



AGENDA ITEM NO.

COUNTY OF HUMBOLDT

For the meeting of November 3, 2014

Date: October 27, 2014

To: Board of Supervisors

From: Kevin Hamblin, Director of Planning and Building Department *KH*

Subject: Continued Board review of the Planning Commission Approved Draft General Plan. In particular, deliberations on Chapter 10 Conservation and Open Space Element, Section 10.6 Cultural Resources and Section 10.7 Scenic Resources.

RECOMMENDATIONS:

That the Board of Supervisors:

1. Open the public hearing.
2. Begin deliberations on Chapter 10 Conservation and Open Space Element, Section 10.6 Cultural Resources.
3. Continue deliberations on Chapter 10 Conservation and Open Space Element, Section 10.7 Scenic Resources.
4. Deliberate as necessary regarding the Board's review schedule for the Draft General Plan.
5. Continue deliberation to Monday, December 15, 2014 beginning at 1:30 p.m. or as soon thereafter as possible.

Prepared by *Michael Richardson*
 Michael Richardson, Senior Planner

CAO Approval _____

REVIEW:
 Auditor _____ County Counsel _____ Human Resources _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
 Upon motion of Supervisor
 Seconded by Supervisor

Ayes
 Nays
 Abstain
 Absent

PREVIOUS ACTION/REFERRAL:

Board Orders No. C-1

Meetings of: beginning June 12, 2012, and continuing through October 20, 2014

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: _____

By: _____
Kathy Hayes, Clerk of the Board

SOURCE OF FUNDING:

General Fund and General Plan User Fees.

DISCUSSION:

October 20, 2014 Actions

At the October 20, 2014 meeting, the Board straw-voted all the following items in the Conservation and Open Space Element:

Section 10.2.4 Open Space Action Program:

- ~~SR-G2 CO-G6.~~ **Community Separators.**
- ~~SR-P5 CO-P4X~~ **Development within Community Separators.**
- ~~SR-S4. CO-S6~~ **Development in Mapped Community Separators.**
- ~~SR-S5. CO-S7~~ **Subdivisions in Community Separators.**
- ~~SR-IM2 CO-IM6.~~ **Community Separators.**

Section 10.7 Scenic Resources

- SR-SXX. Permits for Billboards.**

The wording for the approved Scenic Resources items appears in the standard large-format worksheet in Attachment 3 of this staff report. The revisions are also shown in the revised Chapter 10 - Conservation and Open Space chapter on the GPU website:

<http://www.humboldt.gov/572/Board-of-Supervisors-Draft>

Remaining Section 10.7, Scenic Resources Items

At the last meeting, the Board requested staff bring back SR-Gx for continued discussion. The Board discussed adding language to avoid designating scenic highways in areas that would create land use conflicts, such as commercial or industrial areas. The following proposed revisions shown in yellow highlight respond to the Board's request:

"~~SR-Gx. Scenic Roadways.~~ **Support for a Designated Scenic Highway System.** A system of scenic ~~highways roadways~~ that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County **without detracting from allowed uses.**"

Recognizing that limiting the scenic designation to only eligible state highways requires simultaneous changes to the wording of other related items for consistency, the Board directed staff to bring back revised wording for the related items as well. Staff is recommending the scenic roadway protection policy **SR-P3**, the Scenic Roadway Standards in **SR-S3**, and the scenic roadway mapping implementation measure **SR-IM1** be modified to apply only to Scenic Highways for consistency with the above goal. The visual protection standards for a scenic highway designation in **SR-S3**, will be refined through a public process in coordination with CalTrans staff. These baseline standards are part of the 1984 Framework Plan and were also in the 1980 Scenic Highways Element of the General Plan.

Staff recommends deletion of the Scenic Roadway Protection program in **SR-IM3** because it would be redundant with **SR-IM1**, which directs staff to "Initiate a public process to identify, map, and designate ... Scenic ~~Roadways~~ Highways".

The proposed modifications are shown below in yellow highlight, and are reflected in the worksheet in Attachment 3.

SR-P3. Scenic Roadway Highway Protection. Protect the scenic quality of designated scenic roadways Highways for the enjoyment of natural and scenic resources, coastal views, landmarks, or points of historic and cultural interest.

SR-S3. Scenic Roadway Highway Plan Standards. The following standards apply to mapped scenic roadways Highways: Plan for scenic roadway protection includes the following standards:

A. Visual Buffer Width. The width of the visual buffer along the road shall not exceed 200 feet from the edge of the traveled roadway.

B. Permitted Uses. Permitted uses shall be allowed except the construction of new off-premise billboards is prohibited. Permitted uses that are within the visual buffer area measures may be required to protect scenic qualities of the site.

C. Site Development. Buildings and landscaping within the visual buffer shall be designed and located on the site to create a harmonious visual relationship with surrounding development and the natural terrain and vegetation.

- 1) Existing topography, vegetation, and scenic features of the site shall be retained to the maximum extent possible and incorporated into the proposed development.
- 2) Structures and signs shall be limited in height, bulk, and siting to be visually compatible with, and subordinate to, the character of surrounding areas.

D. Consideration of Views. Structures, signs, and plant materials within the visual buffer shall be constructed, installed, and planted to complement, enhance, and retain scenic views. Vegetative screening shall be used where needed to prevent significant intrusion or degradation of public views.

E. Location and Screening of Unightly Features. Potentially unightly features within the visual buffer area, such as parking lots etc., shall be located in areas not visible from the scenic highway. Where it is not possible to locate such features out of view, features shall be screened from view by planting and/or fences, walls, or berms. Screening shall utilize primarily natural materials rather than solid fencing, preferably vegetation, in conjunction with low-earth berms.

F. Site Grading. Grading or earth-moving operations within the visual buffer area shall be planned and executed in such a manner that final contours appear to be consistent with the existing terrain both on, and adjacent to, the site.

- 1) Vegetative cover shall be provided within a reasonable time after grading is completed to prevent visible scars remaining on the land from such operations.
- 2) Contours altered by grading shall be restored by means of land sculpturing and a cover of topsoil in such a manner as to minimize runoff and erosion and prevent ponding of water.
- 3) Finished contours shall be planted with native vegetation, so as to require minimum care and to be visually compatible with the existing ground cover landscaping.

G. Access Roads. The location and design of access roads within the visual buffer area shall not detract from the scenic quality of the road.

H. Utilities. New, relocated, or existing utility distribution lines within the visual buffer area shall be placed underground whenever feasible. When it is not feasible to place lines underground, they shall be located so as to be inconspicuous from

the scenic route wherever feasible. Combined or adjacent rights-of-way and common poles shall be used wherever feasible.

- I. **Railroads and Public Facilities.** Visual buffers shall exclude railroad rights-of-way and public facilities.

SR-IM1. Mapping of Scenic Areas, Heritage Landscapes and Scenic Roadways Highways. Initiate a public process to identify, map, and designate Scenic Areas, Heritage Landscapes and Scenic Roadways Highways, including specific ordinance standards for scenic protections and design review.

~~**SR-IM3. Scenic Road Protection Program.** Community Development Services and Department of Public Works staff shall develop a program for coordinated protection of mapped scenic roads in concert with the involved public and private agencies.~~

One final request from the Board at the October 20 meeting was to ask staff to consult with other planning agencies that have been through the Scenic Highway designation process to learn more about what the County should expect. Staff contacted several planners in other parts of the state with Scenic Highways and learned there are a variety of approaches. Some counties limit the designated highways to areas within existing public lands, while other counties include privately-held scenic forest and agricultural areas. Some jurisdictions use an overlay zone, and others rely instead on the low density agricultural zoning to limit new development in the scenic corridors. The proposed standards in **SR-S3** are consistent with those used in other areas. Staff is prepared to go into a more detailed survey of other jurisdictions during the November 3rd meeting.

