the two closest being Salyer and Hawkins Bar. The project does not include citing homes or other activities that may induce a wildfire. All work will be completed underground or away from areas of high risk. The project will increase the emergency storage capacity and service lines through town for more reliable fire protection.

Based on the discussion above and by incorporating Mitigation Measures No. 8 to 10 in the Biological Section, the proposed project will not result in a hazardous impact to the environment or result in a hazardous situation

Staff Comment: Staff has no reason to question this analysis

Hydrology and Water Quality: General: The proposed project is located in the Trinity River watershed (along existing roads and an elevated terrace within the community of Salyer, with some improvements located adjacent to the Trinity River (Trinity River pump station). The project is located in the Burnt Ranch Hydrologic Sub-Area of the Lower Trinity River Hydrologic Area, HSA No. 106.13 (RWQCB, 2007). The project is located approximately 1.6 miles east of the confluence of the South Fork Trinity River with the Trinity River. The FEMA Flood Insurance Rate Maps show the Trinity River project site located in a Zone X 100-year flood zone. This is an unregulated area.

Construction activities associated with the proposed project include new pipeline installations and other construction activities located approximately 200 feet from the Trinity River. Excess sediment in storm water discharges associated with construction activities could temporarily increase sediment loads to the adjacent receiving waters. If petroleum or other hydraulic fluids are released from construction site equipment additional water quality degradation could occur.

As identified under Mitigation Measure No. 8, a project SWPPP will be developed for the project sites to address the potential for discharges of sediment and other pollutants associated with construction activities. In accordance with Mitigation No. 9 and 10, BMPs and a spill plan will also be implemented at the project sites to prevent the discharge of sediment and / or other potential pollutants to near-by sensitive receptors. Implementation of these mitigation measures will reduce the potential for violation of water quality standards to less than significant level.

Staff Comment: Staff has no reason to question this analysis

Land Use: The community of Salyer is an unincorporated area of Trinity County. The General Plan land use designations for the subdivision created in 1961 are Village and the zoning is Unclassified. Riparian habitat is located along the Trinity River.

In order to comply with safe drinking water standards and provide emergency storage capacity, upgrades and replacements to the existing water supply transmission, treatment, and storage facilities are necessary. These upgrades are consistent with existing build out for the community of Salyer. The placement of nonresidential structures (storage tank, WTF, and leachfield) on the project site does not conflict with the General Plan or zoning ordinance. A portion of the project is within Forest Service property, but SMWC holds a previously established easement for this project. The community of Salyer is not included within a Habitat Conservation Plan or other applicable conservation plans; therefore the proposed project the proposed project will not have a conflict with a Habitat Conservation Plan of Natural Community Conservation Plan.

No mitigation is necessary.

Staff Comment: Staff has no reason to question this analysis

Mineral Resources: The proposed project includes the use of gravel for backfilling trenches and for base material for the WTP proposed improvements. Significant quantities of gravel are extracted annually from the adjacent County (Humboldt) river bars. The use of gravel for the proposed project is a minor amount compared to the total gravel in the region. The use of gravel for the proposed project will not result in the loss of a mineral resource that is of value to the state or is a locally important mineral resource. The surface mining and reclamation act requires the department of conservation to compile a list of significant mineral resources in the state of California and the project location does not lay in the vicinity of the listed sites

No mitigation is necessary.

Staff Comment: Staff has no reason to question this analysis

Noise: Noises generated by the proposed project will result in temporary, but not permanent, noise increases during construction. Stationary noise sources associated with the project include a water treatment facility, but they do not typically create loud or unwanted noise in excess of applicable standards. Temporary noise generated during construction

operations may exceed some standards for residences, but will not permanently exceed policies established in Policy 4.2.3-4.2.8 of the Trinity County General Plan Noise Element

The proposed project will require the use of heavy equipment during construction, which may result in ground borne vibration or noise. However, by implementing Mitigation Measure No. 15, limiting construction to daylight hours, Monday through Friday, it will reduce potential for ground borne vibration and noise when it would be most annoying to the general public (evenings and weekends).

The project area is not located within an airport land use plan or vicinity of a public or private airstrip. Therefore, any noises generated during construction will have no impact on people residing or working in the vicinity of an airport land use plan or private or public airstrip.

Based on the discussion above and by incorporating the mitigation measure below, the proposed project will not result in substantial adverse impacts in regard to noise.

Mitigation Measure No. 15. Hours of construction activities shall be limited to 8:00 a.m. and 5:00 p.m., Monday through Friday, to the satisfaction of TCPD.

