

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

APPLICANT: Khris Yordana

REPORT BY: Colleen O’Sullivan

OWNER: Milka Aratlakova

APN: 011-210-35

PROJECT DESCRIPTION: Rezone of 286.35 acres from Unclassified to Rural Residential, 20 acre minimum and creation of four parcels and a remainder (see Figures 1, 2 & 3).

LOCATION: 420 Blake Mountain Trail, Hyampom

PROJECT INFORMATION:

- A) Planning Area: Hyampom
- B) Existing General Plan Designation: Rural Residential
- C) Existing Zoning: Unclassified – B3
- D) Existing Land Use: residence, cultivation
- E) Adjacent Land Use Information:

	<u>Land Use</u>	<u>Zoning</u>	<u>General Plan Des.</u>
North:	federally managed lands	Unclassified	Resource
South:	timber management	TPZ	Resource
East:	residential, agriculture	RR-10, UNC	Rural Residential
West:	federally managed lands	Unclassified	Resource

BACKGROUND INFORMATION AND ENVIRONMENTAL SETTING:

This project has gone through a couple of changes as a result of agency/department comments (Figure 4). Parcel 4 is no longer a flag lot and the “flag pole” is now part of the remainder parcel (shown correctly on the smaller version of the map but not on the larger version. Staff hand-drew in the correction).

The parcel is part of a large ranch that once existed on this side of the Hyampom valley. It consists of range land in the south-eastern one fourth of the property, two ponds (which are the source of an unnamed stream that enters into the South Fork Trinity River), oak woodlands and conifer stands. Kerlin Creek passes through the property in the northwest corner. Access is provided by Lower South Fork Road across private property and by Kerlin Creek Road (a USFS public road). There are areas on the west side of the parcel that are over 30 percent in slope, and an old landslide is noted as well. The general aspect of the property is northeast and runoff flows to the South Fork Trinity River (SFTR).

PROJECT EVALUATION:

Staff's concerns centered on zoning and density, parcel configuration for purposes of parcel division, access and road improvements, water quality and quantity, off-site impacts to water quality, biological impacts and cultural resources.

Zoning and Density

The parcel has a General Plan designation of Rural Residential, with Unclassified (B3) zoning. The B3 refers to Special Building Site, and B-3 states that “Minimum building site area and minimum parcel width shall be as specified of the Zoning Map” (page 97, Section 28.A.3, TC Zoning Ordinance). That brings the question back to the Unclassified zoning, which requires a minimum of five acres (page 33, Section 11.D, TC Zoning Ordinance). The proposed zoning of Rural Residential, 20 acre minimum meets these requirements.

The zoning, if approved, would allow two of the proposed parcels (Parcel 1 and Parcel 4) to potentially be divided again, as well as the remainder parcel (130+ acres). The potential for seven more parcels (five from the remainder) is a concern to staff due to possible impacts to water quantity and quality, and downstream resources. Please see the discussions under Water Quality and Quantity and Biological Resources for further discussion.

Parcel Configuration for Purposes of Division

The tentative parcel map is configured to take advantage of existing roads, while providing access to the proposed parcels. Parcel 1 is shaped like a flag lot, which generally are not allowed in parcel divisions except under special circumstances. In this case, an existing driveway (#9 on the map legend), which can be improved to serve both Parcels 1 and 2, is the basis of the “flag pole” portion of the parcel. Under Section 16.49.190.I of the TC Subdivision Ordinance flag-type lots are allowed when “...necessitated by topography or other special condition...In no case shall the access strip be less than twenty (20) feet in width nor greater than three hundred (300) feet in

depth and improvements shall be constructed therein to provide for an all-weather driveway". The flag pole is of sufficient width and depth to meet the minimum standards for purposes of parcel shape. This interpretation is based on the assumption that width means 'wide' and depth means 'deep'.

Access and Road Improvements

The TC Department of Transportation is requiring several dedications, easements and road improvements, and are incorporated into the map resolution (Exhibit A). These conditions address Fire Safe Ordinance requirements, existing and future utility needs, grading and erosion control plans, a geotechnical report on landside location and specific improvements to segments of existing roads and driveways, among other things.

Water Quality and Quantity

The applicant proposes onsite wells for the proposed parcels for domestic use. CA Department of Fish and Wildlife (CDFW) has expressed concerns with both water quantity and quality (Figure 5). The applicant has stated that he wants to sell these parcels to cultivators, which potentially results in greater water quantities drawn from streams. Staff did not study the availability and source of water for cannabis cultivation but did state in the Mitigated Negative Declaration (MND) that Kerlin Creek should not be a source of domestic water supply for any new parcel. The MND further states that no new riparian rights should be created as a result of the Parcel Map. This does not directly address water source and availability, but if surface water is proposed for agricultural purposes a water study should be completed to determine measures to assure downstream beneficial uses are met. In addition, CDFW is limiting diversion of the unnamed creek to no more than 50 percent of flows. Staff proposes no diversion of any unnamed creek. Please see discussion under the following item for potential impacts to SFTR.

Off-Site Impacts to Water Quality

Kerlin Creek potentially supports habitat for steelhead trout and foothill yellow-legged frog. Staff stated in the MND that a Coho salmon nursery lies downstream of the project site in a SFTR side channel. Coho is listed both by state and federal agencies as Threatened. Upstream and off-site impacts from this project could impact these resources. CDFW expressed concerns with the potential number of new parcels and future development activities impacting off-site resources because of the lack of a countywide grading ordinance. Staff proposes that a Notice of Environmental Constraint (NOEC) be recorded on the new parcels that requires a Grading, Drainage and Erosion Control Plan be approved prior to ground-disturbing activities.

Staff also recommends that an NOEC be recorded on the remainder parcel that states no further division shall take place until both a water study (for water quality and quantity) and a Biological Assessment are submitted for approval by the Planning Department. The greater potential impact will result from a proposed division of the remainder.

Biological Impacts

The CDFW provided several comments regarding Biological Resources, including setbacks from ponds, springs, watercourses and wetlands. In the MND, staff proposed that a 100 foot setback be applied to all these resources and they should be shown on the final map. Staff did not require the applicant to conduct a Biological Assessment but has proposed this study as part of future development.

Cultural Resources

An archaeological study was completed by Alex Cousins on September 14, 2017. No cultural resources were identified on the site. The standard mitigation measures will be included as Parcel Map conditions.

ENVIRONMENTAL EVALUATION:

An Initial Study and Mitigated Negative Declaration was completed on January 25, 2018 and was given a 30 day review period through the CA State Clearinghouse. The environmental evaluation was based on the original proposal, which involved more extensive road improvements. The revised map will result in less road construction impacts due to parcel reconfiguration. The revisions do not substantially change the MND.

STAFF RECOMMENDATION:

Staff recommends the following:

1. Recommend to the Board of Supervisors adoption of the Mitigated Negative Declaration, finding that on the basis of the whole record, including the initial study, that there is no substantial evidence that the project will have a significant effect of the environment and that a Negative Declaration reflects the County's independent judgment and analysis, and;
2. Recommend to the Board of Supervisors approval of the zoning change of APN 011-210-35 from Unclassified to Rural Residential, 20 acre minimum, finding the action to be consistent with the overall goals and policies of the General Plan; and;
3. Recommend to the Board of Supervisors adoption of the Map Resolution (Exhibit A), approving the Parcel Map, with conditions, to create four parcels and a remainder parcel on APN: 011-210-35.

