

**TRINITY COUNTY PLANNING COMMISSION
STAFF REPORT**

OWNER: Robert Morris
(Van Duzen Investments LLC)

REPORT BY: John Jelichich

AGENT: Allan M. Baird Engineering & Surveying

APN: 020-330-06

PROJECT DESCRIPTION:

1. Rezone from Unclassified to Rural Residential, five acre minimum (RR-5); and
2. Tentative Parcel Map to create four parcels and a remainder ranging in size from 6 to 20 acres.

LOCATION: 15341 Mad River Rd. Mad River. (Mad River Rd at Blue Slide Creek)
(por. Sec 11 &12, T2S, R7E HB&M)

PROJECT INFORMATION:

- A) Planning Area: Southern Trinity (Mad River/Ruth)
- B) Existing General Plan Designation: Rural Residential
- C) Existing Zoning: Unclassified
- D) Existing Land Use: dwelling & barn on proposed parcel 1
- E) Adjacent Land Use Information:

	<u>Land Use</u>	<u>Zoning</u>	<u>General Plan Des.</u>
North:	Forestry (USFS)	Unclassified	Resource
South:	Recreation/lake	SUD (Ruth)	Rural Residential
East:	forestry (USFS)	Unclassified	Resource
West:	Recreation/lake	SUD (Ruth)	Rural Residential

PROJECT DESCRIPTION:

The applicant proposes to subdivide a 62.5+- acre parcel into four parcels of 6.2+/-, 10.8+/-, 13.0+/- and 11.6+/- acres in size, plus a remainder parcel of 20 +/- acres. To facilitate the development a rezone to Rural Residential, five acre minimum is requested. This size would create the potential for four or five additional parcels at some future date.

Proposed parcel 1 (6.2 acres) has already been developed with a single family dwelling and an outbuilding. Five wells have been drilled on the project, one on each parcel (two on parcel 2). The 20+- acre remainder parcel does not show a well. Soil profile testing has been completed on each parcel and the remainder. According to the Division of Environmental Health, both water and sewage disposal standards of the County Subdivision Ordinance have been met.

The property lies adjacent to lands owned by the Humboldt Bay Municipal Water District, which manages Ruth Lake and Matthews Dam. Areas north and east are government managed lands. Blue Slide Creek passes through proposed parcels 2, 3 and 4.

The application provides the following breakdown of slopes on the property:

- 20 acres: 0 – 10%
- 27 acres: 10 – 15 %
- 10 acres: 15 – 30%
- 5.5 acres: Over 30%

The application further describes the property as being 100% forested, composed of Douglas fir, ponderosa pine, Pacific madrone, incense cedar and California black oak. The understory condition is open and sparsely populated with herbaceous vegetation and manzanita.

Blue Slide Creek passes through the site in a southwesterly direction. The 100 year floodplain is completely contained within the proposed 100 foot streamside management area. (This minor creek is unmapped by FEMA)

A well for domestic water source has been developed for each lot. Individual sewage disposal sites have been approved for each of the parcels by the Division of Environmental Health.

A cultural resources study was completed and no findings of significance were found. A condition of approval will be included to ensure that appropriate action is taken should remains be unearthed during excavation.

Ruth Lake is located west of the project site, which provides habitat for bald eagles and various song birds. There were no known nesting sites on the subject property at the time of this application. A report was prepared by Eric C. Taft of James L. Able Forestry Consultants, Inc. for the California Department of Fish and Wildlife. No site disturbance is allowed between March 1 and August 1 unless additional site review is performed by a qualified ornithologist.

Access to the site is from Mad River Road, then over a private unnamed road to each of the proposed parcels. Road improvement standards are included as conditions of map approval.

ENVIRONMENTAL CONSIDERATIONS:

An evaluation of environmental impact (Initial Study) was prepared for this project pursuant to the California Environmental Quality Act (CEQA) finding that this project (as mitigated) will not have a significant adverse impact on the environment. Following is a discussion of that evaluation, as well a proposed mitigation measures that have been developed to bring the impacts of this proposal to a level of insignificance (see next page and also the resolution approving the tentative map that includes conditions of approval implementing the mitigation measures).

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission recommend to the Board of Supervisors the following:

1. Adopt a mitigated Negative Declaration, finding that on the basis of the whole record before the Board, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that a negative declaration reflects the Board's independent judgment and analysis; and
2. Approve the ordinance changing the zoning of the property (APN: 020-330-06) from "Unclassified" to "Rural Residential, five acre minimum" (RR-5); and
3. Adopt the resolution approving the tentative map to create four parcels and a remainder (P-16-07; R. Morris; APN: 020-330-06), based on findings and subject to conditions of approval as stated in the resolution.

Environmental Checklist and Explanatory Notes

I. AESTHETICS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I(a,b and c): The project is not within sight of a scenic vista or scenic resource, historic buildings or state scenic highways. No significant vegetation removal will result from subdivision, however, new homes sites will likely be developed. Ultimately however, the impacts would be de minimis from the public perspective.

I(d): The project will not create any significant new sources of light or glare. New exterior lighting may be installed for subsequent development of the newly created parcel. No significant impacts are foreseen.

II. AGRICULTURE 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 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	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program in the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, timberland (as defined by Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Resources Code section 4526), or timberland zoned timber production (TPZ) as defined by Government Code Section 51104(g)?				
d) Result in loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II(a-e): The project site is located next to Ruth Lake which is managed by the Ruth Lake CSD for recreation activities, including lease lots for vacationers. Given the location and land use designation for Rural Residential, homesite and perhaps small scale agricultural development would be most appropriate for the site. None of the surrounding land is within a Williamson Act contract or is within a Timber Production Zone. No significant impacts to the natural environment are anticipated.

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	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III(a-e): The project would not create objectionable odors or otherwise degrade the atmospheric environment. The amount of grading will be insignificant to develop the access to each parcel as it will align along a developed road network and rough building pads are already in place. Some minor temporary dust may be created at the time of any new development on the vacant parcels and additional traffic on dirt roads may increase fugitive dust.

Trinity County generally has good air quality. The County is in attainment with all federal standards. However, the County is in non-attainment for Particulate Matter according to California State PM standards (Trinity County Safety Element of the General Plan). Any additional traffic generated from new development and its air pollution impacts, as well as any heating by woodstoves, are calculated to be incrementally insignificant impacts when considered

individually. Cumulative impacts on global conditions, e.g. global warming/climate change, are more realistically addressed via programmatic changes to development standards and are beyond the reach of this individual project.