Staff Comment: Staff has no reason to question this analysis

Population and Housing: The community of Salyer or specifically the River View Acres Subdivision was recorded with the Trinity County Clerk and Records office in 1961. Existing roads and other infrastructure serves the entire subdivision, including vacant parcels. The community of Salyer is very rural and is characterized by low-density development. The full legal SMWC service area includes 54 connections. Currently, water is withdrawn from the Trinity River throughout the year under an existing Domestic Water Supply Permit (Permit No. 01-01-12(P)004) issued by the CDPH Division of Drinking Water & Environmental Management Branch. The Trinity River has more than adequate supply of water to fulfill the needs of the community.

The SMWC service area has sufficient infrastructure to easily accommodate any additional connections proposed in the original subdivision layout. Salyer is a rural community and an increase in the housing is unlikely due to its proximity to other developed areas (Willow Creek and Weaverville). The project proposes to serve the existing users and the vacant parcels within the existing infrastructure of Salyer, therefore, the project would not result in traffic, noise, air quality or other potential impacts related to population growth. Further, any additional connections would be on an individual lot-by-lot basis and would occur slowly (The vast majority of the community is currently built out. SMWC also has full legal water rights and sufficient supplies. If any development were to be proposed outside of the original subdivision footprint it would be subject to separate environmental review).

Based on the discussion above the proposed project will not result in substantial adverse impacts in regards to population or housing.

Staff Comment: Staff has no reason to question this analysis

Public Services: The proposed project will provide the community of Salyer with more reliable fire protection due to the water system increase in storage capacity. During the 10-month project construction window, the existing system will remain in operation. There will be no disruption of public services that provide fire protection. The proposed project will result in a beneficial result in regards to fire fighting by providing increased water storage capacity in a very fire prone area.

The project as defined will not result in an adverse impact on public services.

Staff Comment: Staff has no reason to question this analysis

Recreation: Recreational areas within the project vicinity such as the river bar of the Trinity River, will not be permanently affected by the proposed project. The proposed project will have no impact on the usage of neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated by the project. The proposed project will not require the construction or expansion of any existing recreational facilities that may pose an adverse physical effect on the environment.

Staff Comment: Staff has no reason to question this analysis

Transportation: The proposed project will result in temporary lane closures or delays in traffic during construction. However, these changes in traffic patterns are short-lived and temporary in nature and by implementing Mitigation Measure No. 16, obtaining an encroachment permit from Trinity County and following the conditions of that permit, any potential impacts to traffic patterns are mitigated to a less than significant level

Vehicle access will be limited on the project road during construction. Construction equipment will be relocated to provide emergency vehicle access. Due to a short duration of construction operations and the ability of construction equipment to relocate to provide emergency vehicle access, the potential impact for construction operations to impact emergency access is less than significant.

Mitigation Number 16: Prior to the start of construction operations on Sugar Magnolia Lane, Councilman Road, and Errors Road, encroachment permits will be obtained from Trinity County Department of Public Works. All conditions of the encroachment permits will be followed to the satisfaction of Trinity County Department of Public Works.

Staff Comment: Staff has no reason to question this analysis

Utilities: The proposed project includes the construction of a new storage tank located on an elevated terrace and is one of the primary components to the upgrades being proposed as part of this Project. The proposed project does not require or result in the construction of new storm water drainage facilities or the expansion of any existing facilities the construction of which would cause significant environmental effects

The existing system has sufficient water supplies available to serve the project area from existing entitlements but lacks the existing resources to sufficiently treat and store the water to meet maximum day domestic and fire demand. Maximum daily demands during the summer months are currently met with unfiltered chlorinated water pumped from the Trinity River. The proposed project will provide treated water at 60 gpm. The proposed project will also increase the existing storage from 20,000 gallons to 100,000 gallons with construction of the new storage reservoir. This additional storage will provide immediate access to emergency water supplies for SMWC as well as the surrounding branches of the CDF and USFS.

The proposed project will not result in a significant change in withdrawal rates of surface water from the Trinity River, which would be well within allowable limits. Trinity River will continue to be used as the primary source for the water system.

The proposed project will not increase the amount of wastewater generated in Salyer. The community of Salyer is currently serviced by individual septic systems for each residential lot.

All waste generated during project construction will be disposed of at a licensed facility with sufficient landfill capacity, in accordance with all federal, state and county requirements.

Based on the discussion and analysis above, and by implementing mitigation measures, the proposed project will not result in a significant impact to utilities and / or service systems.