Figure 1 - PROJECT LOCATION MAP
P-17-36 Aratlakova Parcel Map and Rezone
from Unclassified to Rural Residential, 20 acre min.

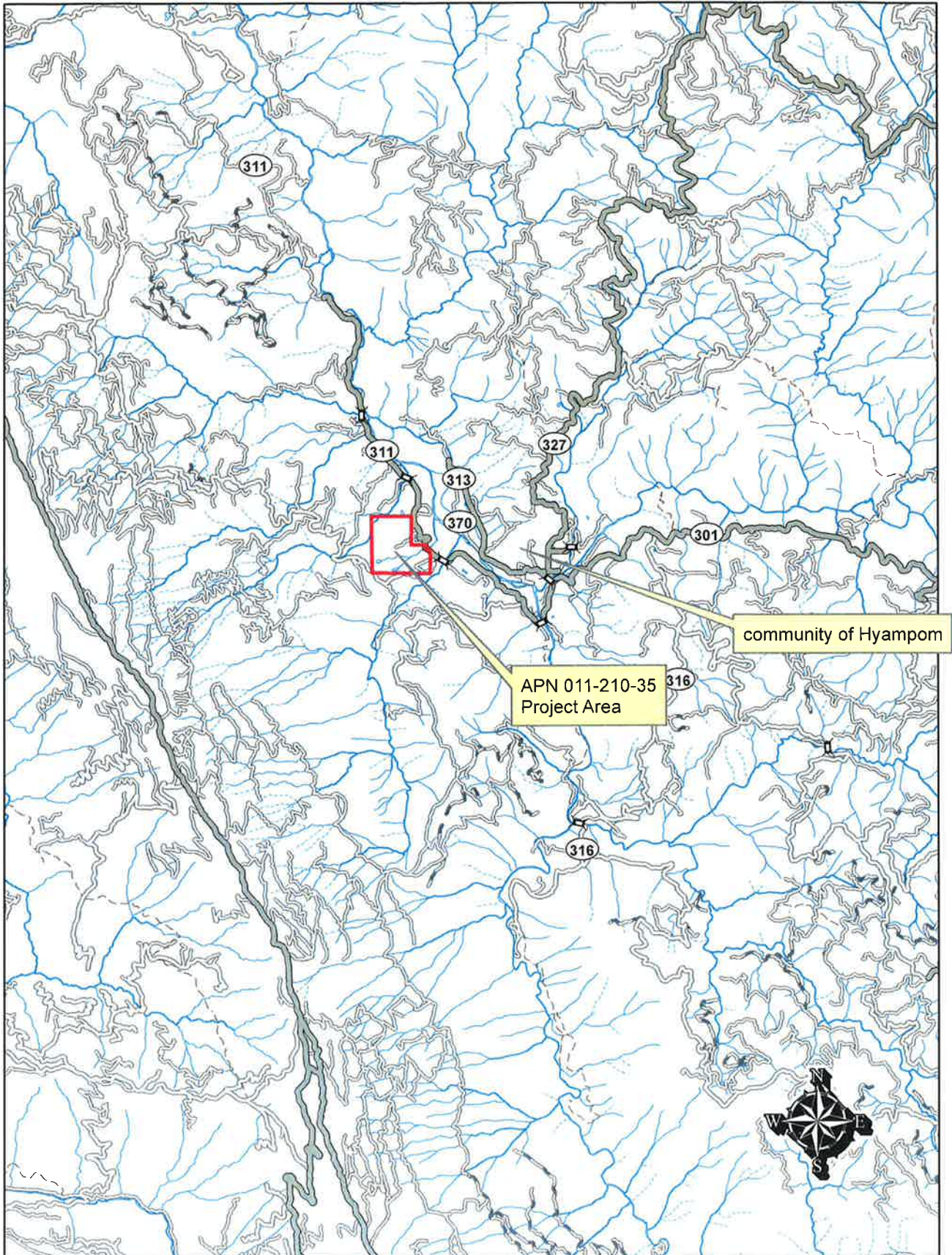
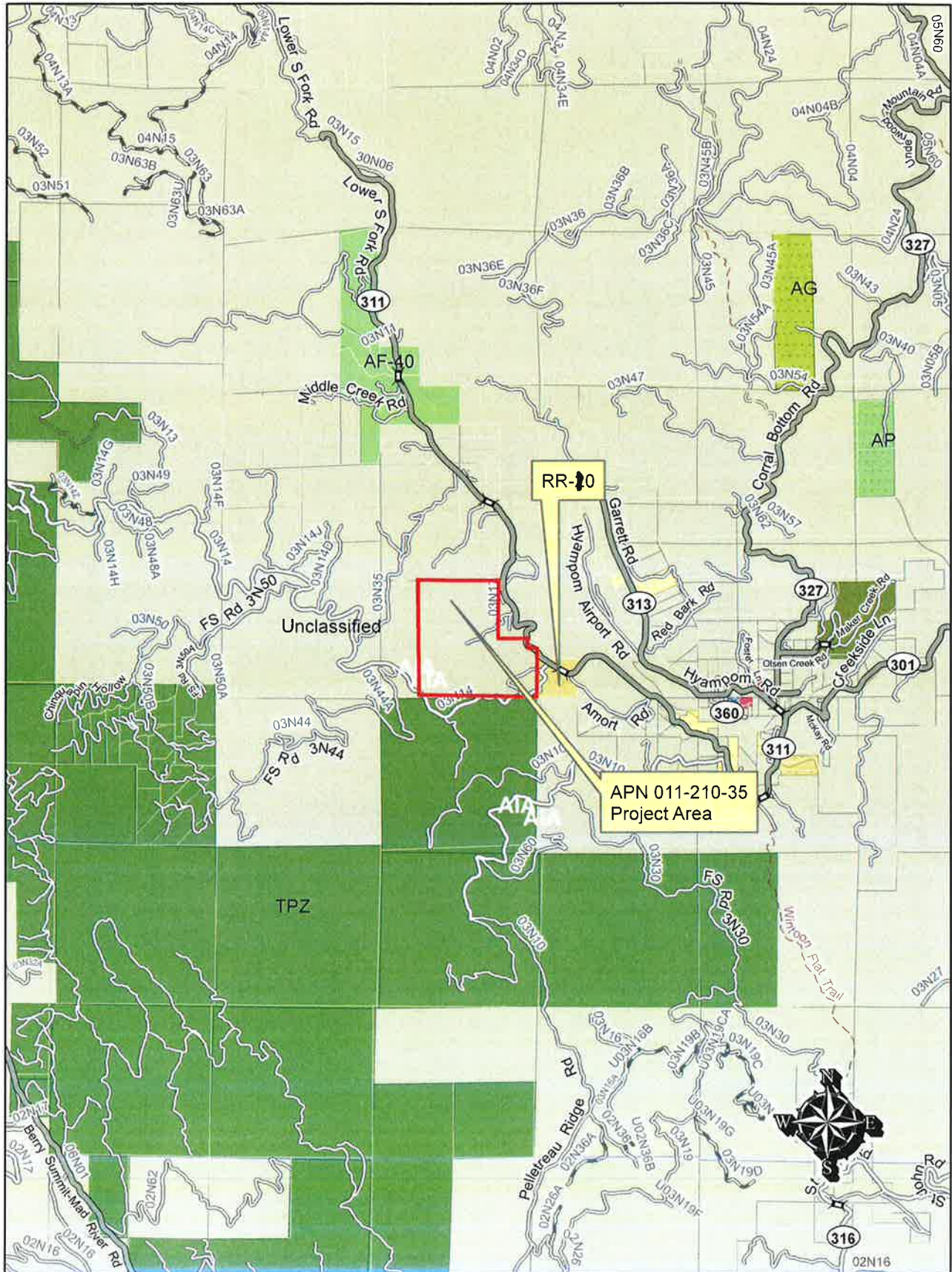


Figure 2 - HYAMPOM VALLEY ZONING MAP
P-17-36 Aratlakova Parcel Map and Rezone
from Unclassified to Rural Residential, 20 acre min.