This individual project is not expected to contribute significant odors, produce substantial pollutant concentrations, or otherwise degrade the atmospheric environment. The proposed project will not substantially alter air movement, moisture, temperature or other aspects of climate. The project will not otherwise degrade the atmospheric environment, nor substantially alter air movement, moisture, temperature or other aspects of the climate.

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV (a – f) The tentative map depicts a 100 “streamside management area” from both sides Blue Slide Creek, which is located within the project. This setback should address biological concerns as well by protecting any riparian habitat along the creek. The remainder of the property is not associated with any other unique habitat. The buffer area should be established and maintained. The Department of Fish and Wildlife has advised that a 1602 agreement will be necessary for the

culvert replacements and that site disturbance should not occur between March 1 and August 1 unless additional study is performed by a qualified ornithologist.

The project will not conflict with any local policies or ordinances protecting biological resources, or with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. The project area is not subject to any specific ordinances or plans regarding biological resources.

Mitigation Measure: A Notice of Environmental Constraint shall be recorded concurrent with the Parcel Map that shall provide for the following provision:

The resolution approving the subdivision will include provisions to advise the subdivider of the Fish and Wildlife requirements. The setback along Slide Creek is noted on the tentative map and will be carried forward to the parcel map. The Subdivider shall submit to the Department of Planning, an Exhibit Map depicting a 100 foot buffer along both sides of Blue Slide Creek which shall be labeled a “Non-buildable Area.” A note shall be placed on the Parcel Map that states that no development shall be allowed within this buffer area as delineated on the Exhibit Map on file with the Planning Department

V CULTURAL RESOURCES Would the project.	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource, as defined in Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V(a-d): . As this property is situated near a creek, there is always the possibility that Native Americans utilized this site and some archaeological find may occur during the construction activities. In order to protect any archeological find thing may surface, mitigation measures will be incorporated.

Mitigation Measures

In the event that previously unidentified cultural or paleontological resources are encountered during development of the parcel, there shall be no further excavation or disturbance of that area. The owner/developer shall avoid the materials and their contents. The Trinity County Planning Director shall be notified immediately, and an archaeologist consulted to determine if the find is significant and make recommendations for appropriate mitigation. Work shall not continue in

the area until mitigations have been implemented and written authorization to resume work has been provided by the Planning Director.

In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per state law. If the Coroner determines the remains to be Native American, he/she will contact the Native American Heritage Commission who will contact the most likely descendent who will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work shall not continue in the area until the human remains have been dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent.

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			x	
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 Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Would the project result in disturbance of ultra-mafic rock or soils potentially containing naturally occurring asbestos?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII(a & d): There are no known faults crossing the project area. The County does not contain any Alquist-Priolo Earthquake Fault Zoning Areas. Therefore, potential for geologic risk is very low.

VI(b & c): Development of roads and building pads will require grading to meet county and Calfire standards. The Department of Transportation is recommending an engineered road and erosion and sediment control plan prior to development. (See road improvement and erosion control conditions in Hydrology and Transportation discussion below)

VI(e): The project will result in four new septic system for which testing has already been completed. Installation will not resulting in any significant impact.

VI(f): There will be required testing of any rock base and/or fill material being imported to the site that could contain asbestos. See road improvement and erosion control conditions.

VII. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII(a): The relative significance of four new parcels in this area will be minimal, however cumulative impacts are acknowledged. However, the density proposed is not significant and regardless, this issue needs to be addressed in a more programmatic manner as opposed to merely implementing an established low density development standard.

VII(b): The Trinity County Regional Transportation Plan and the Trinity County General Plan all support the proposed density, use of non-motorized travel options, livable communities, as a way to reduce greenhouse gas emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

of an existing or proposed school?				
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use compatibility 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII(a-h): The project will not involve the use of hazardous materials, and is located over three miles from the Ruth airport. Development of septic systems to serve eventual dwellings likely to be placed on the individual parcels would provide acceptable treatment for any effluent generated by development.

IX. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Violate any applicable water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year floodplain structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX(a-j): The site generally drains to Blue Slide Creek and then to Mad River at Ruth Lake. Overall the slopes are moderate and it appears that the proposed access can be developed to meet both county and Calfire access requirements. The map is conditioned to comply with these access standards.

Mitigation Measure:

The improvement plans shall include an erosion and sediment control plan, which incorporates standard erosion control practices and best management practices, subject to the approval of the County Engineer. The plan shall be prepared by a Qualified SWPPP Developer (QSD) and shall be included in an agreement with the construction contractor. The following measures shall be included:

- a. Any mass grading shall be restricted to dry weather periods between April 1 and October 31.
- b. If other grading activity is to be undertaken in wet-weather months, permanent erosion and sediment controls shall be in place by October 15, and construction shall be limited to areas as approved by the County Engineer. A winterization plan must be submitted by September 15 and implemented by October 15.
- c. In the event construction activity including clearing, grading, disturbances to the ground, such as stockpiling, or excavation result in soil disturbances of at least one acre of total land area, the applicant shall obtain and provide a Notice of Intent (NOI) from the Regional Water Quality Control Board.

- d. Should a NOI be required, Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to issuing a construction permit. The SWPPP shall have provisions to provide at minimum monthly monitoring reports to the County during wet weather and to 1 year after completion of construction.
- e. Projects less than one acre are exempt from obtaining a NOI unless construction activity is expected to create soil disturbances that could cause significant water quality impairment.
- f. The internet site for information and application on the NOI can be found at http://waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml
- g. Sedimentation basins, traps, or similar BMP controls shall be installed prior to the start of grading.
- h. Mulching, hydro seeding, or other suitable revegetation measures shall be implemented. Planting shall also occur on areas of cut and fill to reduce erosion and stabilize exposed areas of later construction phases. All disturbed areas with a slope greater than 5% shall receive erosion control.
- i. Excavated materials shall not be deposited or stored where the materials could be washed away by storm water runoff.

X. LAND USE AND PLANNING Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural communities' conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X(a): The project will not physically divide a community or change land use patterns in any way.