Section 10.6 Cultural Resources

The purpose of the Cultural Resources section is to establish a framework for identification and protection of cultural and historic resources. The Board of Supervisors identified CU-S5. Assessment and Treatment of Impacts to Significant Historic Structures and Districts as the only "short list" item for the Cultural Resources section. However, through the County's recent SB18 Consultation, the Tribes have identified numerous suggested revisions to the text that should be reviewed by the Board. Also the General Plan Update Draft Environmental Impact Report (DEIR) includes an additional implementation measure to reduce impacts to cultural and historic resources that should be reviewed by the Board as well.

The standard large-format worksheet for the Cultural Resources section (Attachment 1) includes the SB18 Tribal Consultation revisions, the short list item, proposed DEIR addition, and public comments for your Board's consideration. Background information for the Cultural Resources section is in Attachment 2 of this staff report.

GPU Review Schedule

Attachment 4 is the updated draft schedule for completion of the remaining GPU tasks for review and comment.

FINANCIAL IMPACT:

The cost of preparing this staff report is borne by the General Fund through the Planning and Building Department, Advance Planning Division's FY 2014-2015 budget, and the General Plan User Fees Trust Fund 3698.

OTHER AGENCY INVOLVEMENT:

The General Plan Update program has been a multi-year project. Multiple agencies have been involved in the review and preparation of the Planning Commission approved Draft General Plan. The County has been in communication with the Planning Commissioners, County Counsel and the County Administrator's office on the transmittal of these draft documents.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board's discretion.

ATTACHMENTS:

- Attachment 1 Board Worksheet for Chapter 10, Section 10.6 – Cultural Resources
- Attachment 2 Background Report for Chapter 10, Section 10.6 – Cultural Resources
- Attachment 3 Board Worksheet for Chapter 10, Section 10.7 – Scenic Resources
- Attachment 4 Updated Draft Schedule for Completion of the Remaining GPU Tasks

Attachment 1

Worksheet for Section 10.6 Cultural Resources

Section 10.6 Cultural Resources

10.6.1 Purpose

This is the Cultural Resources subsection of the Conservation and Open Space Element. It includes policies to protect cultural heritage, including historic, prehistoric, and architectural resources.

10.6.2 Background

Cultural resources are elements of cultural heritage. From a land use perspective, important cultural resources include archaeological sites, historic architecture, industrial relics, artifacts, cultural landscapes, spiritual places, and historic districts. These elements provide traces of Humboldt County's rich history and add to the unique character and identity of the county.

The importance of history to local residents can be seen in the activities of the 3,700 member Humboldt County Historical Society, the architectural preservation efforts of numerous local homeowners, and the many celebrations and expressions of Native American cultural heritage, the architectural preservation efforts of numerous local home and business owners, and the high level of support for local museums and historical societies. The educational, social, and economic benefits of historic preservation to the county are tremendous; protecting outstanding cultural resources and the legacy they represent is a priority of this Plan.

Resource Inventories

Over one thousand sites of cultural significance have been surveyed and officially designated as cultural resources in Humboldt County. The participation of state and federal historic registration programs include 13 sites as California Historical Landmarks, 16 sites included on the National Register of Historic Places, 58 sites as California Historical Resources, and nearly 700 sites as historical and prehistoric archeological sites. Many of these sites, as well as numerous unlisted sites, are of cultural and religious significance for Native American populations. Any scientific archeological interest in such sites must be respectful of the cultural and religious significance they may hold.

Site Preservation

¹ **Tribes participating in the SB18 Consultation:**

Bear River Band of the Rohnerville Rancheria – THPO Erika Cooper
Big Lagoon Rancheria - Steve Baldy and Tribal Chair Virgil Moorehead
Blue Lake Rancheria – THPO Janet Eidsness
Hoopa Valley Tribe – Tribal Chair Danielle Vigil-Masten and Tribal Vice-Chair Poppy George
Karuk Tribe of California – THPO Julie Burcell
Round Valley Indian Tribes – Interim THPO Stephanie Boggs
Tsunungwe Tribe – Elder Bob Benson and Tribal Secretary-Treasurer Mike Ammon
Tsurai Ancestral Society - Parris Lindgren
Trinidad Rancheria – THPO Rachel Sundberg
Wiyot Tribe – THPO Tom Torma
Yurok Tribe – THPO Robert McConnell

Site Preservation

Protection of significant cultural resources has become recognized as a vital part of planning and environmental assessment. For example, the passage of the National Historic Preservation Act of 1966 (NHPA), the National Environmental Policy Act of 1969 (NEPA), the California Environmental Quality Act (CEQA), the California Public Resources Code (commencing with Section 5097.5), and the establishment of the Scenic Highways Element in 1971 (California Government Code Section 65302(h) §5097.5) et seq., and passage in 2014 of Assembly Bill (AB) 52 relating to Native American cultural resources and CEQA, all speak to the importance of protecting and preserving these essential resources.

Both The NHPA, NEPA and CEQA provide environmental policy guidance to preserve important aspects of our cultural legacy. Section 101(b)(4) of NEPA stresses the preservation of important historic, cultural, and natural aspects of our national heritage. Similarly, Section §21001(b) of CEQA states that it is a California policy to "take all action necessary to provide the people of this state with... enjoyment of aesthetic, natural, scenic, and historic environmental qualities."

The protection of the cultural environment in general and heritage resources in particular is also given priority in the California Public Resources Code. Sections 5097.9 et seq. provide protection from damage to Native American historic, cultural, or sacred sites and features, artifacts, and objects. Moreover, California Government Code Section § 65351 et seq. provide for public involvement and required consultation with Native American tribes (Senate Bill 18, 2004) during the preparation of a general plan for purposes of preserving or mitigating impacts to California Native American cultural places.

The County's Board of Supervisors established a policy in 1971 to evaluate archeological sites not only for their scientific value, but also for their importance to the Native American community (Resolution No. 71-14.1). The County currently maintains an agreement with the North Coastal Northwest Information Center (a Yurok tribal facility in Klamath, California) of the California Historical Resources Information System (NWIC) to review development proposals to assess any potential impact to culturally sensitive areas. The County also refers development proposals to local tribes within their defined area of interest for review and recommendation. These practices are consistent with the new requirements for Native American consultation under CEQA codified by passage of AB 52 (2014).

In addition to the need to preserve important archeological finds, there is a need to protect paleontological resources from loss or destruction. Whereas archeological resources provide a link with the people of the past, paleontological resources tell us about prehistoric life from past geologic time periods. Protection of these resources is required by law and can lead to valuable scientific information.

In addition to numerous sites of archeological or paleontological significance in the county, there are many other sites of historic worth. For example, sites may be significant for their architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural value. Judgment of significance and the need for protection is straightforward if a site is eligible for, or listed in, state or federal historic registration programs. Determining significance and the need for protection of uncatalogued sites must be assessed on a case-by-case basis to avoid adverse change in the significance of a historical resource. Determination can require cultural resource studies prepared by qualified historians with professional qualifications to inform the judgment of decision makers.