**Figure 3 - HYAMPOM VALLEY OWNERSHIP MAP
P-17-36 Aratlakova Parcel Map and Rezone
from Unclassified to Rural Residential, 20 acre min.**

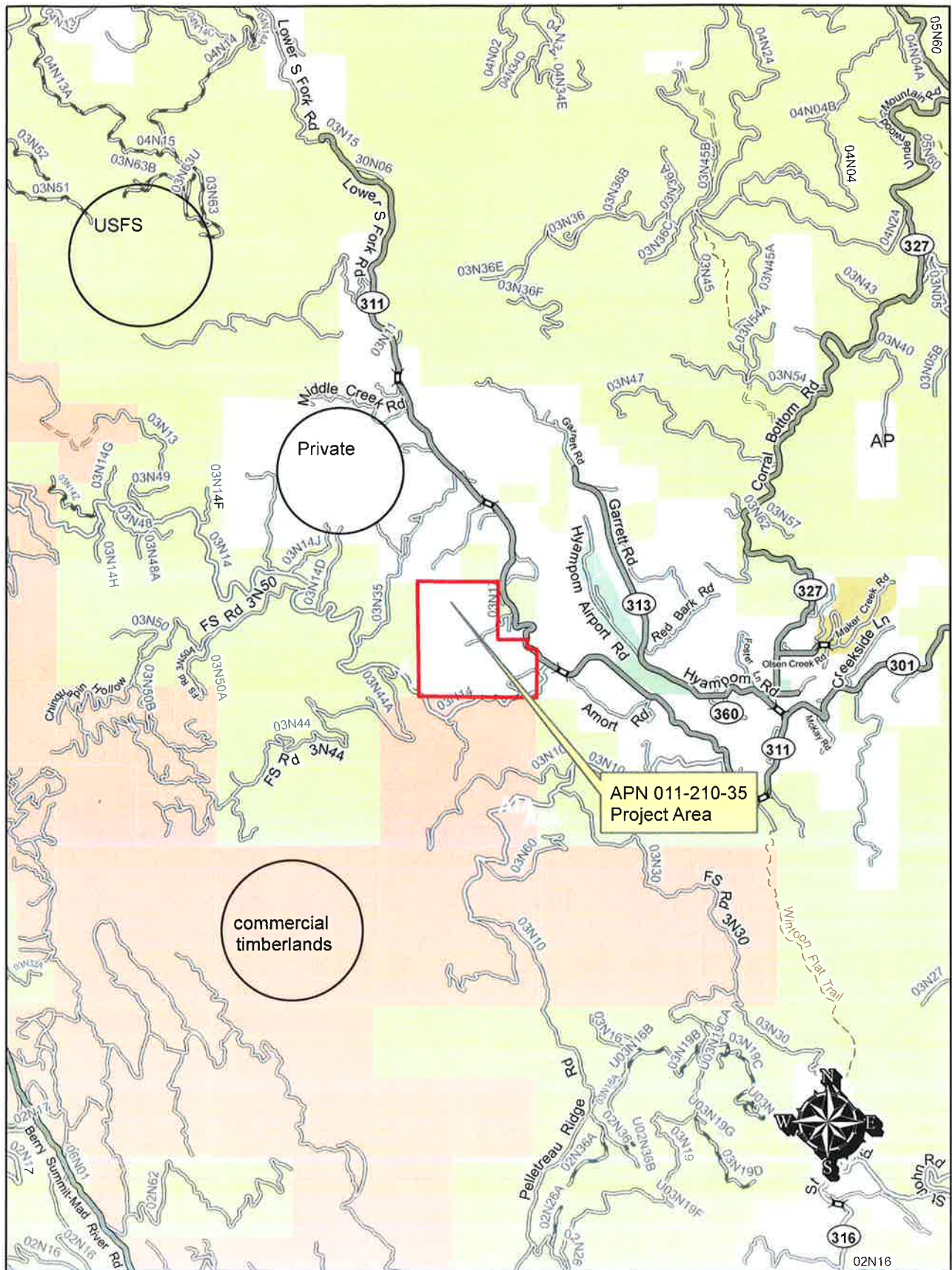
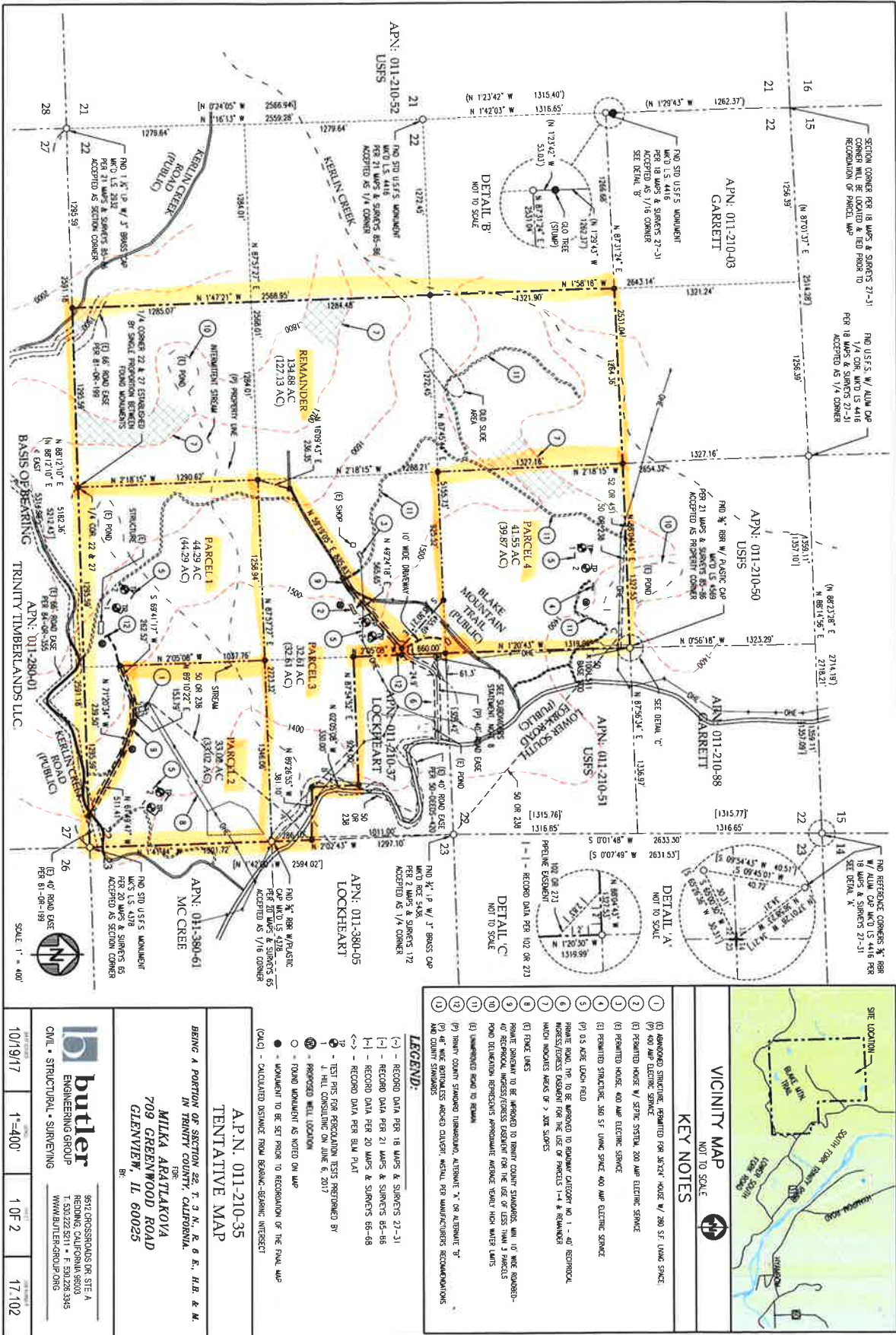