X(b): The project would include a rezone to Rural Residential, five acre minimum, consistent with its General Plan Land Use designation. Surrounding uses include a USFS lands and primarily lands owned by the Humboldt Bay Municipal Water District and managed by the Ruth Lake CSD for recreation uses, including lease lots for vacation homes. The project site is ideally suited to provide private home ownership in an area encouraged for recreation oriented residential uses.

X(c): The project site is not subject to any habitat conservation plan or natural community conservation plan.

XI. MINERAL AND ENERGY RESOURCES Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Result in the loss of availability of a known mineral that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the use of energy or non-renewable resources in a wasteful or inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI(a-b): The project will not effect the availability of any mineral resources.

XI(c): The project is relatively isolated and will likely generate some longer travel distances for essential services. However, the density is low and some self sufficient activities can be anticipated from individuals making a life choice to locate in this area. The impacts would not be considered significant.

XII. NOISE Would the project result in:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use compatibility 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XII(a - d, and f): The only noise generated by this project would be during construction of any required improvements for the development of access and, ultimately, during the development of individual homes and accessory improvements on the individual lots. Noise would be typical

construction noise such as equipment engines, grading, and compaction of soils and paving equipment. Trinity County does not have a noise ordinance. The Noise Element of the General Plan does not have standards that apply to construction activities. Most development activity will occur during the day and be temporary in nature. Future land uses that may locate on the site would be subject to their own review if applicable.

Vibrations may be generated by heavy equipment moving earth at the site, and compaction of the soils. There will be no pile driving, blasting or other excessive noise or vibration. Grading will be minimal, and the project will be completed in a short time. The vibrations will be short term, during daylight hours only, and not close enough to be felt by any sensitive receptors. A condition has been included as proposed by the California Department of Fish and Wildlife to address potential noise impacts to birds in the general area of Ruth Lake.

XII(e): The project is located several miles from Ruth Airport and beyond any Airport Safety Zone. Activity at this airport is overall very modest and no significant adverse impact is anticipated.

XIII. POPULATION AND HOUSING Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII(a-c): The project will have no effect on population, nor will it displace housing or businesses.

XIV. PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV(a) – (f): The project will be served by power, water, and on site septic. Environmental Health comments that proof of water has been met. There is a well on each proposed parcel and sites for individual sewage disposal systems have been approved.

Compliance with the Fire Safe Ordinance is required. Conditions have been incorporated to meet PRC 4290 and Trinity County Fire Safe standards.

XV. RECREATION	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV(a-b): The project will not significantly impact nearby recreational facilities. No significant impact to recreational facilities demand or use is anticipated.

XVI. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

substantial safety risks?				
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI (a, b, d, e and f

Road improvements are required to meet both County road standards and CalFire access requirements. The resolution approving the tentative map includes provisions to meet these development standards.

XVI(c): The project will have no effect on air traffic patterns.

XVII. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII(a-e): The project will not generate significant wastewater requiring treatment. On site water and wastewater systems will be developed.

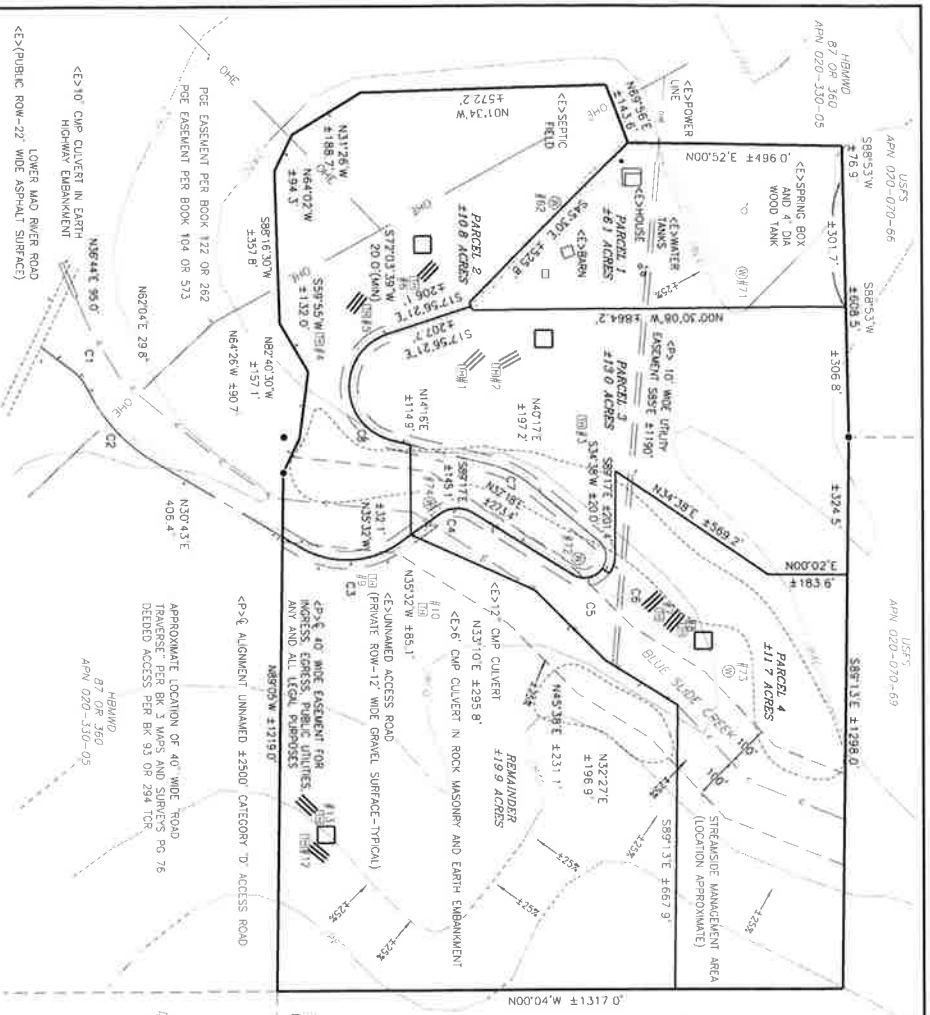
XVII(f-g): The project will not generate sufficient waste to have an impact on landfill facilities.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Does the project 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, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 probably future projects, as defined in Section 15130.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII(a): The project will have no effect on special status fish or wildlife species or important examples of major periods of history or prehistory. The proposed prohibited building area near the creek will protect and perhaps enhance that environment. Additional conditions of approval have been incorporated to require a 1602 agreement and to prohibit site disturbance during nesting season unless additional studies are conducted.