Conservation & Open Space, 10.6 Cultural Resources – Planning Commission Recommendations, SB18 Consultation, Public Comments, and Staff Recommendations and Notes

Planning Commission Draft	SB18 Consultation and Public Comments	Staff Recommendation and Notes
<p>Planning Commission Version of Proposed Text (see above)</p>	<p>SB18 Consultation (see above proposed changes)</p>	<p>SB18 Consultation version.</p>
<p>Planning Commission Version CU-G1. Protection and Enhancement of Cultural Resources. Protected and enhanced significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations.</p>	<p>SB18 Consultation CU-G1 Protection and Enhancement of Significant Cultural Resources. Protected and enhanced significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations.</p>	<p>SB18 Consultation version. Discussion: The suggested wording helps clarify the goal.</p>
<p>Planning Commission Version CU-P1. Identification and Protection. The potential for significant impacts to cultural resources shall be identified during ministerial and discretionary permit review, assessed as to significance, and if found to be significant, protected from substantial adverse change.</p>	<p>SB18 Consultation CU-P1. Identification and Protection. The potential for impacts to significant impacts to cultural resources shall be identified during ministerial permit and discretionary permit project review, impacts assessed as to significance, and if found to be significant, protected from substantial adverse change per California Public Resources Code (PRC) §5020.1.</p> <p>Humboldt County Resource Lands Working Group (HCRLWG)</p> <p>CU-P1. Identification and Protection. Cultural resources The potential for significant impacts to cultural resources shall be identified during ministerial and discretionary permit review, assessed as to significance, and if found to be significant, protected from substantial adverse change, deterioration, loss, or destruction.</p> <p>Add definition to glossary: (per PRC 5020.1): <u>Substantial Adverse Change. Demolition, destruction, relocation, or alteration such that the significance of an historical the resource or it's immediate surroundings would be impaired.</u></p> <p>HCRLWG COMMENTS: We support the development of a definition for consistency throughout this section. It should be ensured that this definition is consistent with the CEQA definition 15064.5 and PRC 5020.1. It is unclear what "and its immediate surroundings" and "impaired" mean in this definition. More clarity would be helpful.</p>	<p>SB18 Consultation version. Discussion: The suggested wording is consistent with the HCRLWG comments.</p>
<p>Planning Commission Version CU-P2. Consultation. Native American Tribes (as defined), historical organizations, other interested parties, and applicable agencies shall be consulted during discretionary project review for the identification, protection and mitigation of adverse impacts to cultural resources. Consultation on ministerial permits shall be initiated if it has been determined the project may create a substantial adverse change in the significance of a cultural resource. At their request, Tribes shall be afforded the opportunity to review and provide comments to the County early in project review and planning (screening) about known or potential significant Native American cultural resources located in project areas within their respective tribal geographical area of concern.</p>	<p>SB18 Consultation CU-P2. Native American Tribal Consultation. Native American Tribes (as defined below in CU-S3), historical organizations, other interested parties, and applicable agencies shall be consulted during discretionary project review for the identification, protection and mitigation of adverse impacts to significant cultural resources. Consultation on ministerial permits shall be initiated if it has been determined the project may create a substantial adverse change in the significance of a to a significant cultural resource. At their request, Tribes shall be afforded the opportunity to review and provide comments to the County early in project review and planning (screening) about known or potential significant Native American Tribal cultural resources located in project areas within their respective tribal geographical area of concern.</p>	<p>SB18 Consultation version. Discussion: The suggested wording helps clarify the policy, and separates protection of Native American cultural resources from historic resources which is important because they are treated differently in state law and local practice.</p>
	<p>SB18 Consultation CU-P2x. Consultation with Other Historic Preservation Agencies and Organizations. Historic preservation agencies and organizations shall be consulted during discretionary project review for the identification, protection and mitigation of adverse impacts to significant cultural resources. These include, but may not be limited to, the County's Cultural</p>	<p>SB18 Consultation version. Discussion: This new policy is needed to protect historic resources if the above modifications to CU-P2 are made.</p>

Conservation & Open Space, 10.6 Cultural Resources – Planning Commission Recommendations, SB18 Consultation, Public Comments, and Staff Recommendations and Notes

Planning Commission Draft	SB18 Consultation and Public Comments	Staff Recommendation and Notes
	<p>Resources Advisory Committee, Humboldt County Public Works Department and the Planning and Building Divisions, the Northwest Information Center of the California Historical Resources Information System (NWIC), the California Office of Historic Preservation, the Native American Heritage Commission, local historical societies, museums, colleges and universities, and incorporated cities historic preservation commissions or committees for their respective LAFCO sphere of influence, and local historians, cultural resources consultants and historic preservation staff affiliated with various state and federal agencies.</p>	
<p>Planning Commission Version CU-P3. Avoid Loss or Degradation. Projects located in areas known to have historic or prehistoric ruins, burial grounds, or archeological sites shall be conditioned and designed to avoid loss or substantial degradation of these resources, including standard provisions for post-review inadvertent discoveries of archaeological or Native American remains.</p>	<p>SB18 Consultation CU-P3. Avoid Loss or Degradation. Projects located in areas known to have historic or prehistoric ruins, burial grounds, or suspected to be archeological sites or Native American burial sites shall be conditioned and designed to avoid loss of significant impacts to significant sites, or disturbance or destruction to Indian burial grounds. Preserving Native American remains undisturbed and in place shall be selected as the preferred alternative unless substantial degradation of these resources, including factual evidence is presented demonstrating that no alternative(s) are feasible. Conditions of approval shall include standard provisions for post-review inadvertent discoveries of archaeological or Native American remains discoveries and discovery and respectful treatment and disposition of Native American remains with or without funerary objects in accordance with state law (Health and Safety Code (HSC) §7050.5 and PRC §5097.98).</p> <p>HCRLWG RECOMMENDATION: The group can support the version sent forward to the Board of Supervisors from the Planning Commission with the small modifications indicated.</p> <p>CU-P3. Avoid Substantial Adverse Change Loss or Degradation. Projects located in areas found known to have cultural resources historic or prehistoric ruins, burial grounds, or archeological sites shall be conditioned and designed to avoid substantial adverse change loss or substantial degradation of these resources, including standard provisions for post-review inadvertent discoveries of archaeological or Native American remains.</p> <p>HCRLWG COMMENTS: For consistency, the defined term “substantial adverse change” should be used.</p>	<p>SB18 Consultation version.</p> <p>Discussion: The suggested modifications refine the policy to be more sensitive and accountable to those descendants the policy is intended for.</p>
<p>Planning Commission Version CU-P4. Findings Necessary for Loss or Destruction. Cultural resources shall not be knowingly destroyed or lost through a ministerial or discretionary action unless: A. The site or resource has been found not to be of significant value after consultation by representatives of the cultural resources community and relevant experts; or B. There is an overriding public benefit from the project, and compensating mitigation to offset the loss is made part of the project.</p>	<p>SB18 Consultation CU-P4. Findings Necessary for Loss or Destruction. Significant Cultural resources shall not be knowingly destroyed or lost through a ministerial or discretionary action unless: A. The site or cultural resource has been found not to be of significant value after based on consultation by representatives of the cultural resources community with culturally affiliated Native American Tribe(s) and relevant experts other historic preservation agencies and organizations as required by CU-P2 and CU-P2x; or B. There is an overriding public benefit from the project, and compensating mitigation to offset the loss is made part of the project.</p> <p>HCRLWG RECOMMENDATION: The group can support the version sent forward to the Board of Supervisors from the Planning Commission with the small modifications indicated.</p> <p>CU-P4. Findings Necessary for Substantial Adverse Change Loss or Destruction. Cultural</p>	<p>Modified SB18 Consultation/HCRLWG version:</p> <p>CU-P4. Findings Necessary for Loss or Destruction. Significant Cultural resources shall not be knowingly caused substantial adverse change destroyed or lost through a ministerial or discretionary action unless: A. The site or cultural resource has been found not to be of significant value after based on consultation by representatives of the cultural resources community with culturally affiliated Native American Tribe(s) and relevant experts other historic preservation agencies and organizations as required by CU-P2 and CU-P2x; or B. There is an overriding public benefit from the project, and compensating mitigation to offset the loss is</p>

Conservation & Open Space, 10.6 Cultural Resources – Planning Commission Recommendations, SB18 Consultation, Public Comments, and Staff Recommendations and Notes

