

**COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT**

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<http://www.co.humboldt.ca.us/planning/>

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT

Date: December 12, 2017

To: Interested Parties
All Recipients on the Distribution List

Lead Agency: County of Humboldt Planning & Building Department

Contact: Cliff Johnson, Senior Planner
Humboldt County Planning & Building Department
3015 H Street
Eureka, CA 95501

Project Title: Titlow Hill General Plan Amendment, Zone Reclassification, and
Subdivision Application

NOTICE IS HEREBY GIVEN THAT the County of Humboldt (County), as lead agency under the California Environmental Quality Act (CEQA), has prepared this Notice of Preparation (NOP) for a Draft Environmental Impact Report (EIR) for proposed amendments to the Humboldt County General Plan, a zone reclassification, and a subdivision application. The NOP includes a description of the project background, a project description, project location and land use maps, and an overview of the potential impacts that will be addressed in the EIR. This NOP was prepared in accordance with Section 15082 of the CEQA Guidelines.

THE PURPOSE OF THIS NOTICE IS: (1) to serve as the NOP to provide interested parties, including members of the public, potential responsible agencies, agencies involved in funding or approving the project, and trustee agencies responsible for natural resources affected by the project, with sufficient information to provide meaningful responses as to the scope and content of the EIR; and (2) to advise and solicit comments and suggestions from interested parties regarding the preparation of the EIR, environmental issues and alternatives to be addressed in the EIR, and any related issues.

A 30-DAY NOP REVIEW PERIOD: The NOP will be circulated for a 30-day review period from December 12, 2017, to January 11, 2018. The County of Humboldt Planning and Building Department welcomes responsible and trustee agency input during this review.

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Written comments should be submitted or postmarked no later than **5:00 p.m. on January 11, 2018**. Please indicate a contact person in your response and send your comments to:

CJohnson@co.humboldt.ca.us

or

Cliff Johnson, Senior Planner
Humboldt County Planning & Building Department
3015 H Street
Eureka, CA 95501

DOCUMENTS AVAILABLE FOR PUBLIC REVIEW: The NOP and related project documents are available for public review at the following location:

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

The NOP and related project documents are also available for public review online at:

<http://www.humboldt.gov/2347/Major-Projects>

PROJECT LOCATION AND SETTING:

The 6,244-acre project site is located in central Humboldt County, south of State Route (SR) 299 and primarily west of Titlow Hill Road. The project site is 12 miles west of Willow Creek in a rural, unincorporated area (**Figure 1: Regional Location** and **Figure 2: Project Site Location**). The project site is composed of 120 individual parcels in Sections 13, 24, 25, and 36 of Township 6 North, Range 3 East; Sections 19, 29, 30, 31, and 32 of Township 6 North, Range 4 East; Sections 5, 6, and 7 of Township 5 North, Range 4 East; and Section 12 of Township 6 North, Range 3 East, 3 East, Humboldt Meridian. Access to the project site is via Titlow Hill Road, a County-maintained roadway, and various graded roads that spur off Titlow Hill Road.

The project site is largely undeveloped forestland with some open grassland areas. Scattered rural residential development, with ancillary structures and uses, is concentrated in three areas (“neighborhoods”). These three neighborhoods are generally clustered around access roads, including Saber Tooth Road (both upper and lower) and an unnamed road—the southernmost access point from Titlow Hill Road—that enters the area from the east and winds south and west.

PROJECT BACKGROUND:

In 1978, Humboldt County prepared an EIR for the subdivision of the 7,773-acre Double B Ranch. Of the total acreage, approximately 3,039 acres was proposed to be subdivided into 135 parcels at a minimum size of 20 acres, with an average parcel size ranging from 20 to 25 acres,

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and a maximum size of 48 acres. It was anticipated that the parcels created by the subdivision would be used for permanent or second home sites, recreation lands, access drives, outbuildings, utility parcels, or investment parcels. The remaining 4,734 acres were proposed to be retained as a ranching unit for grazing and for timber production. However, the final subdivision map was never approved and filed for recordation.