XVII(b): Since the project will have no effect of sensitive resources, its effects will not result in a cumulative adverse effect on the human or natural environment.

XVIII(c): The project would not have any adverse effects on human beings. Potentially, air quality and traffic levels of service could slightly improve, and there could be potential benefits to public health and well-being if people choose to walk or bicycle rather than drive.



NOTES

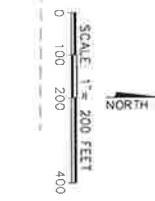
1. BUILDING SETBACK FOR ALL PARCEL LINES IS 30' FOR PROPOSED ZONING DISTRICT "R" (SECTION 13).
2. SHOWN SETBACKS ARE LESS THAN 30' UNLESS NOTED OTHERWISE. MATCHED AREA REPRESENTS SLOPE > 30%.
3. CONTROL INTERVAL IS 40' CONTROL LINES ARE APPROXIMATE AS SHOWN. SCALED FROM USGS 7.5' 1090 QUAD TOPOGRAPHIC DATUM MARCH 2015.
4. LOCATION OF "BLUE SLIDE CREEK" IS APPROXIMATE AS SHOWN COMPARED FROM FIELD MEASUREMENT AND PARCEL RECORDS AND DISTANCES ARE INTERPOLATED RECORD DATA FROM BOOK 3 MAPS AND SURVEY PAGE 75 AND BOOK 17 MAPS AND SURVEY PAGES 140-146 TRINITY COUNTY RECORDS.
5. WATER FOR ALL PROPOSED PARCELS IS FROM EXISTING PERMITTED PRIVATE WELLS AS SHOWN HEREON.
6. SEWAGE DISPOSAL (PRIVATE) FOR ALL PROPOSED PARCELS IS ON-SITE.
7. EXISTING USE IS RESIDENTIAL. PROPOSED USE IS RESIDENTIAL AND AGRICULTURAL.
8. ELECTRICAL SERVICE PROVIDER IS PG&E. TELEPHONE SERVICE PROVIDER IS VERIZON.
9. NO KNOWN HISTORICAL BUILDINGS, ARCHAEOLOGICAL SITES OR PALEONTOLOGICAL RESOURCES EXIST ON THE PARCEL TO BE SUBDIVIDED (PER FORESTER REVIEW).
10. ALL EASEMENTS OF RECORD AND PROPOSED EASEMENTS ARE SHOWN HEREON. NO WIDTH IS SPECIFIED ON THE EASEMENTS OF RECORD.
11. THE EXISTING ZONING DISTRICT IS UNCLASSIFIED. THE PROPOSED ZONING DISTRICT IS AGRICULTURAL. THE 100 YEAR FLOOD PLAIN AND AREA SUBJECT TO OVERTURN, INUNDATION OR FLOOD HAZARD IS EXPLICITLY CONTAINED WITHIN THE STREAMSIDE MANAGEMENT AREA AS SHOWN (PER ENGINEER REVIEW).

LEGEND

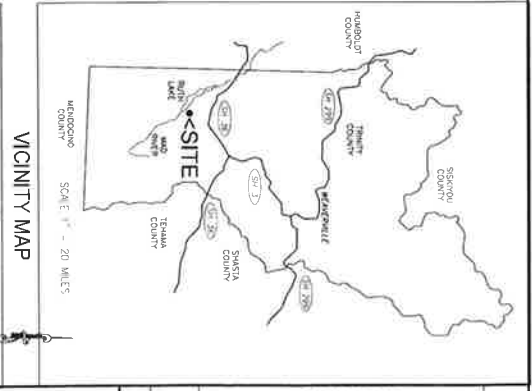
- <E> EXISTING
- <P> PROPOSED
- ⊗ PRIVATE WELL (⊕ CORRESPONDS TO LINGEMANN WELL REPORT # 9328XX)
- ⊖ SOLI PROFILE TEST HOLE (⊖ CORRESPONDS TO SOIL TEXTURE REPORTS)
- ⊙ FOUND SURVEY MONUMENT OF RECORD
- ⊙ 40' x 40' RESIDENCE SITE
- ⊙ 20' x 50' SEWAGE DISPOSAL SYSTEM
- SLOPE GRADIENT 20% - 30%
- AREAS OF SLOPE GREATER THAN 30%
- PARCEL LINE
- OVERHEAD ELECTRIC LINE
- LIMITS OF ROAD
- ROAD CENTERLINE ALIGNMENT
- ROAD CENTERLINE
- ROAD CONDUIT LINE
- STREAM FLOW DIRECTION

CURVE TABLE

FACE	DELTA	LENGTH	RADIUS
C1	2919.00'	444.2'	100.00'
C2	3121.00'	218.9'	400.00'
C3	6,330.00'	4,232.8'	210.00'
C4	2,519.00'	175.0'	110.00'
C5	8,701.00'	1,550.1'	50.00'
C6	28,01.00'	111.5'	250.00'
C7	36,48.00'	1,128.9'	150.00'
C8	9,101.00'	4,206.5'	130.00'



- ADJACENT PROPERTY OWNERSHIP LIST**
(AS SHOWN HEREON)
1. APN 020-070-22
HEWON, TONY ET AL
PO BOX 1311, RUTH, CA 95528
 2. APN 020-070-66
UNITED STATES FOREST SERVICE
 3. APN 020-070-69
UNITED STATES FOREST SERVICE
 4. APN 020-330-05
HUMBOLDT BAY MUNICIPAL WATER DISTRICT
PO BOX 95, EUREKA, CA 95502