Planning Commission Draft	SB18 Consultation and Public Comments	Staff Recommendation and Notes
	<p>resources shall not be knowingly caused substantial adverse change destroyed or lost through a ministerial or discretionary action unless:</p> <ul style="list-style-type: none"> A. The site or resource has been found <u>not</u> to be of insignificant value after consultation with by representatives of the cultural resources community and relevant experts; or B. There is an overriding public benefit from the project, and compensating mitigation to offset the loss is made part of the project. <p>HCRLWG COMMENTS: For consistency, the defined term “substantial adverse change” should be used.</p>	made part of the project.
<p>Planning Commission Version CU-P5. Mitigation. Mitigation measures shall be required for any permitted project or County action that would adversely impact significant cultural resources.</p>		Planning Commission version.
<p>Planning Commission Version CU-S1. Cultural Resources. Cultural resources include, but are not limited to, any object, building, structure, site, district, area, or place that is culturally, historically, or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of Humboldt County. Sites, resources, or structures listed in federal, state, or local registration programs, or formally determined eligible for listing, or that meet the criteria for listing in the California Register of Historical Resources shall also be recognized as significant cultural (historical) resources. Cultural resources also include cultural places, as defined by California Public Resources Code Sections 5097.9 and 5097.993, including any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine or any Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historic Resources, including any historic or prehistoric ruins, any burial ground, and any archeological or historic site.</p>	<p>SB18 Consultation CU-S1. Significant Cultural Resources Defined. Significant Ccultural resources include, but are not limited to, any object, building, structure, site, district, area, or place that is culturally, historically, or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of Humboldt County, the State of California or the Nation. Fifty years of age is the threshold for evaluating historical significance per state law. Sites, resources, or structures listed in federal, state, or local registration programs, or formally determined eligible for listing, or that meet the criteria for listing in the California Register of Historical Resources as well as those cultural resources determined to be significant by a lead agency shall also be recognized as significant cultural (historical) resources. Significant Ccultural resources also include cultural places, as Tribal Cultural Resources defined by California Public Resources Code Sections 5097.9 and 5097.993, including any the 2014 Assembly Bill 52 (Native Americans: CEQA), Native American Sacred Sites such as sanctified cemetery, place cemeteries, places of worship, religious or ceremonial sites, or sacred shrines or any and Native American Historic Resources such as any historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historic Resources, including any "historic or prehistoric ruins, any burial grounds, and any archeological or historic sites" (PRC §5097.9 and §5097.993).</p>	<p>SB18 Consultation version. Discussion: The suggested modifications clarify the applicable requirements of state law.</p>
<p>Planning Commission Version CU-S2. Confidentiality. As prescribed by law, the exact location of archeological, paleontological, grave sites and sensitive Native American cultural places shall not be publicly identified in order to prevent the possibility of theft or vandalism.</p>	<p>SB18 Consultation CU-S2. Confidentiality. As prescribed by law California Public Records Act, Government Code § 6250 et seq., and the Information Practices Act of 1977, Civil Code § 1798 et seq. the exact location of archeological, paleontological, Native American grave sites and, burial grounds, sacred sites, sensitive Native American cultural places, and prehistoric and historic archaeological sites shall not be publicly identified disclosed in order to prevent the possibility of theft or vandalism.</p>	<p>SB18 Consultation version. Discussion: The suggested modifications clarify the applicable requirements of state law.</p>
<p>Planning Commission Version CU-S3. Cultural Resources Community. The cultural resources community includes:</p> <ul style="list-style-type: none"> a) Native American Tribes, defined as federally recognized and non recognized tribes and tribal organizations that have ancestral lands in Humboldt County that are on the 	<p>SB18 Consultation CU-S3. Cultural Resources Community. The cultural resources community includes:</p> <ul style="list-style-type: none"> a) Native American Tribes, defined as federally recognized and non-recognized tribes and tribal organizations that have ancestral lands in Humboldt County that are on the contact list maintained by the Native American Heritage Commission; and, the appointed Tribal Historic Preservation Officers (THPOs) of such tribes. 	<p>SB18 Consultation version. Discussion: The suggested modifications provide a more complete list of persons and agencies concerned with cultural resource protection.</p>

Conservation & Open Space, 10.6 Cultural Resources – Planning Commission Recommendations, SB18 Consultation, Public Comments, and Staff Recommendations and Notes

Planning Commission Draft	SB18 Consultation and Public Comments	Staff Recommendation and Notes
<p>contact list maintained by the Native American Heritage Commission; and, the appointed Tribal Historic Preservation Officers (THPOs) of such tribes.</p> <p>b) Applicable agencies and organizations, including the Native American Heritage Commission, the California State Office of Historic Preservation, the North Coastal Information Center, the Northwest Information Center, Humboldt County Public Works Department and the Planning and Building Divisions, and local historical societies and museums.</p> <p>c) Other interested parties who have requested in writing to be notified of such matters.</p>	<p>b) Applicable Historic preservation agencies and organizations referenced in CU-P2x, including the Native American Heritage Commission, the California State Office of Historic Preservation, the North Coastal Information Center, the Northwest Information Center Humboldt County Public Works Department and the Planning and Building Divisions, and local historical societies and museums.</p> <p>c) Other interested parties who have requested in writing to be notified of such matters.</p> <p>HCRLWG COMMENTS: The County should maintain the list.</p>	
<p>Planning Commission Version</p> <p>CU-S4. Conditioning, Designing, or Mitigating Projects to Avoid Loss. Conditioning, designing, and/or mitigating projects to avoid loss of cultural resources, in general, but impacts to archeological or paleontological resources in particular, significant for their scientific value shall include, where applicable:</p> <p>A. Design projects involving any ground disturbance to avoid known archaeological or paleontological sites, or</p> <p>B. Provide protective cover (e.g. cap with geotextile material and/or other barrier and cover with imported fill soil using light-weight rubber tired equipment) for all or portions of known (for) sites that cannot be feasibly avoided, after the site has been adequately characterized (depth, area, constituents) and reported on using appropriate scientific excavation techniques, or</p> <p>C. Where site avoidance is infeasible, design and implement a research design guided mitigation excavation program, in consultation with culturally affiliated Tribe(s) or other descendant groups, as appropriate, under the direction of a qualified and locally experienced professional, to document significant scientific information that would otherwise be lost by project implementation.</p> <p>D. For discretionary and ministerial projects that will involve ground disturbing activities, the following measures shall be included as standard conditions of approval or as notations to be placed on development plans: "The project site is not located within an area where known archaeological or paleontological sites have been identified. However, as there exists the possibility that undiscovered archaeological or paleontological resources may be encountered during construction activities, the following post-review, inadvertent</p>	<p>SB18 Consultation</p> <p>CU-S4. Conditioning, Designing, or Mitigating Projects to Avoid Loss or Reduce Impacts to Archaeological Resources. Conditioning, designing, and/or mitigating projects to avoid or reduce impacts to archaeological resources loss of cultural resources, in general, but impacts to archeological or paleontological resources in particular, significant for their cultural value to descendent communities and/or scientific value shall consider the following options include, where applicable:</p> <p>A. Avoidance. Design projects involving any ground disturbance to avoid known archaeological or paleontological sites, or</p> <p>B. Capping. Provide protective cover (e.g. cap with geotextile material and/or other barrier and cover with imported fill soil using light-weight rubber tired equipment) and confine development to the protective cover for all or portions of known (for) sites that cannot be feasibly avoided, after the site has been adequately characterized (depth, area, constituents) and reported on using appropriate scientific excavation techniques, or</p> <p>C. Data Recovery. Where site avoidance or capping is infeasible, design and implement a research design guided mitigation excavation program, in consultation with culturally affiliated Tribe(s) or other descendant groups, as appropriate, under the direction of a qualified and locally experienced archaeologist knowledgeable about regional archaeology, to recover and document significant scientific information that would otherwise be lost by project implementation. Preserving Native American remains undisturbed in place shall be selected as the preferred alternative unless substantial factual evidence is presented demonstrating that no alternative(s) is (are) feasible.</p> <p>D. Conservation Easements. Voluntary deeding of the site into a permanent conservation easement.</p> <p>E. Standard Conditions and Notations for Inadvertent Archaeological or Native American Remains Discoveries. In addition, For discretionary and ministerial projects and ministerial permits that will involve ground disturbing activities, the following measures shall be included as standard conditions of approval or as notations to be placed on development plans:</p>	<p>SB18 Consultation version.</p> <p>Discussion: The suggested modifications make the policy easier to read. Deletion of the word "paleontological" in subparagraph E is appropriate as those resources are treated differently than cultural and historic resources.</p>