FIGURE 4 - tentative Parcel Map





State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Region 1 – Northern
 601 Locust Street
 Redding, CA 96001
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
 CHARLTON H. BONHAM, Director



Figure 5

February 27, 2018

RECEIVED

Colleen O'Sullivan
 Trinity County Planning Department
 P.O. Box 2819
 Weaverville, CA 96093

MAR - 1 2018

TRINITY COUNTY
 PLANNING DEPARTMENT

Subject: Mitigated Negative Declaration for Aratlavova Rezone and Tentative Parcel Map, State Clearinghouse Number 2018012047, Trinity County

Dear Ms. O'Sullivan:

The California Department of Fish and Game (Department) has reviewed the Initial Study and Mitigated Negative Declaration (IS/MND) for the above-referenced project (Project). The Project proposes to rezone 286.35 acres from Unclassified to Rural Residential, 20-acre minimum (RR-20), and to create four parcels of approximately 40 acres each, plus a remainder parcel of 112.77 acres.

As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, the Department administers the California Endangered Species Act and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act, California Public Resources Code section 21000 et seq. The Department provided comments on this Project during the Early Consultation period in an e-mail dated August 28, 2017. The Department appreciates the incorporation of the recommended mitigation measures in the IS/MND.

Wetland Protection Set Back, Avoidance and Mitigation

The Department has responsibility for conserving the State's wetland and riparian habitats. It appears the proposed parcels are rich in perennially wet habitat. It is the policy of the Department to strongly discourage development in wetlands. To meet this policy, the Department's previous letter recommended a mitigation measure that included "one-hundred foot setbacks from all ponds, wetlands, and watercourses should be delineated on the Parcel Map." However, the map submitted with the IS/MND does not depict a 100-foot setback from any wetland feature. The Department recommends that a wetland delineation be completed as part of the planning process and circulated with the IS/MND for public review. Setbacks from wetland features should then be adopted during Project approval and recorded on the final map. If wetlands cannot be avoided, wetland mitigation should be included to assure there will be "no net loss" of either wetland habitat value or acreage.

Conserving California's Wildlife Since 1870

Figure 5

Water Availability and Water Rights

The IS/MND states that each of the newly created parcels has its own well for domestic water supply, or that wells are proposed for each new parcel. Trinity County (County) is proposing four new rural-residential parcels, plus a "remainder parcel," with the potential creation of up to 8 separate parcels with the proposed zoning. The IS/MND should analyze the water availability for these new residential parcels to ensure those wells will not have a significant impact on water resources in nearby springs, wetlands, ponds, and streams, such as Kerlin Creek or South Fork Trinity River (SFTR).

Furthermore, if these newly created and rezoned parcels will each be accessible for commercial cannabis cultivation under the County's current cannabis cultivation ordinance, the IS/MND should study the availability and source of water for cannabis irrigation. Any assessment of water availability should include an analysis of the cumulative effect of water use on groundwater and stream flow. Any adverse effects of reduced stream flow should be avoided, minimized, or mitigated to a level of less than significant.

Flag lots are typically created to retain a riparian basis of claim to surface waters that may otherwise be severed during a parcel split. If flag lots are not allowed when the only purpose is for water access (County Subdivision Ordinance Section 16.49.190 (L)), the map circulated for public review should not demonstrate the current configuration of Parcel 4, which clearly allows the parcel to claim a riparian basis of right to Kerlin Creek. Mitigation Measure X-1 alludes to a modification of the map to preclude the flag lot, but because Kerlin Creek potentially supports habitat for steelhead trout (*Onchorhynchus mykiss*) and foothill yellow-legged frog (*Rana boylei*), the Department discourages any configuration that would allow increased water surface diversions above the current level. Deed restrictions should sever any riparian claims to parcels that no longer touch Kerlin Creek and such restrictions notated on the final map.

Biological Resource Assessment

It does not appear that a complete biological resource assessment was conducted to identify specific species or habitat that may be impacted through build-out of the Project. Without an assessment of the specific species, habitat, and resources present within the Project area, it is not possible to properly analyze the Project to determine potential significant impacts to fish and wildlife and propose suitable mitigation to lessen those impacts to a less than significant level. The IS/MND should include a biological resource assessment which would allow the County to develop appropriate mitigation measures by having a complete evaluation of the potential species and habitats occurring within the Project area.

This biological resource assessment should include locally unique species, rare natural communities, wetlands, and waterways, if present, and should focus on

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Figure 5

special-status species including sensitive, rare, threatened, and endangered species with potential to occur in the Project area. The assessment must occur at the appropriate time of year when sensitive species are both evident and identifiable. Field visits should be scheduled to coincide with the appropriate breeding or life history stage of animals, when they are likely to be evident, or with peak flowering periods and/or during periods of phenological development that are necessary to identify a plant species of concern. The biological assessment area should include all areas with potential for disturbance, including construction and ground disturbance areas, staging areas, areas of fuel modification, ingress and egress routes, and utility routes, and be large enough to encompass areas subject to both direct and indirect Project impacts.

The IS/MND cites a Coho Salmon (*Onchorhynchus kisutch*) nursery in a side-channel of SFTR downstream of the Project area, as well as identifies SFTR as not meeting certain water quality objectives as defined by the U.S. Clean Water Act. Coho Salmon are listed by both the State and federal Endangered Species Acts as Threatened. The IS/MND proposes to mitigate for impacts to these resources through the approval of Grading and Drainage Plans and Erosion Control Plans as conditions of approval. However, without a County-wide grading ordinance, it is unclear if these conditions are enforceable for future parcel development beyond currently proposed earth-moving activities. Future parcel development resulting from the proposed zoning change may have adverse impacts on water quality objectives in SFTR or other onsite aquatic habitats.