Staff Comment: Staff has no reason to question this analysis

Mandatory Findings of Significance: As discussed above, the project as mitigated will not have the potential to 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, or reduce the number or restrict the range of a rare or endangered plant or eliminate important examples of a major periods of California history or prehistory.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, recognizes that California is the source of substantial amounts of greenhouse gas (GHG) emissions which influences climate change (www.arb.ca.gov/cc/ab32/ab32.htm). AB 32 establishes a state goal of reducing GHG emissions to 1990 levels by the year 2020 (a reduction of approximately 25 percent from forecast emission levels) with further reductions to follow. The law requires the Air Resources Board to establish a program to track and report GHG emissions, approve a scoping plan for achieving the maximum technologically feasible and cost effective reductions from sources of GHG emissions.

State law defines GHG to include the following: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrochlorofluorocarbons (HFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), ozone (O₃) and sulfur hexafluoride (SF₆) (Health and Safety Code, Section 38505(g)). The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide.

This Project builds on current efforts by Applicant to advance cleaner modern infrastructure. As discussed in the project description the underlying purpose and goal of the Project is to provide a modern water storage and treatment facility to consolidate and upgrade delivery systems, improve efficiency, and ensure a long-term reliable source of municipal water for domestic and emergency use to include fire suppression, a major contributor to GHG as well as harmful particulates that effect air quality. The establishment of additional water storage that can be utilized for emergency use is consistent with Trinity Counties Objectives and Policies described in the current general plan 2013 in regards to Fire Protection Standards. Forest fire has been documented as a major contributor to GHG releases into the atmosphere. The project does not contemplate removal or burning of significant amounts of trees that sequester carbon that would otherwise be in the atmosphere. Native vegetation is to be planted in disturbed areas were feasible pursuant to the re-vegetation plan.

In conclusion, as the Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs, the Proposed Project's contribution to the cumulative impact of global climate change would be less than significant.

Also as discussed above, the project as mitigated, will not have impacts that are individually limited, but cumulatively considerable, and will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. The project as defined will not result in growth inducing impacts.

Staff Comment: Staff has no reason to question this analysis

ENVIRONMENTAL RECOMMENDATION: The Trinity County Zoning Ordinance provides, under the General Provisions section, that public utilities may be permitted upon securing a use permit in any zoning district. As the State was the lead agency, the County's role in this process would then be that of a "Responsible Agency." Staff finds no reason to challenge the conclusions of the environmental review.

ENVIRONMENTAL FINDING: The Commission certifies that it reviewed and considered the information provided in the submitted material and finds that the previously adopted environmental document suffices in addressing the County's concerns per CEQA Guidelines Section 15096.

GENERAL PLAN CONSISTENCY: As designed, no conflicts with the Village land use classification, therefore find that the project is consistent with the Trinity County General Plan.

PROJECT FINDING. Approve the Use Permit for the upgraded water treatment facility based on the findings of fact a-c and subject to conditions of approval as shown in Figure 1.

FINDINGS OF FACT

Finding: Sound Principles of Land Use. The use permit is granted on sound principles of land use.

Statement of Fact: Development of an upgraded treatment facility is a conditional use within all zoning districts. Specifically, Section 30 (C)(2) states:

Other Public Utilities. Other public utilities including, but not limited to, water, telephone, and Cable TV systems, may be permitted in any district upon first obtaining a use permit, provided that a use permit shall not be required for underground gas, water, telephone or Cable TV systems located within a special district formed for such purposes. Also, a use permit shall not be required for individual service connections or extension.

The facility has been in place for many decades at the water source. This upgrade will enhance service delivery of safe drinking water to the vicinity.

B. Finding: Not injurious. Granting of the use permit will not be detrimental to the public health, safety or welfare, nor will it create a public nuisance.

Statement of Fact: The upgraded facility has been reviewed and approved by the State Department of Public Health. The enhanced facility will provide safe drinking water to its clients.

3. Finding: The use permit complies with the objectives of the general plan for the area in which it is located.

Statement of Fact: The use permit is consistent with the objectives of the General Plan in that the utility supports permitted development.