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<p>archaeological discovery measures are required under state and federal laws:</p> <p>If archaeological or paleontological resources are encountered, all ground disturbing work at the find location plus a reasonable buffer zone must be immediately suspended and a qualified professional contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, and protective cover) in consultation with culturally affiliated tribes or other descendant groups, where applicable.</p> <p>Pursuant to California Health and Safety Code §7050.5, if human remains are encountered, all ground-disturbing work must cease and the County Coroner contacted.</p> <p>The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition."</p> <p>E. Voluntary deeding of the site into a permanent conservation easement.</p>	<p>"The project site is not located within an area where known archaeological or paleontological sites have been identified. However, as there exists the possibility that undiscovered archaeological or paleontological resources may be encountered during construction activities, the following post-review, inadvertent archaeological discovery measures are required under state and federal laws:</p> <p>If archaeological or paleontological resources are encountered, all ground disturbing work at the find location plus a reasonable buffer zone must be immediately suspended, the approving County department contacted, and a qualified professional contacted archaeologist retained to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, and protective cover) in consultation with culturally affiliated tribes or other descendant groups, where applicable.</p> <p>Pursuant to California Health and Safety Code §7050.5, if known or suspected Native American or other human remains are encountered, all ground-disturbing work must cease in the vicinity of the discovery, and the County Coroner contacted. The respectful treatment and disposition of remains and associated grave offerings shall be in accordance with PRC §5097.98.</p> <p>The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition."</p> <p>E. Voluntary deeding of the site into a permanent conservation easement. (Note: See new CU-IMxx. Inadvertent Discoveries & Ministerial Permits)</p> <p>HCRLWG COMMENTS: It is unclear what effect adding ministerial projects will have on the building permit process.</p>	<p>The suggested modifications limit application of the standard to discretionary permits.</p>
	<p>SB18 Consultation</p> <p>CU-S4x. Professional Archaeologist Qualification Standards and Practices. For the purpose of this chapter, a professional archaeologist meets the Secretary of the Interior's Professional Qualification standards for Archaeology Principal Investigator and the explicit education and experience qualification standards adopted by the Society for California Archaeology in 2012. The professional archaeologist shall make a good faith effort to inform and include the descendant community in all aspects of their work, as applicable, to respect sensitive or confidential information, and to integrate the community's policies and practices in respectful handling of archaeological material.</p>	<p>SB18 Consultation version.</p> <p>Discussion: This new standard responds to the needs of the Tribes who would most benefit from it.</p>
<p>Planning Commission Version</p> <p>CU-S5. Assessment and Treatment of Impacts to Significant Historic Structures and Districts.</p> <p>A. For ministerial projects, a records check will be conducted. If the project site and/or structures are listed on the local, State, or federal register, or has been surveyed and determined to be eligible for listing on the local, State, or federal register, it will be considered a significant historic resource. The project will either be modified as may be necessary to ensure continued protection of the significant</p>	<p>SB18 Consultation</p> <p>CU-S5. Assessment and Treatment of Impacts to Significant Historic Structures, Buildings and Districts.</p> <p>A. Ministerial Permit Review. For ministerial projects permits, a records check will be conducted by staff. If the project site and/or structures are listed on the local, State, or federal register, or has been surveyed and determined to be eligible for listing on the local, State, or federal register, it will be considered a significant historic cultural resource. The project will either be modified as may be necessary to ensure continued protection of the significant historical resources historic structures, buildings or districts, or the project will be subjected to the discretionary review</p>	<p>SB18 Consultation version.</p> <p>Discussion: The suggested revisions make the standard easier to read, and clarifies the role of staff.</p>

Conservation & Open Space, 10.6 Cultural Resources – Planning Commission Recommendations, SB18 Consultation, Public Comments, and Staff Recommendations and Notes

Planning Commission Draft	SB18 Consultation and Public Comments	Staff Recommendation and Notes
<p>historical resources, or the project will be subjected to the discretionary review process described below.</p> <p>B. For discretionary projects, a records check will be conducted, and if no listing or survey for eligibility has been done, an initial screening will be conducted to determine whether there is a potential for significant historical resources to be significantly impacted by the project. Where it is found that there is a potential for significant adverse impacts, a cultural resources report prepared by a qualified professional shall be required. The report shall assess the presence, extent, and condition, and explicit significance values of all extant cultural resources and the likely impact upon such resources found to qualify as significant historical resources under CEQA. The report shall include recommendations for avoiding and/or mitigating identified significant adverse impacts.</p> <p>C. To assist in protecting potential historical structures yet to be surveyed, the Board of Supervisors may designate areas of historical concern, in which all structures 45 years or older would be assessed as outlined for discretionary projects above.</p> <p>D. To assist in identifying historical resources of significance, the County encourages the cultural resources community to utilize the nomination process of the State Office of Historic Preservation, which provides notice and comment opportunities for local government and the property owner, in determining eligibility for register listing.</p>	<p>process described below.</p> <p>B. Discretionary Project Review. For discretionary projects, a records check will be conducted <u>by staff</u>, and if no listing or survey for eligibility has been done, an initial screening will be conducted to determine whether there is a potential for significant historical resources <u>historic structures, buildings or districts</u> to be significantly impacted by the project. Where it is found that there is a potential for significant adverse impacts, a <u>cultural or historic architectural</u> resources report <u>meeting the Secretary of the Interior's Standards for Historic Preservation</u> prepared by a qualified professional shall be required. The report shall assess the presence, extent, and condition, and explicit significance values of all extant cultural resources and the likely impact upon such resources found to qualify as significant historical resources under CEQA. The report shall include recommendations for avoiding and/or mitigating identified significant adverse impacts.</p> <p>C. Areas of Historic Concern. To assist in protecting potential historical structures yet to be surveyed, the Board of Supervisors may designate areas of historical concern, in which all structures 45 years or older would be assessed as outlined for discretionary projects above.</p> <p>D. Encouraging Nomination to the California Register. To assist in identifying historical resources of significance, the County encourages the cultural resources community to utilize the nomination process <u>of the State Office of Historic Preservation for the California Register of Historical Resources</u>, which provides notice and comment opportunities for local government and the property owner, in determining eligibility for register listing.</p>	
<p>Planning Commission Version</p> <p>CU-Sx. Cultural Resources Report Contents. A Cultural Resources Report should, at the minimum, contain:</p> <ol style="list-style-type: none"> 1) Evidence of a full background literature search through the depository at the Humboldt County Historical Society. Whether the resource is on any federal, State or local list of designated historic resources. Whether the resource is identified in any information in the historical archives; 2) A brief description of the project parcel(s) and the expectations of the consultant at the onset of the inventory report; 3) A clear description of the methods and results of the field inventory including rationale for surface coverage and a brief discussion of any historic resources encountered. This treatment should be patterned after the <i>Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION</i> [As Amended and Annotated] - 	<p>SB18 Consultation</p> <p>Delete.</p> <p>HCRLWG RECOMMENDATION: The group recommends deletion of this standard.</p>	<p>SB18 Consultation / HCRLWG version (delete).</p> <p>Discussion: The Historic Architectural Resources Report is required to meet the Secretary of the Interior's Standards for Historic Preservation per above standard CU-S5(B). Archaeological reports are required to be prepared by a professional archaeologist per the proposed new CU-S4X. The Cultural Resources Ordinance will clarify the process for review and treatment of significant historic structures and other cultural resources consistent with CEQA.</p>