If you have any questions, please contact Kate Blanchard, Senior Environmental Scientist (Specialist), at (530) 225-2239 or by e-mail at Katherine.Blanchard@wildlife.ca.gov, or Adam McKannay, Senior Environmental Scientist (Supervisor), at (530) 225-2124 or by e-mail at Adam.McKannay@wildlife.ca.gov.

Sincerely,



Curt Babcock
Habitat Conservation Program Manager

ec: State Clearinghouse
State.clearinghouse@opr.ca.gov

Kate Blanchard, Adam McKannay, Jennifer Olson
California Department of Fish and Wildlife
Katherine.Blanchard@wildlife.ca.gov, Adam.McKannay@wildlife.ca.gov,
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TRINITY COUNTY

PLANNING DEPARTMENT

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PROJECT INITIAL STUDY - ENVIRONMENTAL CHECKLIST AND EVALUATION OF ENVIRONMENTAL IMPACT

This document has been prepared by the Trinity County Planning Department as lead agency in accordance with the California Environmental Quality Act, CEQA (Public Resource Code, § 21000 *et seq.*).

Date: November 28, 2017

Project No.: P-17-36

Lead Agency:

Trinity County Planning Department
P.O. Box 2819 – 61 Airport Road
Weaverville, CA 96093-2819
(530) 623-1351 voice (530) 623-1353 fax

Project Planner:

Colleen O'Sullivan, Associate Planner
Trinity County Department of Transportation
P.O. Box 2490 – 31301 State Highway 3
Weaverville, CA 96093-2490
(530) 623-1365 voice; (530) 623-5312 fax
cosullivan@trinitycounty.org

Project Information:

Project Name: Rezone of 286.35 acres from Unclassified to Rural Residential, ten acre minimum (RR-10) and Parcel Map to create four parcels and a remainder.

Project Applicant(s): Milka Aratlakova **Agent:** Butler Engineering

Project Location:

420 Blake Mountain Trail Road, between Lower S. Fork Road and Kerlin Creek Road,
Hyampom, CA
Section 22; T3 N R6E; MDB&M
South Fork Mountain, 7.5 minute USGS Quad
See Figure 1

General Plan Designation:

Rural Residential

Zoning:

Unclassified

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Aratlakova Rezone & Tentative Parcel Map (P-17-36)

Project Description:

The applicant requests the necessary entitlements to divide 286+ acres into four parcels of approximately 40 acres each and a remainder parcel of 120+ acres. To achieve this aim, the applicant is requesting a rezone of his property from Unclassified (Unc) to Rural Residential, ten acre minimum (RR-10).

The existing parcel is part of an old ranch, one of many in the Hyampom Valley. Access to the parcel is provided by Kerlin Creek Road (a public, but not county road), and Lower South Fork Road (co. road #311) via Blake Mountain Trail (a public, but not county road) (Fig. 4).

Surrounding Land Uses and Environmental Setting:

The Hyampom Valley supports agricultural activities, residences, and recreational opportunities. The Valley was occupied by the Wintu Indians prior to European occupation. Many ranches were established in the valley, as were saw mills and related structures. Today, Hyampom is a small and tight-knit community, with an elementary school, community center, an airport and a bar. Adult Use and Recreational Cannabis farms have been and are being established in the area.

Shasta-Trinity FS lands surround the valley on all sides (Figure 3), as well as immediately adjacent to this subject parcel (east, north and west). There are large parcels of TPZ-zoned lands to the south and west as well. There are a few scattered parcels of RR-10 and RR-5 zoning, as well as two Highway Commercial parcels in 'downtown' Hyampom. Ag Forest parcels are situated mainly to the north. One large Agriculture Preserve (AP) parcel is located across the valley to the east. The vast majority of the parcels in Hyampom valley (from very small to large acreages) are zoned Unclassified with a General Plan designation of Village.

Land use in Hyampom is representative of many small communities in Trinity County. Residential, ranching and farming (vineyards, Cannabis), timber management and recreation are all in evidence here. Residences are relatively dispersed, reflecting the resource-based nature of the valley.

The subject property is located on the western side of Hyampom valley, and the western portion supports healthy stands of mixed conifers, oaks and big leaf maples. Lower canopy species include madrone, chinquapin, various ceanothus species, and grasses. The northern half of the property is predominantly oak woodland, with some smaller prairie areas. In the southeastern part of the property, larger prairie areas persist, with pronounced riparian zones along two unnamed creeks that originate from ponds on the parcel. These creeks terminate offsite at the South Fork Trinity River. A third pond partially lies on the property to the north (Figure 4).

Other Public Agencies whose Approval is Required:

Trinity County Department of Transportation

Trinity County Surveyor

CA Fish & Wildlife 1600 Permits

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Aratlakova Rezone & Tentative Parcel Map (P-17-36)

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project. The significance level is indicated using the following notation: 1=Potentially Significant; 2=Less Than Significant with Mitigation; 3=Less Than Significant.

3	I. Aesthetics	3	II. Agriculture Resources	3	III. Air Quality
2	IV. Biological Resources	2	V. Cultural Resources	2	VI. Geology / Soils
3	VII. Greenhouse Gas Emissions	3	VIII. Hazards & Hazardous Materials	2	IV. Hydrology / Water Quality
2	X. Land Use / Planning	3	XI. Mineral Resources	3	XII. Noise
3	XIII. Population / Housing	2	XIV. Public Services	3	XV. Recreation
3	XVI. Transportation/Traffic	3	XVII. Utilities / Service Systems	2	XVIII. Mandatory Findings of Significance

Summary of Mitigation Measures:

Mitigation Measure IV.1: *Tree removal and vegetation clearing associated with project implementation should be conducted out of the bird nesting season (generally no work during February 1-August 31) in order to avoid “take” as defined and prohibited by Fish and Wildlife Code sections 86, 3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq.). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service to avoid a take. These surveys should occur within and surrounding all areas of the project site in which project activities take place, including the creation of ingress and egress routes.*

Mitigation Measure IV.2: *One hundred foot setbacks from all ponds, wetlands and watercourses (named and unnamed) should be delineated on the Parcel Map. The buffers should be delineated from the top-of-bank or outer edge of riparian canopy (drip line), whichever results in a greater buffer. No earth-moving activities should take place within these setbacks and vegetation should be left undisturbed.*

Mitigation Measure IV.3: *Due to upstream water use on Kerlin Creek and resulting impacts on downstream resources, no new riparian rights should be created as a result of the Parcel Map. If the applicant does propose to use surface water, a Water Study should be completed to determine measures to assure downstream beneficial uses are met.*

Mitigation Measure V.1: *In the event that previously unidentified cultural or paleontological resources are encountered during construction, there shall be no further excavation or disturbance of that area. The construction crews shall stop work or avoid the materials and their context. The Environmental Compliance Specialist shall be notified immediately. A qualified archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical, paleontological or archaeological resource, the archaeologist shall make recommendations for appropriate mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.*

Mitigation Measure V.2: *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*

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INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Aratlakova Rezone & Tentative Parcel Map (P-17-36)

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 or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.