Figure 1

Conditions of Approval

1. This approval incorporates the conditions listed in the adopted Mitigation Monitoring Plan listed as Attachment 1, included as part of the Mitigated Negative Declaration adopted by the California Department of Public Health on June 3, 2014.
2. The landscape plan, prepared by a California licensed landscape architect, shall be prepared prior to construction for review and approval of the Trinity County Planning Department. Said plan shall provide a detailed analysis of the screening goal, and shall include a list of species selected, providing anticipated grow rates, screening capabilities, watering requirement with provision for long term maintenance including replacement provisions
3. The applicant shall secure all appropriate clearances for the various structures and their uses on the property from the Building Inspection and Environmental Health Divisions. This includes provision for handicapped accessibility and sanitation facilities if warranted.
4. That this permit be subject to the securing of all necessary permits for the proposed development and eventual use from County, State and Federal agencies having jurisdiction. Any requirements imposed by an agency having jurisdiction shall be considered a condition of this permit.
5. This permit shall become effective after all applicable appeal periods have been expired or appeal processes exhausted. Failure of the permittee to make use of this permit within one year or failure to comply with payment of any fees within specified time periods shall result in the automatic expiration of this permit.
6. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of the Trinity County Code and County Zoning Ordinance unless modified by conditions of the use permit.
7. That the application along with supplemental exhibits and related material be considered elements of this entitlement and that compliance therewith be mandatory, unless a modification has been approved by the Planning Commission.
8. This permit shall be subject to revocation or modification by the Planning Commission upon a finding of any one (1) or more of the following grounds:
 - a. That one or more of the conditions upon which such permit was granted have been violated.
 - b. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.

Any such revocation shall proceed as specified in Zoning Ordinance of Trinity County.

Mitigation Measures, Monitoring, and Reporting Program

Aesthetics

Mitigation Measure No. 1: The SMWC will implement visual improvements to the new reservoir, including but not limited to installing a new fence and vegetated screen, to minimize visual impacts to the neighborhood from the new reservoir to the satisfaction of the TCPD.

Timing for Implementation/Compliance: During project construction and upon completion

Person/Agency Responsible for Monitoring: TCPD

Monitoring Frequency: Throughout and after construction

Evidence of Compliance: Visible evidence

Mitigation Measure No. 2: Any and all exterior lighting on the property shall be located and shielded such that no light or glare extends beyond the property line. In addition, no portion of the illuminated fixture or lens shall extend below or beyond the canister or light shield to the satisfaction of TCPD.

Timing for Implementation/Compliance: During project construction and upon completion

Person/Agency Responsible for Monitoring: TCPD Monitoring

Frequency: Throughout and after construction *Evidence of*

Compliance: Visible evidence

Air Quality

Mitigation Measure No. 3. The applicant, at all times, shall comply with Air Quality Regulation 1, Chapter IV to the satisfaction of the NCUAQMD. This will require taking reasonable precautions to prevent particulate matter from being airborne, including but not limited to: (1) covering open bodied trucks when used for transporting materials likely to give rise to airborne dust; and (2) the periodic application of water to work areas for control dust.

Timing for Implementation/Compliance: During project construction and upon completion

Person/Agency Responsible for Monitoring: NCUAQMD

Monitoring Frequency: Throughout and after construction

Evidence of Compliance: Visible evidence

Biological Resources

Mitigation Measure No. 4.

1. Prior to the start of construction operations, a qualified biologist shall meet with construction crews implementing the clearing of vegetation at the WPT site. The biologist shall work with the construction crew leader to designate mature hardwood and conifer species for retention. Any down woody debris within impact areas will also be inspected. Emphasis will focus on the interstitial spaces where snails would most likely be found.
2. The designated biologist shall also designate key large woody debris elements to be retained onsite and distributed within the work space upon completion of construction activities. Any TSB occurrence shall bring an immediate halt to all activities and consultation with the CDFW will commence.

3. Cobbles collected from the surface within the construction area shall be stored in stockpiles adjacent to the work area. Following completion of construction activities cobbles shall be distributed where feasible within the construction area.
4. Existing trees surrounding the water treatment plant will be retained to the extent possible and the revegetation plan shall be implemented in areas designated on the engineering plans following operations
5. Periodic site inspections will be conducted by the project biologist/ecologist to ensure compliance with the above measures.
6. CDFW personnel may inspect the project site at any time per their discretion.

Timing for Implementation/Compliance: Throughout all phases of construction within the project area.

Person/Agency Responsible for Monitoring: CDFW

Monitoring Frequency: Ongoing throughout project construction

Evidence of Compliance: Visible evidence

Mitigation Measure No. 5. The new structures at the water treatment plant will permanently remove approximately 0.11 acres of habitat on the WTP parcel. To reduce the impacts from this loss, it is proposed to replant areas pursuant to the revegetation areas designated on the engineering plans.