Since that time, many of the parcels have been developed with residences, greenhouses, roads, septic systems, and other development that was constructed without permits. Additionally, the source of water for most residential and agricultural activities in the area is surface water diversions. Property owners within the project site have petitioned the County to amend the General Plan designation and zoning on the site in order to facilitate legal recognition of illegally created subdivisions.

There are currently 120 recorded parcels within the project site. The parcels range in size from approximately 2 acres to 187 acres. Of the 120 recorded parcels in the project site, the County has determined that approximately 62 parcels were not subdivided by property owners in accordance with state and local planning law.

PROJECT SITE LAND USE AND ZONING:

The General Plan land use designation on the site is predominantly Agricultural Grazing (AG), with a lesser amount of land designated Residential Agriculture (RA) (RA20, RA40, RA160) and Timberland (T) (see **Figure 3: Existing General Plan Land Use Designations**).

Zoning on the project site is predominantly Unclassified (U), with a lesser amount of Agriculture Exclusive (AE), Agriculture General (AG), and Timberland Production Zone (TPZ) (see **Figure 4: Existing Zoning**).

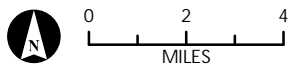
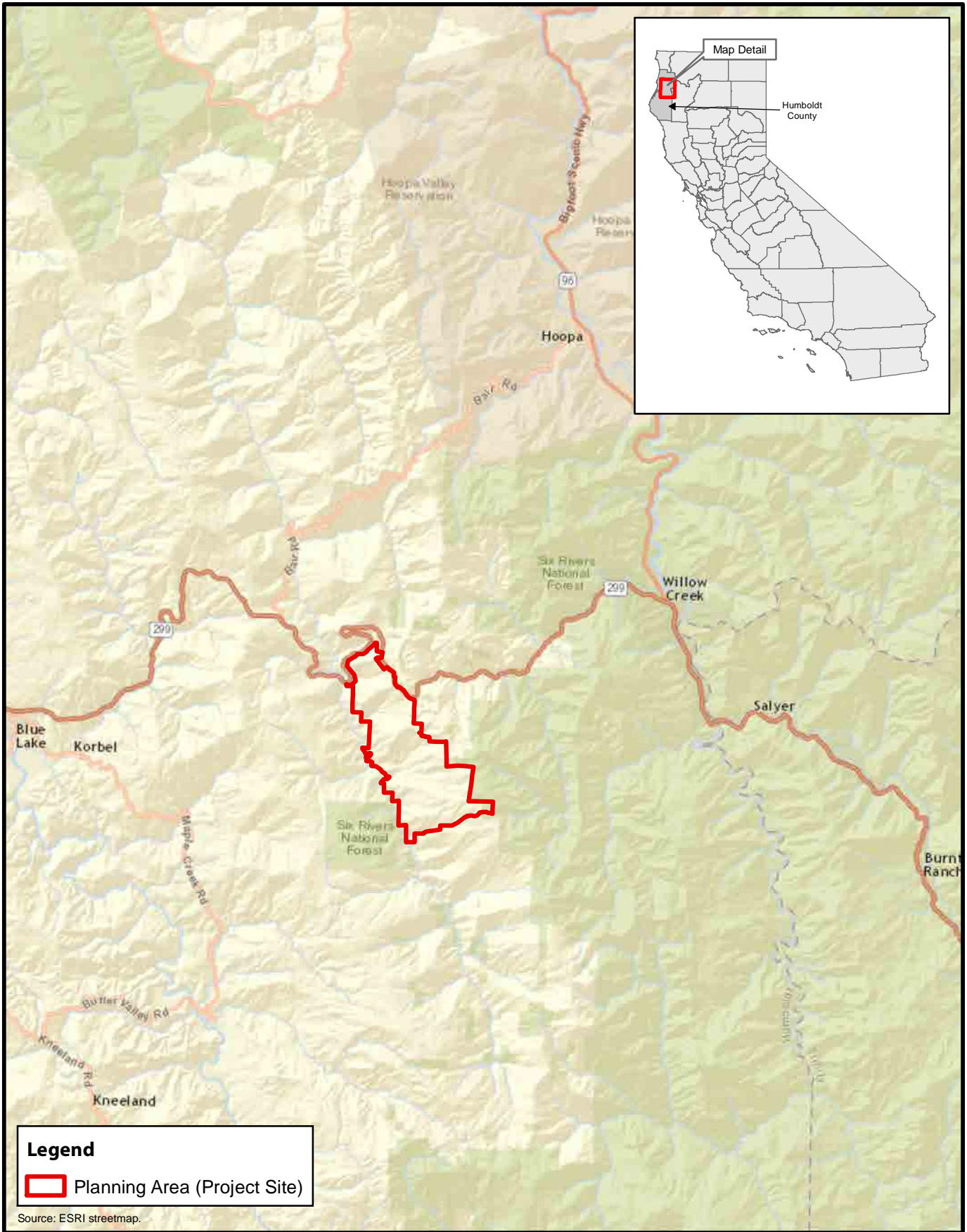
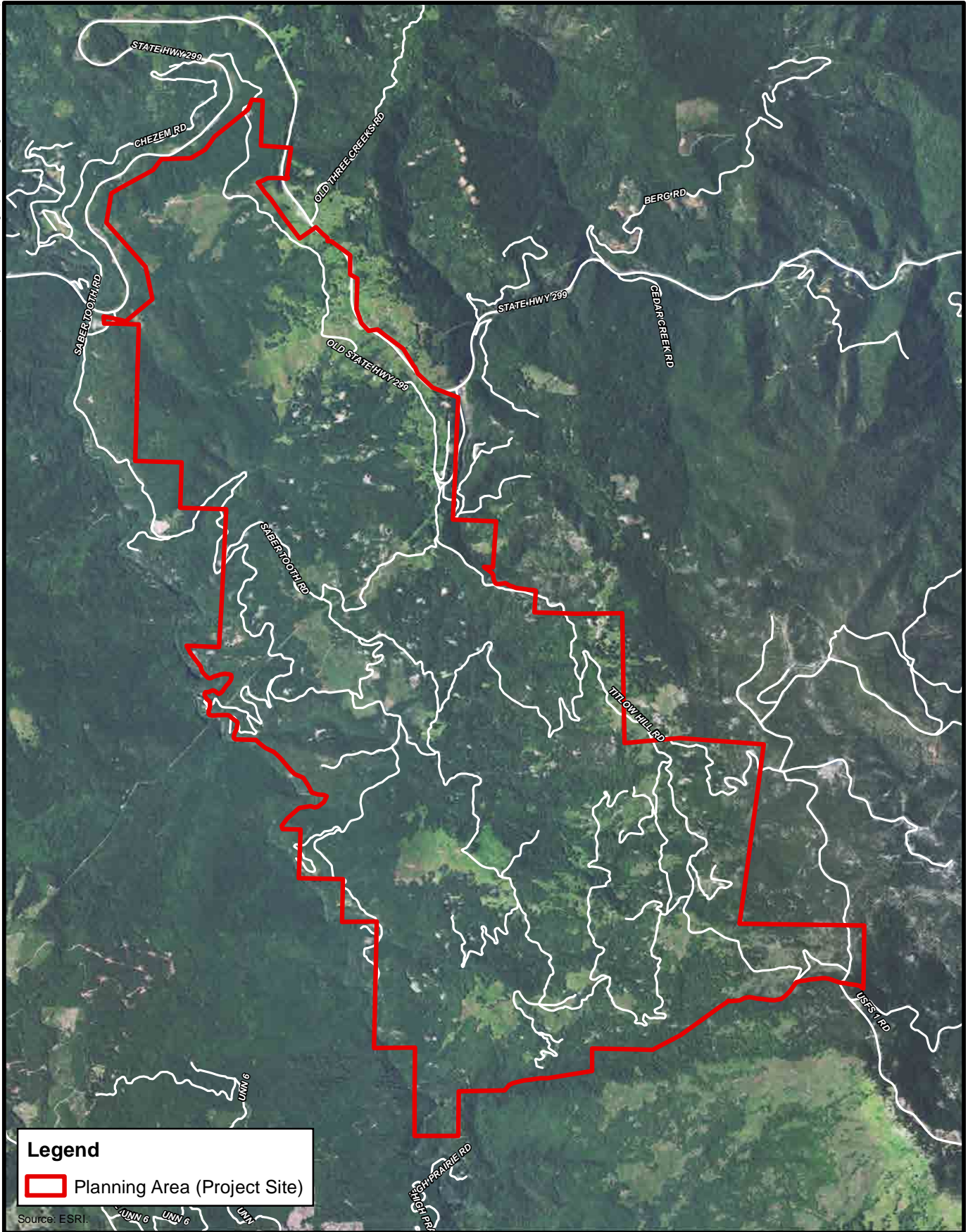