Mitigation Measure VI.1: A Grading and Drainage Plan and Erosion Control Plan shall be approved as part of the parcel map conditions. The county Environmental Compliance Specialist shall monitor the implementation of these plans during earth-moving activities. See Public Services for additional information regarding road improvement and access.

Mitigation Measure VIII.1: A condition of the Parcel Map shall be conformance with the county's Fire Safe Ordinance in regards to road lengths and widths, turnouts and adequate defensible space for existing structures.

Mitigation Measure X.1: No flag lots should be created on the Parcel Map (Trinity County Subdivision Ordinance, Section 16.49.190 (I): Lot Width and Area – A flag lot shall not be utilized to provide for water access purposes only).

Mitigation Measure IX: Any surface water sources (spring or stream diversion) or wells that are hydrologically connected to surface water sources will require a Lake or Streambed Alteration Agreement with CDFW.

Mitigation Measure XIV: County of Trinity Department of Transportation requirements for onsite development are attached as Appendix A.

Mitigation Measure XVII.1: Kerlin Creek shall not be a source of domestic water supply for any new parcels.

Determination:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION, will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project (mitigation measures) have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Aratlakova Rezone & Tentative Parcel Map (P-17-36)

- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Leslie Hubbard, Interim Planning Director,
Trinity County Planning Department

Date

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Aratlakova Rezone & Tentative Parcel Map (P-17-36)

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

I(a-d): The project is not within sight of a scenic vista or scenic resource, historic buildings or state highway. The rezone and parcel map are not entitlements that in and of themselves result in negative impacts to visual resources. The project will not create any new sources of light or glare.

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 Resources Code section 4526), or timberland zoned timber production (TPZ) as defined by Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 supports agricultural lands on proposed parcels 2 and 3, which were most likely converted from forest when ranches were established in the 19th century. These areas are not prime agricultural lands nor are they currently under Williamson Act contract with the state. The General Plan designation is Rural Residential, which supports the requested rezone. Some loss of forest land may result from future parcel development, but vast tracts of prime forest land exist in further reaches of the

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

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valley and are zoned to reflect this. No Dunnings' Site Class or other forestland assessments are available for the site.

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 type="checkbox"/>	<input checked="" 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-c): The project does not conflict with or obstruct implementation of applicable air quality plans. Trinity County is in attainment for all criteria pollutants and federal standards. The area occasionally exceeds the state standard for particulate matter. Construction will not contribute to an exceedence of the particulate matter standard, because of its short duration and the minimal amount of grading that will be required for road improvements.

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"/>

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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"/>
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IV(a): The South Fork Trinity River (SFTR) is TMDL-listed (Total Maximum Daily Load), as are most rivers and tributaries in Trinity County. TMDL refers to a plan for restoring impaired waters that identifies the maximum amount of a pollutant that a body of water can receive while still meeting water quality standards. The SFTR is also habitat for the state-listed Coho salmon species, as well as Steelhead. A Coho salmon nursery is located in a side channel of the SFTR downstream of the project area. Unmitigated impacts to unnamed and named creeks that originate on the subject parcel could impact habitat associated with these species.

A large pond is located on the Remainder Parcel with pond turtles and other species associated with wetlands of this type. Part of a pond on the northern parcel line lies in Parcel 4. A smaller pond is located in the southern portion of Parcel 1. Extensive riparian vegetation has been established along unnamed creeks and Kerlin Creek. Species associated with riparian corridors could be impacted by earth-moving activities associated with road construction and pad development.

The CA Fish and Wildlife Department has recommended that no earth-moving activities occur during bird nesting season (Feb. 1-August 31). Their comments (including water resources buffers) are as follows: Mitigation Measure IV-1: Tree removal and vegetation clearing associated with project implementation should be conducted out of the bird nesting season (generally no work during February 1-August 31) in order to avoid "take" as defined and prohibited by Fish and Wildlife Code sections 86, 3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq.). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service to avoid a take. These surveys should occur within and surrounding all areas of the project site in which project activities take place, including the creation of ingress and egress routes.

Mitigation Measure IV-2: One hundred foot setbacks from all ponds, wetlands and watercourses (named and unnamed) should be delineated on the Parcel Map. The buffers should be delineated from the top-of-bank or outer edge of riparian canopy (drip line), whichever results in a greater buffer. No earth-moving activities should take place within these setbacks and vegetation should be left undisturbed.

Mitigation Measure IV-3: Due to upstream water use on Kerlin Creek and resulting impacts on downstream resources, no new riparian rights should be created as a result of the Parcel Map. If the applicant does propose to use surface water, a Water Study should be completed to determine measures to assure downstream beneficial uses are met.

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

V(a-d): Archaeologist Alex Cousins conducted a cultural resources survey of the project site, upon recommendation from the Northeast Center of the California Historical Resources Information System.

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No cultural sites were discovered, and he concluded that the project will have no effect on cultural resources within the area of potential effect.

It is therefore considered unlikely that historical, paleontological or archaeological resources would be present and intact within the project area. However, in the event that such resources are found during ground-disturbing activities, mitigation measures to protect such resources will be incorporated into the project.

Mitigation Measure V-1: In the event that previously unidentified cultural or paleontological resources are encountered during construction, there shall be no further excavation or disturbance of that area. The construction crews shall stop work or avoid the materials and their context. The Environmental Compliance Specialist shall be notified immediately. A qualified archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical, paleontological or archaeological resource, the archaeologist shall make recommendations for appropriate mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.

Mitigation Measure V-2: 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 or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.

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:				
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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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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"/>
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VII(a,d,f): There are no known faults crossing the project area. The area is not mapped on an Alquist-Priolo Earthquake Fault Zoning Map. No Quaternary faults (faults having recent movement within the past 2 million years) have been recognized in the area. Seismic shaking may occur, generated by more distant active faults. However, these would not be likely to lead to ground failure or liquefaction at the project site, due to the nature of the materials underlying the site. Ultra-mafic rock or soils do not occur in this area.

VI(b,c,e): The soils on this property are dominated by the Secca-Forbes families association (69%), with secondary (23%) Aquolls-Xerolls complex and the Dunsmuir family (7.7%). All three soil types have high to very high runoff potential, due to the soils' limited capacity for transmitting water. Parcel 4 (40 ac) and the remainder parcel (120.52 ac.), are entirely underlain by the Secca-Forbes soils. Parcel 1 is 100% Aquolls-Xerolls soil type. Parcel 2 consists of 80% Aquolls-Xerolls soils and 20% Secca-Forbes. Parcel 3 is about 50% Aquoll-Xerolls and 50% Dunsmuir.

Secca-Forbes soils are moderately well-drained to well-drained soils. Aquolls-Xerolls soils are poorly to somewhat poorly drained soils. Dunsmuir soils are well drained. Concerns expressed by the county's Environmental Health Officer regarding soil limitations for septic systems may affect the applicant's request for RR-10 zoning. An approved Erosion Control Plan should address impacts to erosive soils in the project area when the road and access improvements are implemented.

An old slide is identified on the remainder parcel. This should be identified on the Parcel Map and denoted as unbuildable.

Mitigation Measure VI.1: A Grading and Drainage Plan and Erosion Control Plan shall be approved as part of the parcel map conditions. The county Environmental Compliance Specialist should monitor the implementation of these plans during earth-moving activities. See *Public Services* for additional information regarding road improvement and access.