Timing for Implementation/Compliance: Throughout all phases of construction

Person/Agency Responsible for Monitoring: CDFW

Monitoring Frequency: Ongoing throughout project construction

Evidence of Compliance: Visible evidence

Mitigation Measure No. 6. To mitigate potential impacts to SONCC Coho Salmon ESU and Klamath Mountains Province Steelhead ESU from impacts during construction operations, construction activities within and near the Trinity River will be conducted from April 15 to September 15, (operations outside this period would initiate SWPPP measures) to the satisfaction of CDFW. From the period of October 15 to November 15, the National Weather Service forecast will be monitored for a "chance" (30% or more) of rain on that or the following day. If weather conditions call for a chance of rain, construction operations below the Ordinary High Water Mark (OHWM) will cease. Under no conditions shall the work period be extended past November 15.

Timing for Implementation/Compliance: Prior and during construction

Person/Agency Responsible for Monitoring: CDFW

Monitoring Frequency: Ongoing throughout project construction

Evidence of Compliance: Visible evidence

Mitigation Measure No. 7. Upland areas that are disturbed will be covered with rice straw mulch and riparian areas that are disturbed will be covered with certified weed free mulch to reduce the potential for erosion to the satisfaction of RWQCB and CDFW.

Timing for Implementation/Compliance: Throughout project construction

Person/Agency Responsible for Monitoring: RWQCB, and CDFW

Frequency: Ongoing throughout project construction

Evidence of Compliance: Visible evidence

Mitigation Measure No. 8. The contractor shall be responsible for developing and implementing a SWPPP, which will also include a spill plan to address an accidental release of pollutants, to the satisfaction of RWQCB.

Timing for Implementation/ Compliance: Throughout project construction

Person/ Agency Responsible for Monitoring: RWQCB

Monitoring Frequency: Ongoing throughout project construction

Evidence of Compliance: Visible evidence

Mitigation Measure No. 9. Prior to the start of any construction operations within the WTP, BMPs will be installed that include, but are not limited to, silt fencing, hay bale barriers, and straw wattles. The use of BMPs will mitigate potential discharges and erosion to sensitive resources and ensure that the project will not violate water quality discharge requirements to the satisfaction of RWQCB and CDFW.

Timing for Implementation/ Compliance: Prior to construction

Person/ Agency Responsible for Monitoring: RWQCB and CDFW

Monitoring Frequency: Ongoing throughout project construction

Evidence of Compliance: Visible evidence

Mitigation Measure No. 10. No toxicant, including petroleum products, will be stored or transferred within areas capable of reaching the Trinity River. Fuels and lubricants will be stored so they will not leak; they will be regularly monitored for leakage. A spill control kit will be maintained on site at all times during construction activities near the Trinity River to the satisfaction of RWQCB and CDFW.

Timing for Implementation/ Compliance: Throughout project construction

Person/ Agency Responsible for Monitoring: RWQCB and CDFW

Monitoring Frequency: Ongoing throughout project construction

Evidence of Compliance: Visible evidence

Evidence of Compliance: Visible evidence

Cultural Resources

Mitigation Measure No. 11. If archeological features or materials are unearthed pursuant to §15064.5 during any phase of project activity, all work in the immediate vicinity of the find shall halt until the significance of the resource has been evaluated. Any mitigation measures that may be deemed necessary shall be implemented by a qualified archeologist prior to resumption of construction activities to the satisfaction of NAHC. The SMWC will provide the opportunity for a Native American monitor(s) to participate in the identification, evaluation, and mitigation of effects upon, any Native American human remains or cultural resources inadvertently exposed during the proposed construction. Consultation with personnel designated by the NAHC would be acceptable. Should tribal representatives agree to consult on any such discoveries, the costs incurred are the responsibility of SMWC.

If human remains are exposed by project related activity, the SMWC shall comply with California State Health and Safety Code, Section 7050.5, which states that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code, Section 5097.98.

Timing for Implementation/Compliance: Throughout project construction
Person/Agency Responsible for Monitoring: NAHC and TCPD *Monitoring*
Frequency: Throughout construction
Evidence of Compliance: Visible evidence

Geology and Soils

Mitigation Measure No. 12. The project shall be designed according to the TVCE Geotechnical Report (September 2013) so that geologic limitations are considered and avoided in project design to reduce any geologic hazards associated with landsliding, strong ground shaking, or liquefaction. This includes, but is not limited to, avoiding landslide scarps, ensuring the water tanks are properly restrained to endure seismic ground shaking (such as being bolted down), and installing a shut off valve for the new pipeline from the Trinity River to the SMWC WTP, to the satisfaction of TCPD.