PROJECT SCOPE

FOUR PARCEL SUBDIVISION WITH REMAINDER PARCEL (UNDER SUBDIVISION) AND ZONING RECLASSIFICATION

AGENT

ALLAN M. BAIRD
ENGINEERING AND SURVEYING
1257 MAIN STREET
FORTUNA, CA 95540
707-725-5182

OWNER/SUBDIVIDER

ROBERT MORRIS
VAN DUZEN INVESTMENTS, LLC
43819 STATE HIGHWAY 35
BRIDGEVILLE, CA 96003
707-498-6554



A.M. Baird
Engineering & Surveying

1257 Main St. P.O. Box 396, Fortuna, CA 95540, (707)725-5182

DATE	BY	DESCRIPTION
FEB 17 2018	AMB	
	AVB	

NO.	DATE	DESCRIPTION	BY
1	12/13/16	PROPERTY LINE ADJUSTMENTS	AMB

VAN DUZEN INVESTMENTS LLC
15341 MAD RIVER ROAD
RUTH, CA 95526

APN 020-330-06

TENTATIVE SUBDIVISION MAP

SCALE: 1" = 200 FT

DATE: FEB 17 2018

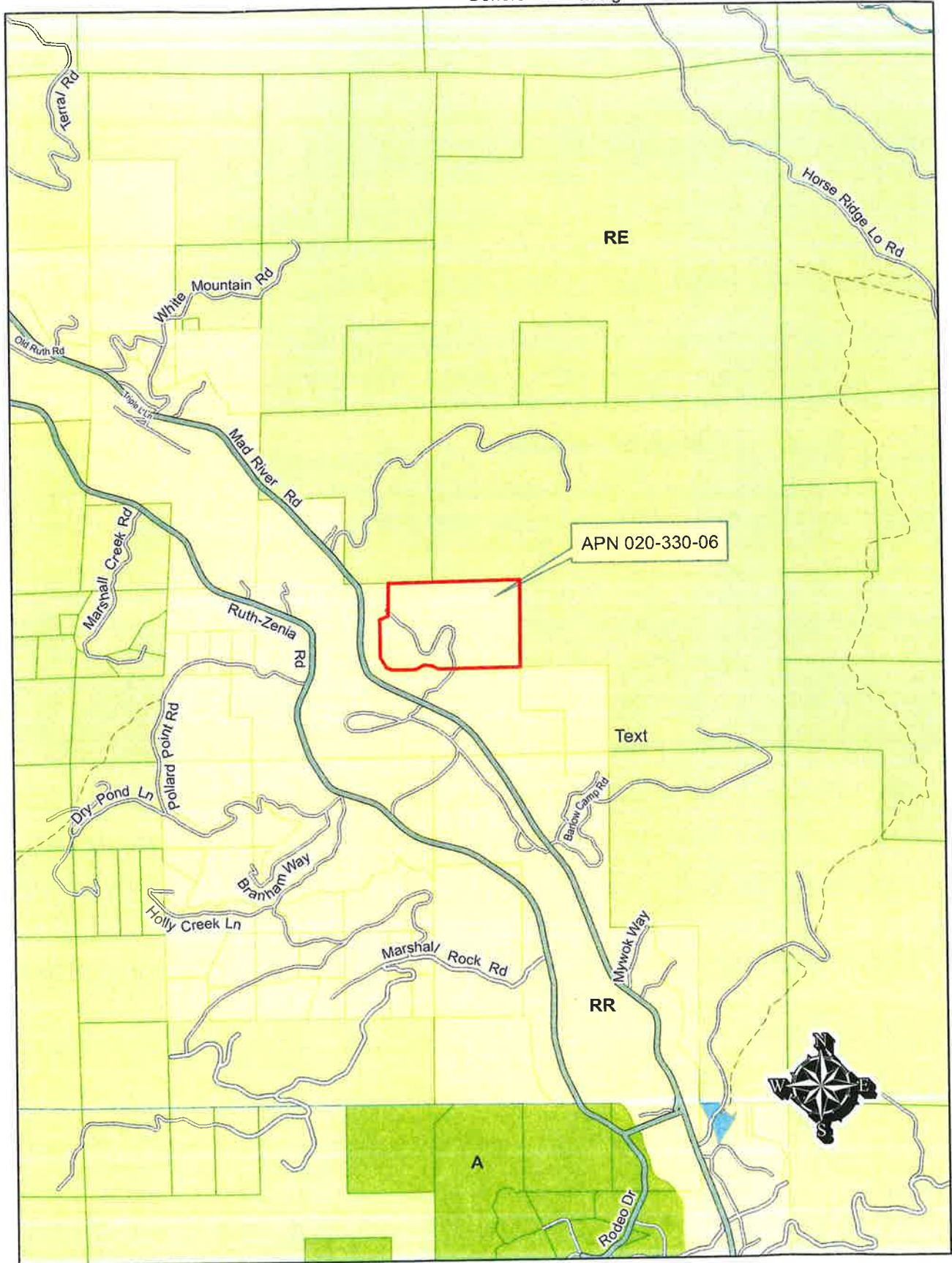
BY: AVB

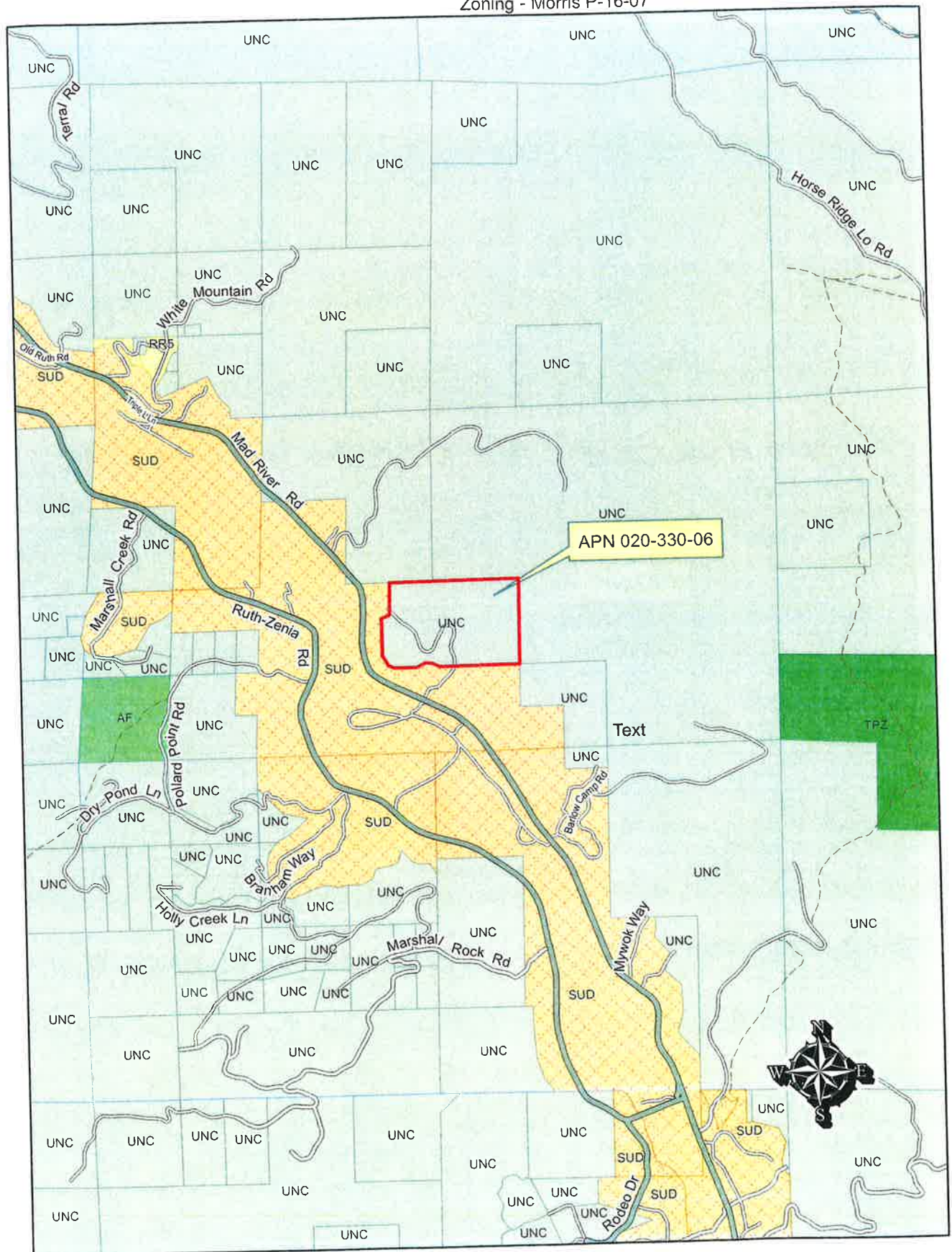
DATE: FEB 17 2018