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 type="checkbox"/>	<input checked="" 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,b): The project will not generate new traffic or otherwise generate emissions nor does it conflict with the county's regional transportation plan.

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 of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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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 checked="" type="checkbox"/>	<input 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-b): This project proposes residential development, which generally do not create a significant hazard to or environment.

VIII(e): The eastern third of the project area is located within Zone D of the Hyampom Airport in the Trinity County Airport Land Use Compatibility Plan. Zone D prohibits noise-sensitive uses and hazards to flight and densities of over 150 people per acre (average). Structures over 70 feet tall must have an airspace review. This project will not create these kinds of impacts.

VIII(f): The project is not within a mile of a private airstrip.

VIII(g): The project will not interfere with emergency response services or the emergency evacuation of residences in the vicinity. No public roads will be closed for this project.

VIII(h): Any incursion into habitat that is primarily wild and populated by stands of trees will expose people or structures to a significant risk of loss, injury, etc. Compliance with the county's Fire Safe Ordinance will help to mitigate some of that risk. It will be incumbent upon individual land owners to ensure that their property and structures are protected from wildfire threats.

Mitigation Measure VIII.1: A condition of the Parcel Map shall be conformance with the county's Fire Safe Ordinance in regards to road lengths and widths, turnouts and adequate defensible space for existing structures.

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

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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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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-f): See discussion under IV – Biological Resources. Eliminating Kerlin Creek as a domestic water source should ease impacts on this stream, which is already impacted by upstream users. The 100 foot setbacks from all named and unnamed streams should mitigate for water quality impacts. A grading, drainage and erosion plan, properly implemented, should mitigate downstream impacts to the South Fork Trinity River, which has TMDL limits. See following Mitigation Measure for other water uses

IX(g-j): There are no mapped floodplains for either Kerlin or Pellatreau Creeks. With a 100 foot setback all streams, the floodplain should be protected from development.

Mitigation Measure IX-1: Any surface water sources (spring or stream diversion) or wells that are hydrologically connected to surface water sources will require a Lake or Streambed Alteration Agreement with CDFW.

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 checked="" type="checkbox"/>	<input 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,c): The map itself is proposing to create four parcels of approximately 40 acres each, and a 120+acre remainder. The lot sizes do not conflict with existing policies for Hyampom in the Land Use Element, nor will they physically divide an established community. There are no applicable habitat conservation plans or other conservation plans in the area. The flag log proposed for Parcel 4 is not allowed.

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X(b): The requested zoning of Rural Residential, ten acre minimum (RR-10) could potentially result in 16 total parcels at build-out, not counting the remainder parcel. Land Use policies for Hyampom support five acre minimums if sewage disposal and domestic water supply needs can be met (TC Land Use Element, pp. 25-26). Please see an additional discussion under **XVII** regarding adequate onsite sewage disposal. The proposed parcels are limited in sewage disposal capabilities and most likely cannot support the proposed density. Rural Residential, 20 acre minimum (RR-20), which is the lowest density allowable under the Rural Residential Land Use designation, is more appropriate for this site, and can still potentially result in 8 total parcels, plus the remainder piece.

Mitigation Measure X-1: No flag lots should be created on the Parcel Map (Trinity County Subdivision Ordinance, Section 16.49.190 (I): Lot Width and Area – A flag lot shall not be utilized to provide for water access purposes only).

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"/>

IX(a-c): There are no known mineral resources of value in the project area. This project site is not a source of gravel or other substances that would be a resource for local use.

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

XII(a-f): Residential development, the kind that will most likely result from this project, is considered below the threshold for substantial or significant sources of noise. No mitigation is required for this project. The project is located in Zone D of the Hyampom Airport Land Use Compatibility Plan. However, the Plan indicates that the 65 dB noise contour is fully contained on the airport property, and does not extend to the project site. Therefore, the project will not expose people to excessive aircraft noise. The project is not located within two miles of a private airstrip.

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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 significant effect on population, nor will it displace housing or businesses. The creation of additional parcels will provide opportunities for housing development.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV(a-f): There are no identified impacts to these public services. Public and private access roads should meet the county's Fire Safe Standards. Road improvements, as required by the county Department of Transportation are extensive and are attached as an Appendix A.

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): There is no impact to existing or planned recreational facilities in the Hyampom valley.

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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?				
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 substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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-f): No access across US Forest Service roads will be granted. Access should be provided from Kerlin Creek Road (a public, non-county road) and across private property (east side of project area).

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 type="checkbox"/>	<input checked="" 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 wastewater requiring treatment, and will not require public water, power, natural gas or communications systems. The applicant has indicated that each parcel has a well, which will need to meet county Environmental Health requirements for domestic water. Kerlin Creek shall not be used as a domestic water source. It is already an impacted stream due to upstream activities and water withdrawals.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Arattakova Rezone & Tentative Parcel Map (P-17-36)

XVII(f-g): Existing county transfer stations have the capacity to accommodate parcel development. This project, as mitigated, will comply with all regulations relating to solid waste.

Mitigation Measure XVII.1: Kerlin Creek shall not be a source of domestic water supply for any new parcels.

XVIII. 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XVII(a): As mitigated, the project will protect biological and water resources, preventing additional impacts to Kerlin Creek and the South Fork Trinity River. Earth-moving restrictions will mitigate for resident biological resources.

XVII(b): There is very little development activity in the Hyampom Valley. Cumulative impacts from a valley-wide perspective are minimal.

XVIII(c): The project would not have any adverse effects on human beings, as mitigated.

References:

US Dept. of the Interior, US Geological Survey, Geologic Map of the Klamath Mountains, California and Oregon, Compiled by William P. Irwin, Map I-2148, 1994

US Department of Agriculture, Natural Resources Conservation Services, WSS Report on Soils on APN 011-210-35. Compiled by staff, 2018.

CA Fish & Wildlife Natural Diversity Database.

County of Trinity Land Use Element of the General Plan – 1979.

County of Trinity Subdivision Ordinance - 1986

ORDINANCE NO. 315-
AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF TRINITY
AMENDING THE ZONING ORDINANCE NO. 315-
Aratlakova, P-17-36

The Board of Supervisors of the County of Trinity, State of California, ordains as follows:

SECTION 1. That portion of real property situated in the County of Trinity, State of California, located at 420 Blake Mountain Trail, between Lower South Fork Road (county road #370) and Kerlin Creek Road (a USFS public road) Road, Hyampom, being APN: 011-210-35:

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

Southeast one-quarter of the Northwest one-quarter, Southwest one-quarter of the Northeast one-quarter, East one-half of the Southwest one-quarter, Southeast one-quarter of Section 22, Township 3 North, Range 6 East H.M., according to the official plat thereof.

EXCEPTING THEREFROM all that portion thereof described in the deed to Edward P. Warner, et ux, recorded June 4, 1964 in book 108 of Official Records page 27, Trinity County Records.

Is heretofore, zoned and classified as "Unclassified (UNC)" District, be and the same hereby is rezoned and reclassified as "Rural Residential, 20 acre minimum (RR-20)".

SECTION 2: 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 with the names of the member of the Board of Supervisors voting for and against the ordinance in the Trinity Journal, a newspaper of general circulation published in the County of Trinity, State of California.