FIGURE 1
Regional Location



0 2,000 4,000
FEET

FIGURE 2
Project Site Location

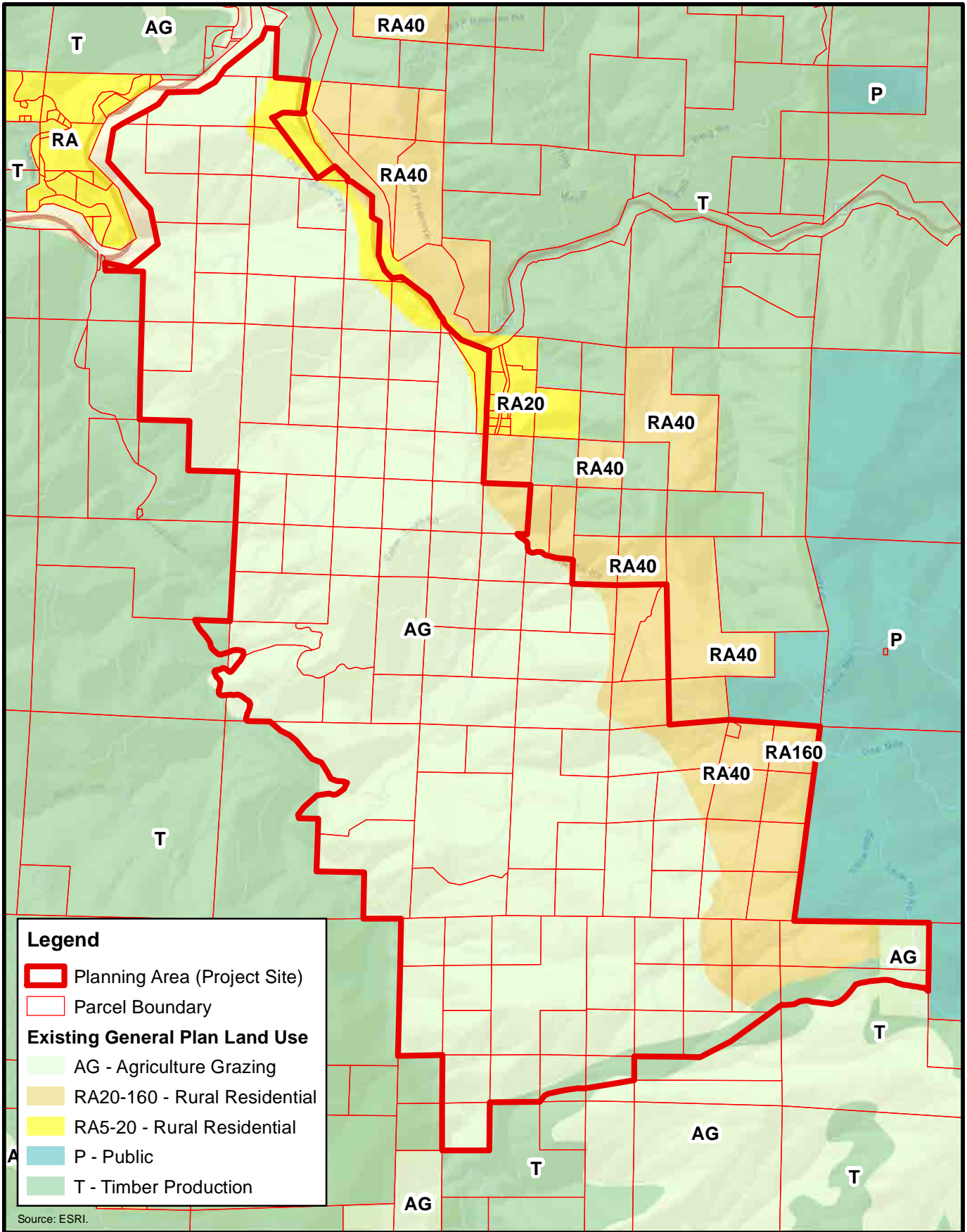


FIGURE 3