BY: AVB

SHEET NO. 1 OF 1

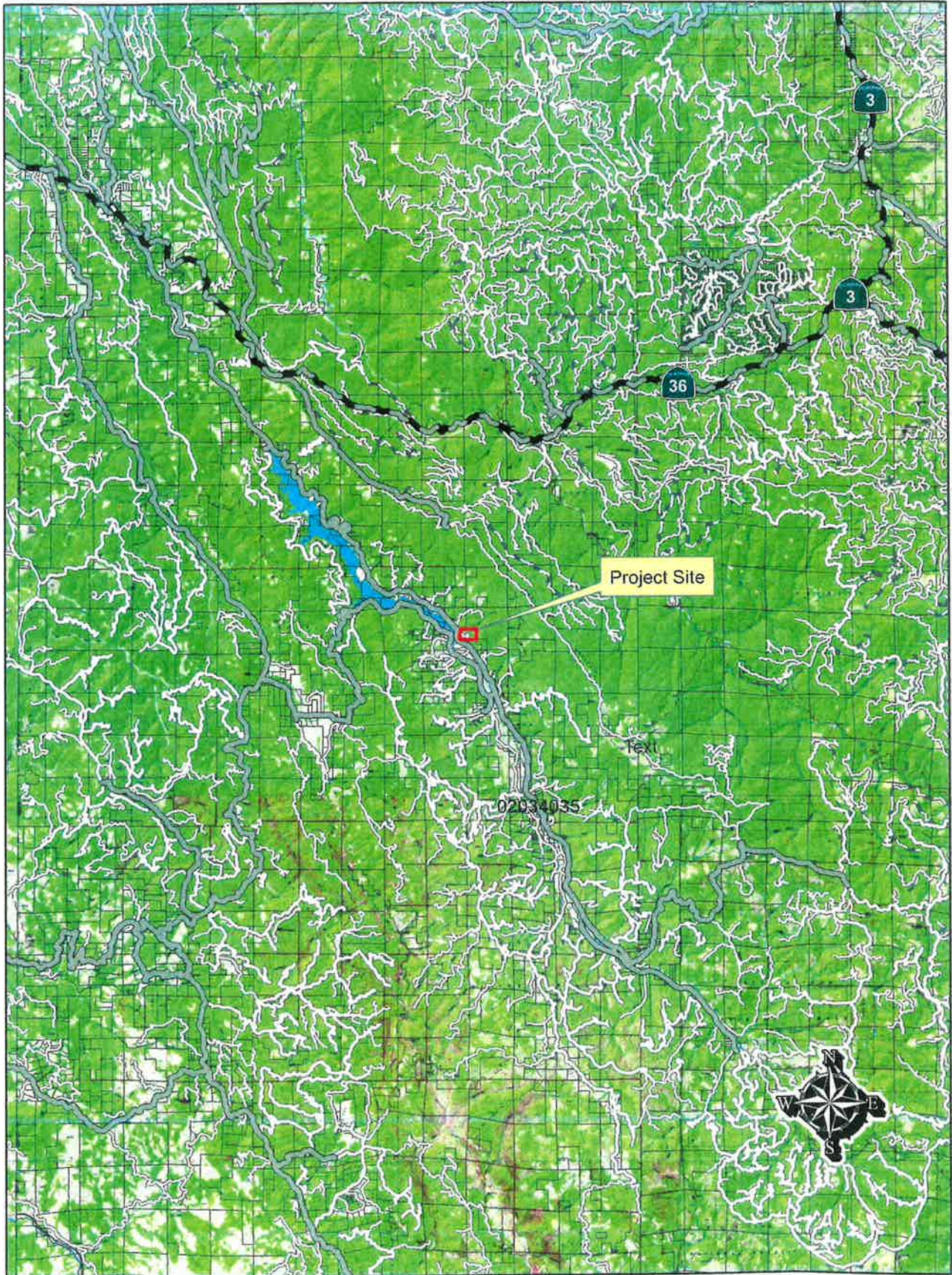
18





PROJECT LOCATION MAP

Morris P-16-07



ORDINANCE NO. 315-

AN ORDINANCE AMENDING TRINITY COUNTY
ZONING ORDINANCE NO. 315

THE BOARD OF SUPERVISORS OF THE COUNTY OF TRINITY, STATE OF
CALIFORNIA, DOES ORDAIN AS FOLLOWS:
(R. Morris, P-16-07)

SECTION 1. That the real property situated in the County of Trinity, State of California, located at 15341 Mad River Road, Ruth, and more particularly described as:

That real property situated in the County of Trinity, State of California, described as follows:

(See attached Exhibit A)

heretofore, zoned and classified as “Unclassified (U)” District, be and the same hereby is rezoned and reclassified as “Rural Residential, five acre minimum (RR-5)”.