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<p>http://www.cr.nps.gov/local-law/arch_stnds_0.htm ;</p> <p>4) A generally accurate map (7.5' USGS topographic, parcel map or engineers map) in a scale sufficient to show the intensity and coverage of the field inventory as well as the location of any resources encountered;</p> <p>5) A description and evaluation of any structures and a determination of whether or not they qualify as historical resources. This evaluation should answer the following questions with respect to possible historic significance:</p> <p>a) Is it associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California, or the United States;</p> <p>b) Is it associated with the lives of persons important to local, California, or national history;</p> <p>c) Does it embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master or possess high artistic values;</p> <p>d) Has it yielded, or does it have the potential to yield, information important to the prehistory or history of the local area, California, or the nation.</p> <p>6) Given the answers to 5. a. through d.:</p> <p>a) Does the resource qualify as an historic resource? If the answer to 6a is no, and any of the answers to 5a through 5d is yes, explain why, in your assessment, the resource does not qualify as historic.</p> <p>b) Does the resource have integrity for the period of significance? The period of significance is the date or span of time within which significant events transpired, or significant individuals made their important contributions. Integrity is the authenticity of a historical resource's physical identity as evidenced by the survival of characteristics or historic fabric that existed during the resource's period of significance.</p> <p>c) Identify whether or not the resource retains enough of its historic character of appearance to be recognizable as an historical resource and able to convey the reasons for significance. If it is determined that a resource has lost its historic character or appearance, does it still have the potential to yield significant scientific or historical information or specific data?</p> <p>d) Is the historic resource located within a historic district or a concentration of historic buildings, structures, objects, or sites with precise boundaries that share a common historical, cultural or architectural background? If so, and if it is determined that the resource lacks individual significance as an historic resource, could the resource</p>		

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<p>be considered a contributor to the significance of the historic district or concentration of historic structures?</p> <p>7) If the resource is historic, provide recommended means to avoid or lessen development related impacts to any historical resources encountered on the parcel(s);</p> <p>8) The names of any local persons consulted during the preparation of the report;</p> <p>9) Statement of Qualifications (education, employment, field experience, previous reports and publications in historic resources).</p>		
<p>Planning Commission Version</p> <p>CU-Sxx. Cultural Resource Commission Recommendations And Mitigation. The conclusions, findings and recommendations of the Cultural Resources Report shall be evaluated during the project review process including referral for comments from the advisory Cultural Resources Commission. The Cultural Resources Commission will make recommendations on cultural resources to County staff and the Planning Commission. Applicants shall be encouraged to plan projects to avoid impacts to significant cultural resources where feasible, otherwise, mitigation measures shall be required to lessen the impacts to a less than significant level.</p>	<p>SB18 Consultation</p> <p>CU-Sxx. Cultural Resource Commission Advisory Committee Recommendations and Mitigation. The conclusions, findings and recommendations of the Cultural Resources Report, Historic Architectural Report and other types of cultural resources reports shall be evaluated during the project review process including referral for comments from the advisory Cultural Resources Commission Committee. The Cultural Resources Commission Committee will make recommendations on cultural resources to County staff and the Planning Commission. Applicants shall be encouraged to plan projects to avoid impacts substantial adverse change to significant cultural resources where feasible, otherwise, mitigation measures shall be required to lessen the impacts to a less than significant level.</p>	<p>SB18 Consultation version.</p> <p>Discussion: The suggested edits clarify the role of the committee.</p>
<p>Planning Commission Version</p> <p>CU-Sxxx. CEQA Review. Historical resources as provided in Section 15064.5 of the State CEQA Guidelines shall include: 1) a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources; 2) a resource listed in a local register of historical resources; or 3) any object, building structure, site, area or place which the County Planning Division determines to be historically or culturally significant.</p>	<p>SB18 Consultation</p> <p>Delete.</p> <p>HCRLWG RECOMMENDATION: The group suggests deleting this from the standards and including it in the glossary as the definition of historical resources.</p>	<p>SB18 Consultation / HCRLWG version (delete).</p> <p>Discussion: This standard is an excerpt of the CEQA Guidelines, so it is appropriate as a term in the glossary.</p>
<p>Planning Commission Version</p> <p>CU-IM1 Cultural Resources Ordinance and Advisory Committee. Review existing ordinances and guidelines and make necessary amendments to assure the protection of cultural resources, resulting in the adoption of a comprehensive Cultural Resources Ordinance and establishment of (an) advisory Cultural Resources Committee(s). The purpose of the Ordinance is to implement the goals, policies and standards of this section (10.7- Cultural Resources), including a clearly prescribed process for the identification, evaluation, assessment and treatment (mitigation) of cultural resource impacts for County permitted projects or actions that could result in significant adverse impacts and on recommendations.</p>	<p>SB18 Consultation</p> <p>CU-IM1 Cultural Resources Ordinance and Advisory Committee. Review existing ordinances and guidelines and make necessary amendments to assure the protection of cultural resources, resulting in the adoption of a comprehensive Cultural Resources Ordinance and establishment of (an) advisory Cultural Resources Committee(s). The purpose of the Ordinance is to implement the goals, policies and standards of this section (10.6- Cultural Resources), including a clearly prescribed process for the identification, evaluation, assessment and treatment (mitigation) of cultural resource impacts for County permitted projects or actions that could result in significant adverse impacts and on recommendations. The Ordinance shall include establishing a Cultural Resources Committee composed of local historic preservation professionals that are knowledgeable and experienced in CEQA and historical resources, and in the fields of regional prehistoric and historic archaeology, historic architecture, and cultural landscapes, plus County tribal representatives (THPOs), which shall advise County staff and the Planning Commission about the adequacy, findings and recommendations of CEQA review and reporting in accordance with applicable laws and best practices in historic preservation. In addition</p>	<p>SB18 Consultation version.</p> <p>Discussion: The suggested edits clarify the role of the committee.</p>