Timing for Implementation/Compliance: During design and project construction
Person/Agency Responsible for Monitoring: TCPD
Monitoring Frequency: Throughout construction
Evidence of Compliance: Visible evidence

Mitigation Measure No. 13. Standard engineering specifications to be included in the project plans call for check dams to be installed to prevent uninterrupted high velocity flows in trench backfill. Industry standard compaction will be used in trenches, which include 85% relative compaction except in roadways where compaction specified is 90% with the upper 6 inches compaction sub-grade to 95%, to the satisfaction of TCPD.

Timing for Implementation/Compliance: During design and project construction
Person/Agency Responsible for Monitoring: TCPD *Monitoring Frequency:* Throughout construction *Evidence of Compliance:* Visible evidence

Mitigation Measure No. 14. During project construction, trenches will be backfilled as they are built. If a section of trench or trench end is left open at the completion of daily construction operations, the trench will be covered with a steel plate to limit soil erosion and promote safety, to the satisfaction of TCPD.

Timing for Implementation/Compliance: During design and project construction
Person/Agency Responsible for Monitoring: TCPD
Monitoring Frequency: Throughout construction
Evidence of Compliance: Visible evidence

Noise

Mitigation Measure No. 15. Hours of construction activities shall be limited to 8:00 a.m. to 5:00 p.m., Monday through Friday, to the satisfaction of TCPD.

Timing for Implementation/Compliance: Throughout project construction

Person/ Agency Responsible for Monitoring: TCPD
Monitoring Frequency: Throughout construction
Evidence of Compliance: Visible evidence

Transportation and Traffic

Mitigation Measure No. 16. Prior to the start of construction operations on Sugar Magnolia Lane, Councilman Road, and Errors Road, encroachment permits will be obtained from Trinity County Department of Public Works. All conditions of the encroachment permits will be followed to the satisfaction of Trinity County Department of Public Works.

Timing for Implementation/ Compliance: Prior to and throughout project construction on Roads
Person/ Agency Responsible for Monitoring: Trinity County Department of Public Works
Monitoring Frequency: Throughout construction
Evidence of Compliance: Visible evidence

Green House Gas

Mitigation Measure No. 17: Vehicle Climate Change Standards: AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004 in response to this legislative initiative. The Proposed Project would comply with this initiative.

Timing for Implementation/ Compliance: During project construction and upon completion
Person/ Agency Responsible for Monitoring: NCUAQMD
Monitoring Frequency: Throughout and after construction
Evidence of Compliance: Visible evidence

Mitigation Measure No. 18: Project vehicles that travel on public roadways would comply with the applicable CARB standards as they are implemented. Diesel Anti-Idling: In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling. The diesel-fueled trucks used during construction of the Proposed Project would be required to comply with all adopted CARB measures.

Timing for Implementation/ Compliance: During project construction and upon completion
Person/ Agency Responsible for Monitoring: NCUAQMD
Monitoring Frequency: Throughout and after construction
Evidence of Compliance: Visible evidence

Mitigation Measure No. 19: Heavy-Duty Vehicle Emission Reduction: This program pertains to increased efficiency in the design of heavy duty vehicles and an education program for the heavy duty vehicle sector. The heavy-duty vehicles that travel from the Project Site on public roads during construction of the Proposed Project would be subject to all applicable CARB efficiency standards that are in effect at the time of vehicle manufacture.

Timing for Implementation/ Compliance: During project construction and upon completion
Person/ Agency Responsible for Monitoring: NCUAQMD
Monitoring Frequency: Throughout and after construction

Evidence of Compliance:
Visible evidence

Mitigation Measure No. 20: Install energy efficient lighting, heating and cooling systems, appliances, equipment, and control systems. As discussed above, the Proposed Project would more efficiently supply municipal water as well as conduct water treatment when compared to the existing system. In addition, the Proposed Project would also install a proposed pump station and control building that will utilize modern efficient energy saving technologies

Timing for Implementation/Compliance: During project construction and upon completion