Existing General Plan Land Use

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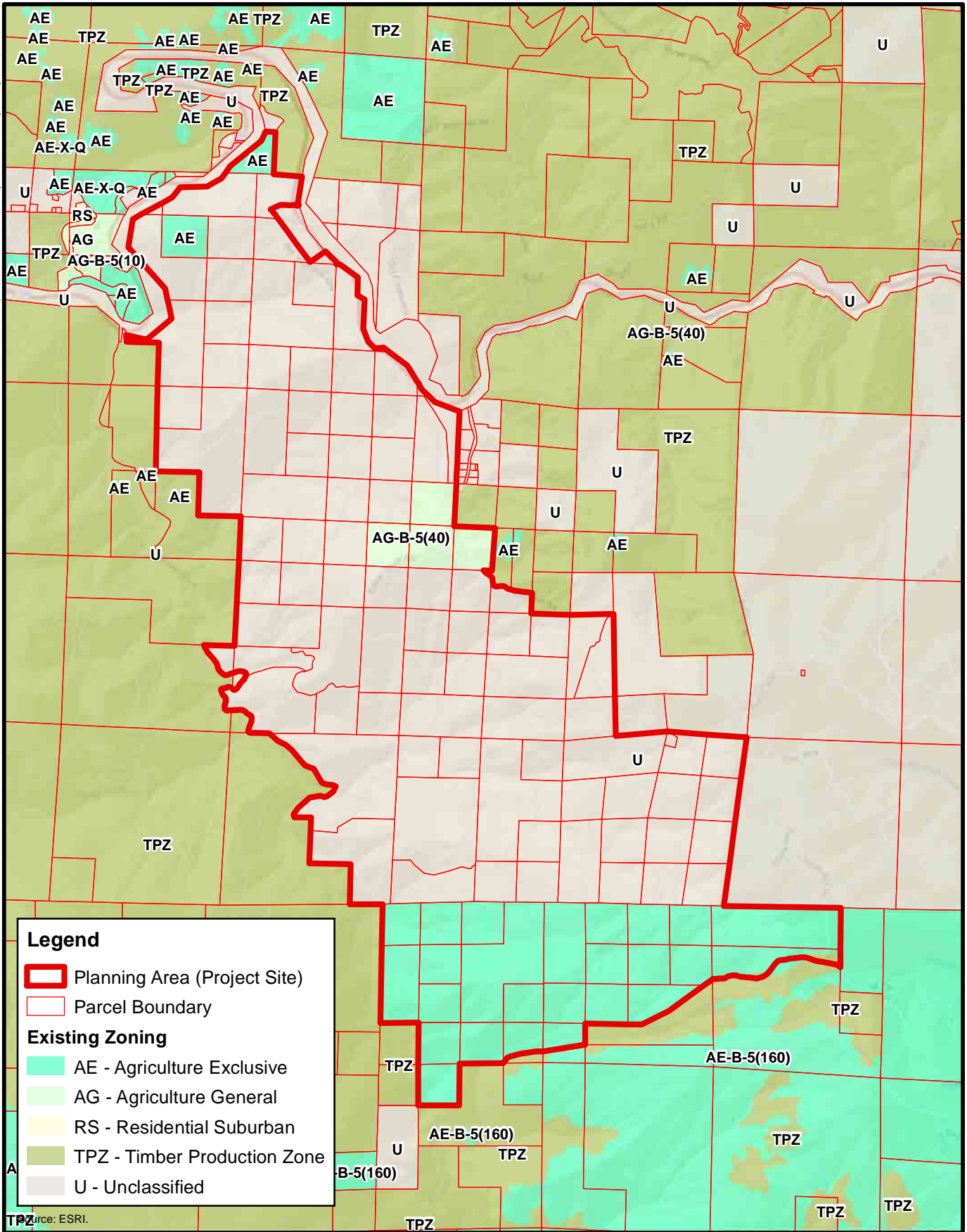