Introduced, passed and enacted on this _____ day of _____, 2018 by the Board of Supervisors, of the County of Trinity by motion, second (*l*), and the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

KEITH GROVES, CHAIRMAN

Board of Supervisors
County of Trinity
State of California

ATTEST:

RICHARD KUHNS, Psy.D
Clerk to the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM AND LEGAL EFFECT:

Margaret Long, County Counsel

RESOLUTION NO. 2018-____

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF TRINITY
APPROVING REZONE AND TENTATIVE MAP
(M. Aratlakova, P-17-36)**

WHEREAS, the Planning Commission, on April 12, 2018, held a public hearing on the request for approval of a rezone and tentative parcel map for property located between Lower South Fork Road and Kerlin Creek Road on the west side of Hyampom (Applicant: M. Aratlakova, APN: 011-210-35); 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 _____, 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 project 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 Mitigated 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:

- A. Approves the project 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 mitigation negative declaration reflects the Board’s independent judgment and analysis; and
- B. Introduces, waives the reading of and enacts an ordinance amending Trinity County Zoning Ordinance (Ordinance No. 315) pertaining to the change of zoning for the subject parcel(s); and
- C. Approves the Tentative Parcel Map (M. Aratlakova; File # P-16-14), based on the following findings and subject to the conditions of approval set forth in Exhibit A,

attached hereto:

1. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision; and
2. The findings of Government Code Section 66474.02 are met as follows:
 - a) The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code, because conditions have been applied to the subdivision to meet these standards and County's Fire Safe Ordinance and Building Code standards require construction to meet these regulations; and
 - b) Structural fire protection and suppression services will be available for the subdivision through the Hyampom Community Services District, which provides fire suppression services to the area; and
 - c) 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 applicable County ordinances, because the road improvement conditions of map approval have been imposed to address this issue.
3. 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.
4. 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.
5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

DULY PASSED AND ADOPTED this ____ day of _____, ____ 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

Keith Groves, CHAIR
 Board of Supervisors
 County of Trinity
 State of California

ATTEST:

RICHARD KUHNS, Psy.D,
 Clerk of the Board of Supervisors

By: _____
 Deputy

EXHIBIT "A"

TENTATIVE MAP

CONDITIONS OF APPROVAL

(M. Aratlakova, P-16-14)

The following conditions of tentative map approval 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 show on the parcel map a 100 foot setback from ponds, springs, watercourses and wetlands. 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 parcel map.
 - b. If surface water is proposed for agricultural purposes a water study shall be completed to determine measures to assure downstream beneficial uses are met.
 - c. Kerlin Creek shall not be used as a source of domestic water supply for any new parcel.
 - d. 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 shall be 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.
 - e. 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 4 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 a minimum of ten foot width easements centered on the utility that serves the subject and adjoining parcels.

D. Roads:

1. A minimum 60-foot wide public road and utility easement must be offered for dedication, lying 30 feet each side of the existing centerline along Lower South Fork Road, Co. Rd. No. 311, where said dedication lies within the subject property. The existing easement dedicated for Lower South Fork Road appears to be incorrectly stated. If it is determined that the easement is incorrect, then abandonment of easement shall be noted on the Parcel Map.
2. The existing road easement for Kerlin Creek appears to be incorrectly located within the subject property. The easement shall be corrected on the map, and abandonment of the old easement shall be noted on the Parcel Map. As this is a public Forest Service road maintained by the US Forest Service, coordination with and acceptance of the new easement by the Forest Service shall be required prior to approval of the Parcel Map.
3. The proposed encroachment onto Lower South Fork Road, Co. Rd. No. 311, 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 Lower South Fork Road, Co. Rd. No. 311.
4. The proposed access road from Lower South Fork Road to the intersection of Parcels, 3, 4 and the remainder shall be constructed to the Trinity County "Roadway Category No. 1" standard. A 20 mile per hour or higher design standard 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 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 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 or cross slope shall be a minimum of 3% for aggregate surfaces or 2% for paved surfaces.

5. The proposed driveways, labeled as key note number 9 on the tentative map, running along the boundary line between said parcels, shall be constructed as a shared driveway. These shared driveways shall meet the requirements of the Fire Safe Ordinance for a driveway, including a minimum width of 10'. Driveways exceeding one hundred fifty feet in length, but less than eight hundred feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds eight hundred feet, turnouts shall be provided no more than four hundred feet apart.
6. A turnaround shall be constructed at the end of the proposed roadway, at the intersection of parcels 3, 4 and the remainder. 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.
7. A turnaround shall be provided at all building sites on driveways over three hundred feet in length, and shall be within fifty feet of the building.
8. A minimum 40 foot wide public road and utility easement must be offered for dedication for all access roads. Easement width shall be 20 feet each side of centerline, where said dedication lies within the subject property. Road easements are not to be accepted for public use at this time, but an irrevocable offer of dedication for public use is required.
9. 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."
10. A minimum 40 foot wide public road and utility easement must be offered for dedication for the unimproved road running northerly from the southern boundary of Parcel 1, to the boundary between Parcel 3 and the remainder, and then terminating at the turnaround shown at the intersection of Parcels 3, 4 and the remainder. Easement width shall be 20 feet each side of centerline, where said dedication lies within the subject property. This Road easement is for future use, and is not to be accepted for public use at this time, but an irrevocable offer of dedication for public use is required.
11. The structure on Parcel 4 is not provided with a fire safe driveway with legal access. A driveway with legal access meeting the requirements of the Trinity County Fire Safe Ordinance must be provided to the structure on Parcel 4. Developer has indicated that they will remove the structure on Parcel 4. If structures on Parcel 4 are removed, no driveway will be required.
12. A hydrology study showing the ability to convey 100 year storm flows in all culverts and ditches shall be approved by the Director of Transportation. All culverts shall be 18" diameter or larger 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.
13. Road names shall be submitted to the Planning Department for approval in accordance with Title 12, Chapter 12.17 of Trinity County code of ordinances.
14. Road name signs shall be installed at all intersections.
15. 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 to the Trinity County Department of Transportation for review and approval. Approval of the construction drawings is required prior to Parcel Map Acceptance.
16. Prior to construction of improvements, the construction drawings shall be stamped by an engineer and approved by the county Engineer.

17. 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.
18. The developer will be responsible for all actual costs on an hourly basis associated with the subdivision improvements, including review of construction improvement plans, developing Development Agreements, performing improvement inspections, and all other related costs.
19. The applicant and/or subsequent grantees shall create to the satisfaction of Trinity County Counsel and the Trinity County Department of Transportation an organization or association for the maintenance of the roads within the subdivision or show evidence of the existence of such an agreement or organization.
20. It is understood that the improvements will be completed prior to recording of map. Should the developer wish to do otherwise, a Subdivision Improvement Agreement shall be required.

Erosion Control

21. 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 Storm Water Pollution Prevention Plan (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 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, a 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 Department of Transportation during wet weather and for 1 year after completion of construction.
 - e. Projects less than one acre are exempt from obtaining an 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/waterissues/programs/stormwater/construction.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.

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" for any surface water sources (spring or stream diversion) or wells that are hydrologically connected to surface water sources.

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