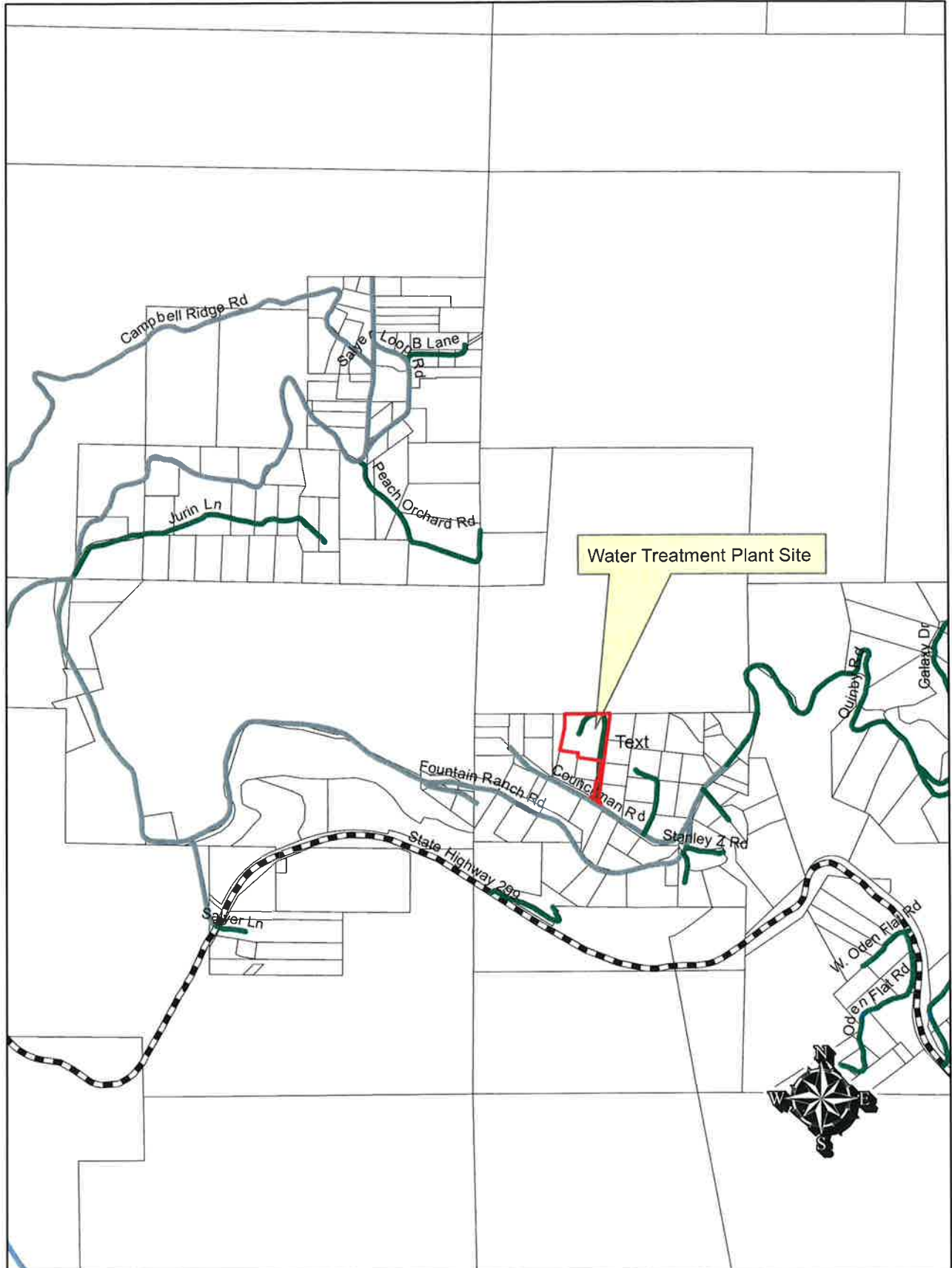
Person/Agency Responsible for Monitoring:
NCUAQMD *Monitoring Frequency:*
Throughout and after construction *Evidence of Compliance:* Visible evidence