FIGURE 4
Existing Zoning

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PROJECT DESCRIPTION:

The project consists of an amendment to the Humboldt County General Plan, a zone reclassification, and a subdivision application. The County proposes to modify the Humboldt County General Plan land use designation for parcels in the project site designated as AG and T to RA40 (Residential Agricultural with a 40-acre per unit density) (**Figure 5: Proposed General Plan Land Use**). Parcels designated as RA20 would retain that land use designation. One parcel designated as RA160 would be designated as RA40. The amount of land designated AG and proposed to be changed to RA40 is approximately 5,192 acres.

The project site includes RA20, RA40, and RA160 lands. Under the County's 2017 General Plan, RA lands are intended to provide opportunity for rural homesteads. These rural homesteads are distinguished from agricultural and forest lands because residential development is recognized as the primary use. The proposed RA40 land use designation allows one dwelling unit per 40 acres and unlimited accessory structures. Allowable uses under the RA40 designation include single-family residences, second residential units, guest houses, planned developments, residential accessory uses, cottage industry, bed and breakfast inns, community assembly, neighborhood commercial, non-commercial recreation, general agriculture, intensive agriculture, stables and kennels, timber production, fish and wildlife management, essential services, and similar compatible uses.

The General Plan includes policies, standards, and implementation measures related to the RA designation that would apply to the project site. Proposed development on RA designated lands must consider compatibility with adjacent agricultural and timber production uses and must consider the cumulative impacts of on-site water and septic systems, fire safety hazards, road constraints and feasible improvements, and clustered development. Right-to-Harvest or Right-to-Farm agreements are required on newly created RA subdivision lots adjacent to existing or proposed timber or agricultural lands.

Additionally, the General Plan includes cottage industry and subdivision standards for the RA designation that would apply to proposed uses on the project site. These standards would restrict the number of non-resident full-time employees on a site to five, would prohibit sales of merchandise that is not grown, manufactured, or processed on the site, would not increase water withdrawals in Critical Watershed Areas during the dry season, and require proof of adequate domestic water supply and sewage disposal capacity.

Building site locations would be subject to County streamside management setbacks and could not be subject to geologic hazards, seismic activity, or flooding. Recorded access must be adequate for the ultimate development and suitable for emergency vehicles per State Responsibility Standards, and access could not be subject to geologic hazards, seismic activity, or flooding.

In conjunction with the amendment to the General Plan, the proposed project would change the zoning on the applicable portions of the site from U and AE to AG-B-5(40) (see **Figure 6: Proposed Zoning**). Parcels designated as AG-B-5(40) and TPZ would not change. As defined in

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the Humboldt County Zoning Regulations (Section 314-7.2), the AG-B-5(40) zone is intended to be applied in areas in which agriculture is the desirable predominant use and rural residential uses are secondary, and where a 40-acre density is appropriate and consistent with the general plan designation. Principle permitted uses are general agriculture, including accessory agricultural uses and structures, one-family dwellings and farm dwellings, rooming and boarding of not more than two persons not employed on the premises, and manufactured homes. Other uses (e.g., other types of housing and commercial medical cannabis cultivation) require a use permit from the County.

The project includes the analysis of many of the existing illegally subdivided parcels which may lead to the certification of these parcels as legal under the state Subdivision Map Act. Under the proposed project, the proposed General Plan amendment and zone reclassification would provide a mechanism under which the subdivided parcels that were not created in accordance with state and local planning law would have a path to be legally recognized. This would occur in one of two ways: the County would issue a certificate of compliance for parcels or approve the final subdivision maps for illegally subdivided parcels.