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	<p>the Committee will advise and educate the public about historic preservation, tribal cultural resources, and the field of cultural resources management.</p>	
<p>Planning Commission Version CU-IM3 Cultural Resources Designation Develop a program to encourage and actively support nominations to the federal, state, and local cultural resource registration programs.</p>	<p>HCRLWG RECOMMENDATION: The group can support the version sent forward to the Board of Supervisors from the Planning Commission with the small modifications indicated. CU-IM3 Historical Registration Cultural Resources Designation <u>Develop a program to encourage and actively support nominations to the federal, state, and local historical cultural resource registration programs.</u> HCRLWG COMMENTS: The group recommends reverting back to the original version presented to the planning commission and not developing a new program.</p>	<p>Planning Commission version. Discussion: Registration programs can be effective at increasing the number of cultural resources that are maintained for the benefit of present and future generations.</p>
<p>Planning Commission Version CU-IM4. Historic Building Code. Promote the use of the Historic Building Code of the State of California for historical sites.</p>		<p>Planning Commission version.</p>
<p>Planning Commission Version CU-IM5. Historic Building Identification. Establish and maintain a system for identifying significant historic buildings and structures (individually or as part of districts or landscapes).</p>		<p>Planning Commission version.</p>
<p>Planning Commission Version CU-IMx. Map Resource Areas. In consultation with the cultural resources community (as defined), consider (1) devising Overlay Zones for culturally sensitive zones (including potentially significant cultural landscapes) especially in rural, inland areas outside the Coastal Zone to expand the County's review of projects that may affect known & unknown cultural resources to facilitate Initial Project Screening (CU-P1), and (2) developing a confidential database that identifies locations of high archaeological or cultural heritage sensitivity, and (3) developing a listing of listed, eligible or potentially eligible historical resources including architectural sites, districts and cultural landscapes, within the County's jurisdiction. In the near-term at a minimum, continue to contract with the NCIC and NWIC to provide rapid-response, reduced fee initial review of project locations for purposes of determining if known cultural resources are recorded on or near project areas, and for opinions on cultural resources sensitivity with appropriate recommendations.</p>	<p>SB18 Consultation CU-IMx. Map Resource Areas. In consultation with the cultural resources community (as defined), <u>consider and the Cultural Resources Committee, the Planning Division shall</u> (1) <u>devising map</u> Overlay Zones for culturally sensitive <u>zones-areas</u> (including potentially significant cultural landscapes) especially in rural, inland areas outside the Coastal Zone to expand the County's review of projects that may affect known & unknown cultural resources to facilitate Initial Project Screening (CU-P1), <u>and</u> (2) <u>developing develop</u> a confidential database that identifies locations of <u>high archaeologically archaeological</u> or cultural heritage sensitivity, and (3) <u>developing compile and maintain</u> a listing of listed, eligible or potentially eligible <u>historical cultural</u> resources including <u>but not necessarily limited to</u> architectural sites, districts and cultural landscapes, within the County's jurisdiction. <u>In the near term at a minimum, C</u>ontinue to contract with the <u>NCIC and</u> NWIC to provide rapid-response, reduced fee initial review of project locations for purposes of determining if known cultural resources are recorded on or near project areas, and for opinions on cultural resources sensitivity with appropriate recommendations.</p>	<p>SB18 Consultation version. Discussion: The suggested edits clarify the implementation measure.</p>
	<p>SB18 Consultation CU-IMxx. Information Provided for Ministerial Permits. <u>The County shall develop informational handouts for post-review inadvertent archaeological discoveries and/or discoveries of Native American remains to be distributed at the time of permit issuance for any project with ground disturbing activities.</u></p>	<p>SB18 Consultation version. Discussion: The suggested implementation measure would improve communication with applicants about the requirements of state and federal law..</p>
<p>Mitigation Measure 3.13.3.1. In order to reduce impacts from development to cultural resources, the following mitigation measure is recommended:</p>		<p>DEIR version</p>

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<p><i>Until a Cultural Resources Ordinance is developed as provided for in CU-IM1, the County shall address the potential for significant impacts to cultural resources during ministerial and discretionary permit review. Cultural resources shall be assessed as to significance through referral of projects to applicable cultural resource review agencies concerns, and if found to be significant, protected from substantial adverse change. In areas having a high likelihood of containing unsurveyed historic resources the County shall apply standards to ministerial projects to reduce or avoid impacts to potentially significant historic resources.</i></p>		
	<p>Add “Tribal Cultural Resource” to Glossary</p>	<p>Add a new item to the glossary from PRC §21074:</p> <p>Tribal Cultural Resource: Tribal cultural resources” are either of the following:</p> <ul style="list-style-type: none"> (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: <ul style="list-style-type: none"> (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources. (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1. (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. <p>A cultural landscape that meets the above criteria of is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.</p> <p>A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the above criteria of sub paragraphs (1) or (2).</p>
	<p>Add “Historical Resources” to Glossary</p>	<p>Add a new item to the glossary:</p> <p>Historical Resources. Historical resources as provided in Section 15064.5 of the State CEQA Guidelines shall include: 1) a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources; 2) a resource listed in a local register of historical resources; or 3) any object, building structure, site, area or place which the County Planning Division determines to be historically or culturally significant.</p>

Attachment 2

Background Report for Cultural Resources

Supplemental Report #1
Section 10.6 – Cultural Resources

1) Legal basis or requirements

Protection of cultural resources has become recognized as a vital part of planning and environmental assessment. The passage of the National Environmental Policy Act of 1969 (NEPA), the California Environmental Quality Act (CEQA), the California Public Resources Code (commencing with Section 5097.5), and the establishment of the Scenic Highways Element in 1971 (California Government Code Section 65302(h)) all speak to the importance of protecting and preserving these essential resources.

Both NEPA and CEQA provide environmental policy guidance to preserve important aspects of our cultural legacy. Section 101(b)(4) of NEPA stresses the preservation of important historic, cultural, and natural aspects of our national heritage. Similarly, Section 21001(b) of CEQA states that it is a California policy to "take all action necessary to provide the people of this state with... enjoyment of aesthetic, natural, scenic, and historic environmental qualities."

The protection of the cultural environment in general and heritage resources in particular is also given priority in the California Public Resources Code. Sections 5097.9 et seq. provides protection from damage to Native American historic, cultural, or sacred sites and features, artifacts, and objects. Moreover, California Government Code Sections 65351 et seq. provide for public involvement and required consultation with Native American tribes during the preparation of a general plan for purposes of preserving or mitigating impacts to California Native American cultural places.

2) Key planning issues

There are two (2) Key Planning Issues addressed by the Cultural Resources Section discussed below; (1) Cultural Resource Protection; and (2) Historic Structures.

Key Planning Issue #1 - Cultural Resource Protection

The County's rich history helps define the unique character and identity of the county. What level of protection should be afforded to the cultural resources within the county?

A) How/where addressed in the 1984 Framework Plan

The Framework Plan provides protection for significant cultural resources; includes references to state and federal laws, guidelines and interest groups.

3531.1 Identification and Protection. Cultural resources (including but not limited to archaeological, paleontological, and architectural sites, grave sites and cemeteries) shall be identified where feasible, assessed as to significance, and if found to be significant, protected from loss, or destruction.

3531.2 Consultation. Concerned citizens, historical organizations, and applicable agencies shall be consulted during project review for the identification and protection of cultural resources.

B) How/where addressed in the Planning Commission Draft Plan

The Proposed Plan provides protection as outlined in existing state and federal laws and guidelines, and includes updated references. Requires identification of cultural resources and mitigation of impacts (**CU-P1 (Identification and Protection)**, **CU-P2 (Consultation)**, **CU-P5 (Mitigation)**, **CU-S4 (Conditioning, Designing or Mitigating Projects to Avoid Loss)**, and **CU-S5**

(Assessment and Treatment of Impacts to Significant Historic Structures and Districts)). The proposed plan further calls for review and updating of existing implementing ordinances and guidelines to ensure appropriate protection (**CU-IM1 (Cultural Resource Ordinance and Advisory Committee))**).

C) Reason for the changes

The changes are based on the need to review and update existing implementing ordinances and guidelines to ensure appropriate protection. Additional protection would be implemented through CEQA review and historic assessment study requirements for ministerial projects that might impact historic resources.

D) Notable items from the Planning Commission discussions

The Planning Commission revised **CU-S3** to apply to the broader cultural resource community, strengthened **CU-S4** which calls for conditioning, designing or mitigating project to avoid loss, revised **CU-S5** to require a records check for potential cultural resources for ministerial projects as well as discretionary projects, added **CU-Sx** to specify Cultural Resource Report Contents, added **CU-Sxx** to specify review of Cultural Resource Report contents, and added **CU-Sxxx** addressing CEQA review requirements. Finally, the Planning Commission added implementation measure **CU-IMx** that calls for mapping of cultural resource areas.