SECTION 2. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have adopted this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrases be declared invalid.

SECTION 3. This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once in the Trinity Journal, a newspaper of general circulation published in the County of Trinity, State of California.

INTRODUCED, PASSED AND ENACTED this ____ day of _____, 2017, by the Board of Supervisors of the County of Trinity by motion/second (_____/_____), and the following vote:

AYES: Supervisors
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

JOHN FENLEY, CHAIR
Board of Supervisors
County of Trinity
State of California

ATTEST:

MARGARET E. LONG
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM AND LEGAL EFFECT:

Margaret Long, County Counsel

Dated: _____
Planning/JAJ

**IN THE BOARD OF SUPERVISORS
COUNTY OF TRINITY, STATE OF CALIFORNIA**

SECOND DAY OF MAY, 2017

RESOLUTION NO. _____

**RESOLUTION APPROVING TENTATIVE PARCEL MAP
(R. Morris, P-16-07)**

WHEREAS, the Planning Commission, March 9, 2017 held a public hearing on the request for approval of a rezone and tentative parcel map for property located on a private road off of Lower Mad River Road at Blue Slide Creek in the Ruth Lake area; and

WHEREAS, the Planning Commission deliberated and concluded that they would recommend approval of the project; and

WHEREAS, the Board of Supervisors conducted a public hearing on the matter, considered the Planning Commission's recommendation and deliberated the case, and has exercised its own independent judgment; and

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond; and

WHEREAS, the Board of Supervisors has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration; and

WHEREAS, the Board of Supervisors has considered the effects that approval of the proposed project, including the change to the zoning and the subdivision which they have concluded would have a beneficial effect on addressing the housing needs of Trinity County and has balanced these needs against the public service needs of residents, and available fiscal and environmental resources.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Trinity find that:

1. The Negative Declaration has been prepared in compliance with CEQA, State and County Guidelines, and the Commission has reviewed and considered the information contained therein.
2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.

3. Pursuant to Government Code Section 66474.02, the following findings pertaining to high fire hazard areas are made:

(1) A finding supported by the record that the design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code.

As conditioned, the project conforms to these sections of the Public Resources Code.

(2) A finding supported by the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities:

(A) A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.

(B) The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.

The project is within the service area of the Ruth Lake CSD which provides fire protection services.

(3) A finding that to the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and any applicable local ordinance.

The road improvement conditions address this concern.

4. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the County General Plan, and Section 16.12.150 of the Subdivision Ordinance, and Fire Safe Ordinance 1162.
5. The discharge of waste from the proposed subdivision will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board.
6. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

BE IT FURTHER RESOLVED that the tentative map for the proposed subdivision is hereby approved, subject to the following conditions, which shall be satisfied prior to the filing of the parcel map, unless a different time for compliance is specifically noted:

A. General:

1. A Notice of Environmental Constraint shall be recorded concurrent with the Parcel Map that shall provide for the following provisions:

a. The Subdivider shall submit to the Department of Planning, an Exhibit Map depicting a 100 foot buffer along both sides of Blue Slide Creek which shall be labeled a "Non-buildable Area." A note shall be placed on the Parcel Map that states that no development shall be allowed within this buffer area as delineated on the Exhibit Map on file with the Planning Department.

b. In the event that previously unidentified cultural or paleontological resources are encountered during development of the parcel, there shall be no further excavation or disturbance of that area. The owner/developer shall avoid the materials and their contents. The Trinity County Planning Director shall be notified immediately, and an archaeologist consulted to determine if the find is significant and make recommendations for appropriate mitigation. Work shall not continue in the area until mitigations have been implemented and written authorization to resume work has been provided by the Planning Director.

c. In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per state law. If the Coroner determines the remains to be Native American, he/she will contact the Native American Heritage Commission who will contact the most likely descendent who will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work shall not continue in the area until the human remains have been dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent.

B. Miscellaneous:

1. All easements within the development shall be dedicated on the Parcel Map or by separate instrument.
2. Provide a geotechnical report verifying that there are no landslides, rock fall areas, or soil settlement issues on the property. If certain areas are determined to be susceptible to slope instability, these areas must be delineated and labeled on the map.
3. Parcel 1 shall not be configured as a flag lot (condition completed with revised tentative map).

C. Utilities:

1. All utilities outside of roadways on subject properties shall be in minimum ten foot width easements centered on the utility that serves the subject and adjoining parcels.

D. Roads:

1. The existing encroachment onto Mad River Road, County Road 501, shall conform to Department of Transportation standards for a private road. An encroachment permit must be obtained for the existing encroachment of the access road onto Mad River Road, County Road 501.
2. The private access road from Mad River Road, County Road 501 to the intersection of parcel 2, parcel 4, and the remainder shall be constructed to the Trinity County "Roadway Category No. 1" standard. A 20 mile per hour or higher design speed shall be used. Roadway design shall also meet the local road design guidelines of the AASHTO *A Policy on Geometric Design of Highways and Streets*, including the supplementary AASHTO *Geometric Design Guidelines of Very Low-Volume Local Roads*, and shall meet the requirements of the Fires Safe Ordinance. This shall include, but is not limited to:
 - a. A minimum roadbed width of 20' with additional curve widening as prescribed by the Fire Safe Ordinance; and
 - b. A maximum gradient of 10%, which may be increased to 12% for short distances, subject to the approval of the Department of Transportation; and
 - c. A minimum centerline curve radius of 75'; and
 - d. The crown of cross slope shall be a minimum of 3% for aggregate surfaces or 2% for paved surfaces.
3. The private access road from the intersection of parcel 2, parcel 4, and the remainder to the southern boundary of parcel 1 shall be constructed to the Trinity County "Roadway Category D" standard. A 10 mile per hour or higher design speed shall be used. Roadway design shall also meet the local road design guidelines of the AASHTO *A Policy on Geometric Design of Highway and Streets*, including the supplementary AASHTO *Geometric Design Guidelines for*