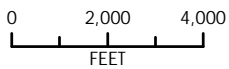
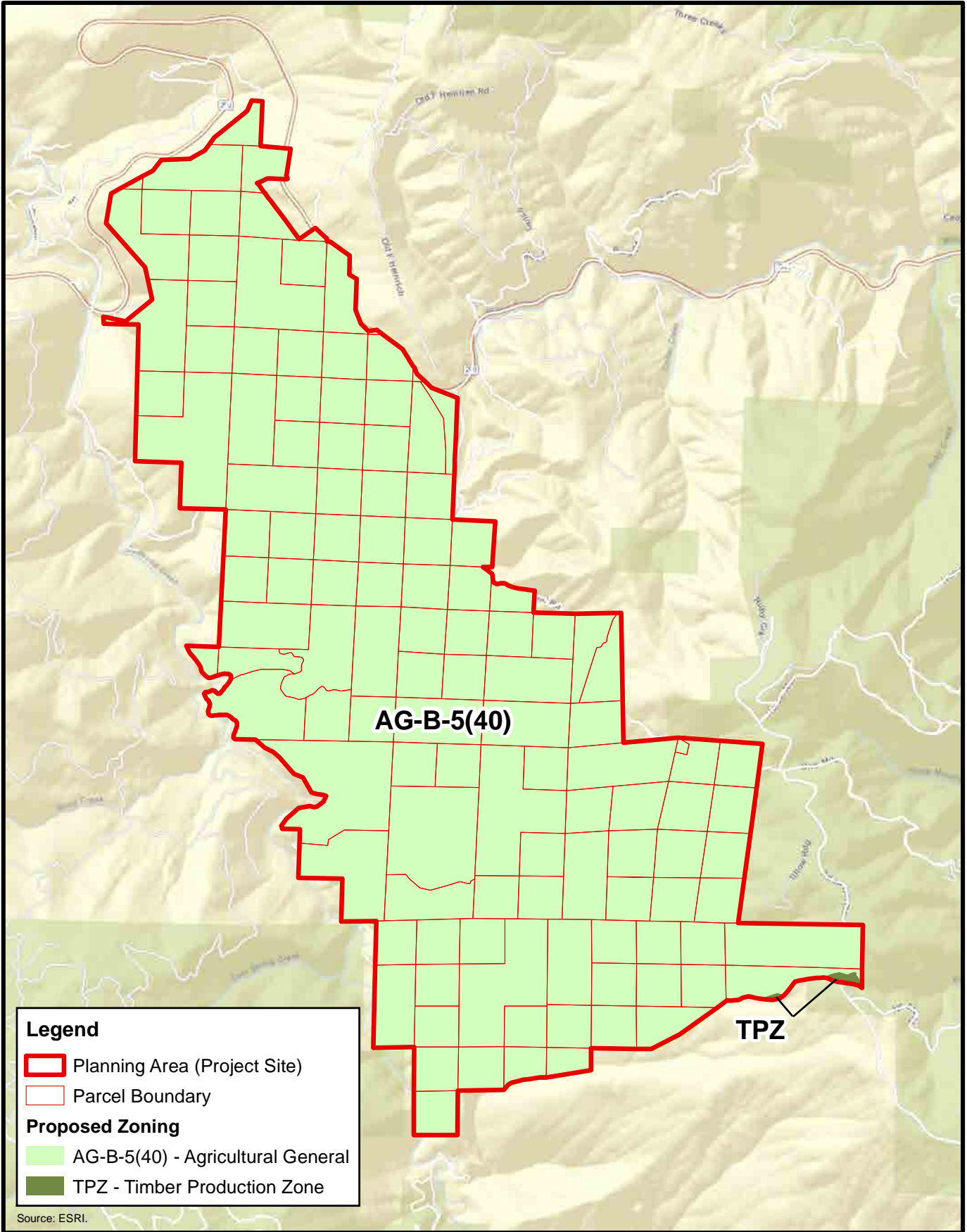


FIGURE 6
Proposed Zoning

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SUMMARY OF KEY ENVIRONMENTAL ISSUES TO BE ADDRESSED IN THE EIR

Pursuant to CEQA Guidelines Section 15064, the discussion of potential project effects on the environment in the EIR will concentrate on those impacts that the County has determined may be potentially significant. The most detailed analysis will evaluate the project; however, project alternatives will also be evaluated. The EIR will evaluate the cumulative impacts of the project when considered in conjunction with other related past, present, and reasonably foreseeable future projects.