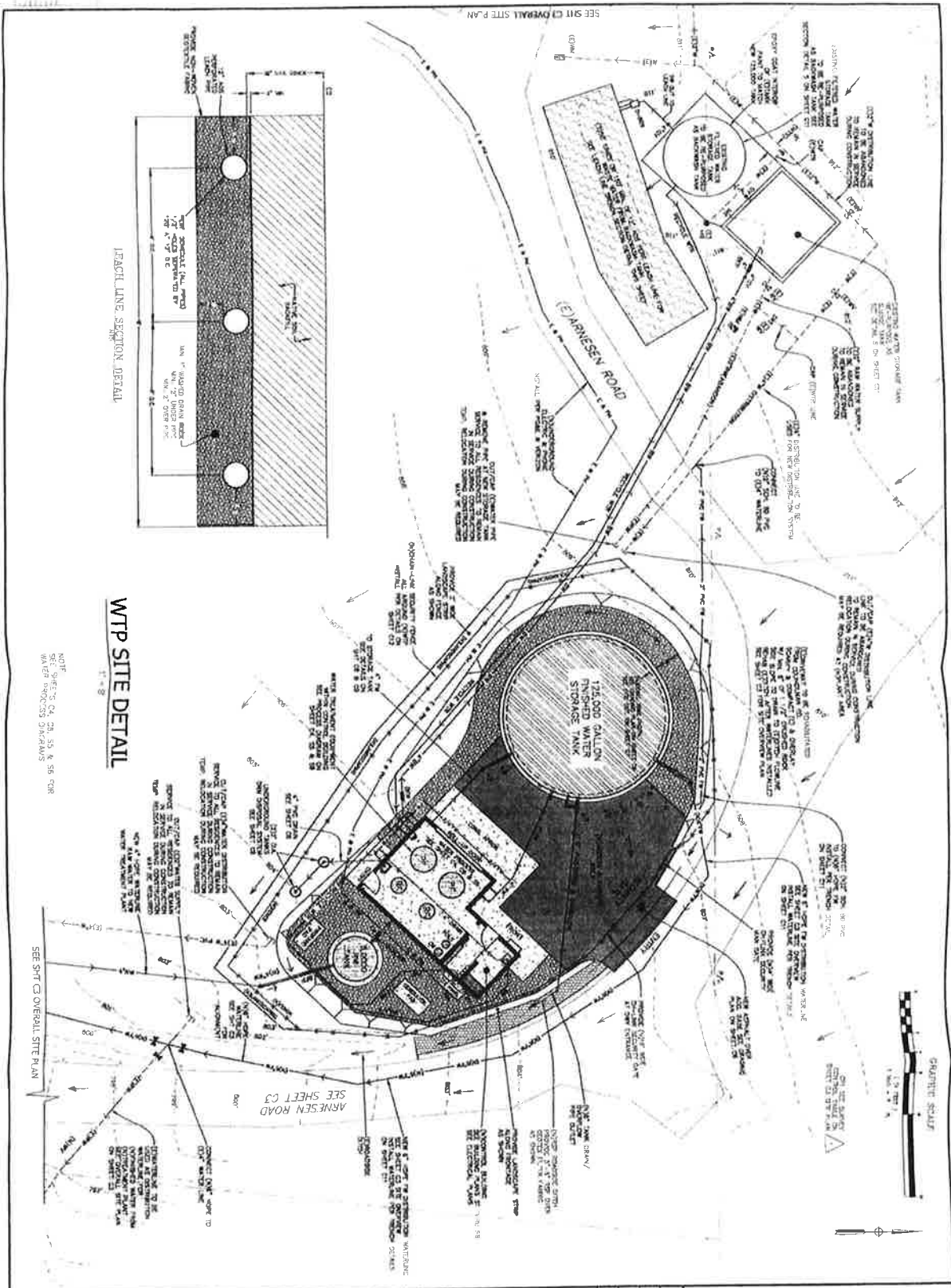
Mitigation Measure No. 21: Enforce and follow limits with regard to idling time for commercial vehicles, including delivery and construction vehicles. The diesel-fueled trucks used during construction of the Proposed Project would be required to comply with all adopted CARB measures (e.g., prohibit idling for more than 5 minutes at any location).

Timing for Implementation/Compliance: During project construction and upon completion

Person/Agency Responsible for Monitoring:
NCUAQMD *Monitoring Frequency:*
Throughout and after construction *Evidence of Compliance:* Visible evidence

Salyer Mutual Water Company





WTP SITE DETAIL

NOT TO SCALE
SEE SHEETS C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, C14, C15, C16, C17, C18, C19, C20, C21, C22, C23, C24, C25, C26, C27, C28, C29, C30, C31, C32, C33, C34, C35, C36, C37, C38, C39, C40, C41, C42, C43, C44, C45, C46, C47, C48, C49, C50, C51, C52, C53, C54, C55, C56, C57, C58, C59, C60, C61, C62, C63, C64, C65, C66, C67, C68, C69, C70, C71, C72, C73, C74, C75, C76, C77, C78, C79, C80, C81, C82, C83, C84, C85, C86, C87, C88, C89, C90, C91, C92, C93, C94, C95, C96, C97, C98, C99, C100

WTP SITE DETAIL
SALYER MUTUAL WATER COMPANY

C5

TVCE
TAYLOR VALLEY COMMUNITY DEVELOPMENT INC.
51 BALDWIN WAY
MILPITAS, CA 95035
TEL: (415) 952-2000
FAX: (415) 952-2001