Very Low-Volume Local Roads, and shall meet the requirements of the Fire Safe Ordinance. This shall include, but is not limited to:

- a. A minimum roadbed width of 18' with additional curve widening as prescribed by the Fire Safe Ordinance; and
 - b. A maximum gradient of 12%, which may be increased to 14% for short distances, subject to the approval of the Department of Transportation; and
 - c. A minimum centerline curve radius of 61'; and
 - d. The crown or cross slope shall be a minimum of 3% for aggregate surfaces or 2% for paved surfaces.
4. A turnaround shall be constructed at the south boundary of parcel 1. Turnarounds shall be constructed to meet the requirements of the Trinity County Subdivision Ordinance and shall be within dedicated road easements. Driveways are allowed to utilize the turnaround as permitted by the Fire District.
 5. On the access road, turnarounds shall be provided at a maximum of one thousand three hundred twenty foot intervals from the intersection with Mad River Road, County Road 501, to the south boundary of parcel 1. Turnarounds shall be constructed to meet the requirements of the Trinity County Fire Safe ordinance and shall be within dedicated road easements Driveways area allowed to utilize the turnaround as permitted by the Fire District.
 6. All offsite improvements over Assessor's Parcel Number 020-330-05 for access road shall be contained within the existing 40 foot wide easement for ingress, egress, and utilities as depicted on the tentative map.
 7. A minimum 40 foot wide non-exclusive road and utility easement for the access road must be offered for dedication. Easement width shall be 20 feet each side of centerline, where said dedication lies within the subject property.
 8. Additional on-site slope easements shall be dedicated in all areas where elements of the road design do not fit within the road easement. The slope easements shall include any area within 5 feet of the design elements. The slope easement may be described on the map as "a slope maintenance easement 5 feet beyond toe of fill or top of cut."
 9. A hydrology study showing the ability to convey 100 year storm flows of Blue Slide shall be approved by the Director of Transportation. All driveway and ditch relief culverts shall be 18" diameter unless an alternative size is approved by the Director of Transportation. Ditches shall be designed and constructed to prevent 100 year flows from encroaching more than 2 feet into the travel way. (See *Condition E.*)
 10. Road names shall be submitted to the Planning Department for approval in accordance with Title 12, Chapter 12.17 of the Trinity County Code.
 11. Road name signs shall be installed at all intersections.
 12. All improvements required for this development and as described in these conditions of approval shall be shown on construction drawings (the final improvement plans) to be submitted along with the Parcel Map to the Trinity County Department of Transportation for review and approval. Approval of the construction drawings is required prior to Parcel Map Acceptance.

13. Prior to construction of improvements, the construction drawings shall be stamped by an engineer and approved by the County Engineer.
14. Inspection of the improvements will be performed by Trinity County Department of Transportation staff or a County selected inspection firm. The developer will coordinate inspections with the Department of Transportation prior to start of construction.
15. The Developer will be responsible for all actual costs on a hourly basis associated with the subdivision improvements, including review of construction improvement plans, developing Development Agreements, performing improvement inspections, and all other related costs.
16. The applicant and/or subsequent grantees shall create to the satisfaction of Trinity County Counsel and the Trinity County Department of Transportation an organization of association for the maintenance of the private roads within the subdivision or show evidence of the existence of such an agreement or organization.
17. It is understood that the improvements will be completed prior to recording of the map. Should the developer wish to do otherwise, a Subdivision Improvement Agreement shall be required.

E. Fish and Wildlife:

1. Pursuant to Fish and Game Code 1602 the subdivider or his authorized agent shall obtain a "Lake and Streambed Alteration Agreement" prior to replacing the undersized and damaged culvert on-site.

F. Erosion Control:

1. The improvement plans shall include a grading plan and erosion and sediment control plan, which incorporates standard erosion control practices and best management practices, subject to the approval of the County Engineer for disturbed areas. The plan shall be prepared by a Qualified SWPPP Developer (QSD) and shall be included in an agreement with the construction contractor. The following measures shall be included:
 - a. Any mass grading shall be restricted to dry weather periods between April 1 and October 31. (*Note: mitigation for nesting birds in general area of project requires no site disturbance from March 1 to August 31 without additional surveying by a qualified ornithologist.*)
 - b. If other grading activity is to be undertaken in wet-weather months, permanent erosion and sediment controls shall be in place by October 15, and construction shall be limited to areas as approved by the County Engineer. A winterization plan shall be submitted by September 15 and implemented by October 15.
 - c. In the event construction activity including clearing, grading, disturbances to the ground, such as stockpiling, or excavation result in soil disturbances of at least one acre of total land area, the applicant shall obtain and

provide a Notice of Intent (NOI) from the Regional Water Quality Control Board.

- d. Should a NOI be required, Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to issuing a construction permit. The SWPPP shall have provisions to provide at minimum monthly monitoring reports to the County during wet weather and to one year after completion of construction.
- e. Projects less than one acre area exempt from obtaining a NOI unless construction activity is expected to create soil disturbances that could cause significant water quality impairment.
- f. The internet sit for information and application on the NOI can be found at: <http://waterboards.ca.gov/waterissues/programs/stormwater/constpermits.shtml>
- g. Sedimentation basins traps, or similar BMP controls shall be installed prior to the start of grading.
- h. Mulching, hydro seeding, or other suitable revegetation measures shall be implemented. Planting shall also occur on areas of cut and fill to reduce erosion and stabilize exposed areas of later construction phases. All disturbed areas with a slope greater than 5% shall receive erosion control.
- i. Excavated materials shall not be deposited or stored where the materials could be washed away by storm water runoff.

DULY PASSED AND ADOPTED this ____ day of _____, _____ by the Board of Supervisors of the County of Trinity by motion, second (1), and the following vote:

AYES: Supervisors
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

John Fenley, CHAIR
Board of Supervisors
County of Trinity
State of California

ATTEST:

MARGARET E. LONG
Clerk of the Board of Supervisors

By: _____

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May 2, 2017
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Deputy

NOTE: Approval of this tentative map will expire on May 2, 2019. Any request for a time extension must be received by the Trinity County Planning Department 30 days prior to this expiration date.