The EIR will evaluate all CEQA Guidelines Appendix G topics; however, the County has determined that the proposed project could potentially result in environmental impacts to certain environmental resources. These topic areas will be evaluated in the EIR, and feasible and practicable mitigation measures will be recommended to reduce any potentially significant impacts. Therefore, the EIR will focus on the following topic areas:

- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Tribal Cultural Resources
- Geology and Soils
- Hazardous and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Public Services
- Utilities and Service Systems

Brief descriptions of proposed analyses follow.

Agriculture and Forestry Resources/Land Use and Planning. The project would change the General Plan land use designation on areas of the site from AG and T to RA40 and zoning on the site from U and AE to AG. The EIR will evaluate the potential direct and indirect impacts of these land use designation and zoning changes.

Biological Resources. The project site includes areas of forest, open grassland, and prairie and is home to many species, including the northern spotted owl. The Biological Resources analysis for the EIR will evaluate potential direct and indirect biological impacts on sensitive species, habitat, migration corridors, and wetlands.

Cultural Resources/Tribal Cultural Resources. The Cultural Resources analysis will evaluate potential direct and indirect impacts to archaeological resources and potential tribal cultural resources. The project area is within an Area of Traditional Tribal Cultural Affiliation as defined in Humboldt County Ordinance No. 2559. The County will conduct SB 18 and AB 52 Native American consultation.

Geology and Soils. The project site is located in a steep, hilly area, and slope stabilities are rated as High Instability and Moderate Instability. The EIR will programmatically evaluate impacts from landsliding and unstable soils that could result from grading, roads, and new development.

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Hazards and Hazardous Materials. The project site is in an area designated by Cal Fire as having a High and Very High Fire Hazard Severity Rating. The EIR will evaluate potential impacts from development in an area subject to wildland fires.

Hydrology and Water Quality. Several creeks and streams traverse the site. The EIR will evaluate potential project impacts to current creeks and streams, increased runoff and flooding, and water quality from project water diversions, grading, erosion, and stream alterations.

Public Services. The project would result in development that could require additional police and fire protection. The EIR will evaluate impacts on the provision of these services.

Utilities and Service Systems. The source of water for most residential and agricultural activities in the area is surface water diversions. The EIR will evaluate impacts to water supply on the site. A programmatic assessment will be conducted to determine potential impacts from the project. A project-level assessment will be performed in order to determine the process under which individual lot development should proceed with the commercial medical cannabis cultivation permit applications that will minimize any impacts to hydrology, water quality, and water supply.

Cumulative Impacts. Potential cumulative impacts of the project will be addressed in the EIR consistent with CEQA Guidelines Section 15130.

Other CEQA Issues. The EIR will briefly discuss less than significant and/or insignificant issues, which at this time are expected to include aesthetics, air quality, greenhouse gas emissions, hazards and hazardous materials, mineral resources, mineral resources, noise, population and housing, recreation, and transportation/traffic. CEQA allows a lead agency to limit the detail of discussion of the environmental effects that are not considered potentially significant (PRC Section 21100, 14 CCR Sections 15126.2[a] and 15128).

Alternatives. In accordance with the state CEQA Guidelines (14 CCR Section 15126.6), the EIR will describe a range of reasonable alternatives to the proposed project that are capable of meeting most of the project's objectives, and which would avoid or substantially lessen any potential significant effects that may be identified. The EIR will analyze the No Project Alternative and will also identify the environmentally superior alternative. The EIR will also identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain the reasons why.