E) Consequences - intended / unintended

The new standards and implementation measures are designed to help implement Federal and State requirements for dealing with cultural resources in ministerial and discretionary project reviews. Identification and mapping of existing cultural resources would help to expedite project reviews.

Key Planning Issue #2 - Historic Structures.

Historic buildings are a particularly visible and important component of community character. What level of effort is appropriate to ensure conservation of these resources?

A) How/where addressed in the 1984 Framework Plan

3531.5 Findings. Archaeological and paleontological resources shall not be knowingly destroyed or lost through a ministerial or discretionary action unless: A) The site or resource has been found to be of insignificant value by relevant experts and representatives of the cultural resources community; or B) There is an overriding public benefit from the project, and compensating mitigation to offset the loss is made part of the project.

B) How/where addressed in the Planning Commission Draft Plan

Historic structures are dealt with generally in goals and policies which broadly address cultural resources. They are dealt with more specifically in **CU-S5** which requires a records check for potential cultural resources, including historic structures, for ministerial projects as well as discretionary projects. Additionally, **CU-IM5** calls for establishing and maintaining a system for identification of significant historic structures.

C) Reason for the changes

The changes are based on the need to review and update existing implementing ordinances and guidelines to ensure appropriate protection. Additional protection would be implemented

through CEQA review and historic assessment study requirements for ministerial projects that might impact historic resources.

D) Notable items from the Planning Commission discussions

The Planning Commission revised **CU-S5** to require a records check for potential cultural resources for ministerial projects as well as discretionary projects, added **CU-Sx** to specify Cultural Resource Report Contents, added **CU-Sxx** to specify review of Cultural Resource Report contents, and added **CU-Sxxx** addressing CEQA review requirements. Finally, the Planning Commission added implementation measures **CU-IM5** and **CU-IMx** that call for identification and mapping of cultural resource areas.

E) Consequences - intended / unintended

The new standards and implementation measures are designed to help implement Federal and State requirements for dealing with cultural resources in ministerial and discretionary project reviews. Identification and mapping of existing cultural resources would help to expedite project reviews.

3) What are the Board's options?

The Open Space and Conservation Element is a required Element of the General Plan, so the Board does not have the option of eliminating it or moving its policies and programs to other Elements. The Cultural Resources section is a defining part of the Open Space and Conservation Element, so it should remain in that Element.

Attachment 3

Worksheet for Section 10.7 Scenic Resources

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Board of Supervisors Actions/Staff Recommendations

Planning Commission Draft	Public Comments	Board of Supervisors Actions/Staff Recommendation
<p>Planning Commission Version</p> <p>SR-G1. Scenic Resource Protection. Protected high-value forest, agriculture, river, and coastal scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources.</p>		<p>SR-G1. Conservation of Scenic Resources Protection. Protected high-value Scenic forest, agriculture, river, and coastal scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources.</p> <p>Straw Vote: 5-0, 10-6-2014</p>
<p>Planning Commission Version</p> <p>SR-G2. Community Separators. Visible and aesthetic open space areas between urban development areas that separate and preserve unique identities of the county's cities and communities.</p>		<p>CO-G6-SR-G1. Community Separators. Visible and aesthetic Open space areas between urban development areas that separate and preserve unique identities of the county's cities and communities.</p> <p>Straw Vote: 5-0, 10-6-2014 and 10-20-14</p>
<p>Planning Commission Version</p> <p>SR-Gx. Scenic Roadways. A system of scenic roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. <i>Modify 5-0 (5-26-11)</i></p>	<p>HCRLWG Recommendation: Delete We disagree with this goal based on the potential impacts to working resource lands and the subjective nature of their designation</p>	<p>Support a modified Planning Commission version.</p> <p>SR-Gx. Scenic Roadways. Support for a Designated Scenic Highway System. A system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County without detracting from allowed uses.</p>
<p>Planning Commission Version</p> <p>SR-PX Working Landscapes. Recognize the scenic value of resource production lands. <i>Modify 4-2 (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-P1. Development in Mapped Scenic Areas. In mapped scenic areas, new discretionary and ministerial development shall be consistent with and subordinate to natural contours, hilltops, tree lines, bluffs and rock outcroppings. Visible disturbance and interruption of natural features shall be minimized to the extent feasible. <i>Retain 4-1 (6-16-11)</i></p>	<p>HCRLWG COMMENTS: It is difficult to assess the effects of this policy without the maps. How does this mesh with the renewable energy policies (for examples wind mills)?</p> <p>Members of the Ad Hoc Working Group SR-P1. Development in Mapped Scenic Areas. In mapped scenic areas, new discretionary and ministerial development shall minimize be consistent with and subordinate to natural contours, hilltops, tree lines, bluffs and rock outcroppings. Visible disturbance and interruption of natural features shall be minimized to the extent feasible.</p> <p>Comments: Required in Coastal Zone. Sites have not been mapped...will they be, realistically? Policy is too specific, as it will require clear mapping and standards. Difficult to discuss policy w/o clarity about process for mapping and determining what areas are considered scenic and what types of development is allowable.</p>	<p>Support the Planning Commission version.</p>

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Planning Commission Draft	Public Comments	Board of Supervisors Actions/Staff Recommendation
<p>Planning Commission Version</p> <p>SR-P2. Development in Mapped Heritage Landscapes. Protect the scenic quality of mapped heritage landscape areas with appropriate land use designations and design review standards to ensure that new development preserves or enhances the heritage landscape values of the site. <i>Retain 5-0 (6-16-11)</i></p>	<p>HCRLWG COMMENTS: It is difficult to assess the effects of this policy without the maps. How are heritage landscapes defined?</p> <p>Members of the Ad Hoc Working Group Still nervous about the mapping process</p>	<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-P3. Scenic Roadway Protection. Protect the scenic quality of designated scenic roadways for the enjoyment of natural and scenic resources, <u>coastal views</u>, landmarks, or points of historic and cultural interest. <i>Modify 5-0 (6-16-11)</i></p>	<p>HCRLWG COMMENTS: Who will designate these? What are the criteria? It is difficult to assess the effects of this policy without the maps.</p> <p>Members of the Ad Hoc Working Group SR-P3. Scenic Roadway Highway Protection. Protect the scenic quality of designated scenic roadways <u>Byways</u> for the enjoyment of natural and scenic resources, <u>coastal views</u>, landmarks, or points of historic and cultural interest. Why highway vs. local roadway: maintenance commitment; little motivation to designate local roadways and attract higher use/impacts; designation of highways is a defined state program that requires Caltrans action in coordination with local governments.</p>	<p>Support a modified Planning Commission version.</p> <p>SR-P3. Scenic Roadway Highway Protection. Protect the scenic quality of designated scenic roadways <u>Highways</u> for the enjoyment of natural and scenic resources, coastal views, landmarks, or points of historic and cultural interest.</p>
<p>Planning Commission Version</p> <p>SR-P4. Community Separators. Protect the scenic quality of "community separators" from degradation by maintaining adequate open space between communities and cities. <i>Retain 5-1 (6-23-11)</i></p>	<p>HCRLWG Recommendation: Delete Given the effectiveness of current Community Planning Areas we see no need to create these.</p> <p>Members of the Ad Hoc Working Group Option 1: Retain as written. agree that there is some redundancy, but need either this or the greenbelt policy in OS. Option 2: Delete. Difference between Greenbelts (OS) & Community Separators? Greenbelts aren't focused on maintaining scenic values. Seems redundant. Terms like "degradation" are subjective. In essence means an urban limit line.</p>	<p>Support the HCRLWG version (delete).</p> <p>Discussion: This policy is redundant with CO-P4:</p> <p>CO-P4. Greenbelts. Community Separation. Maintain separation of urbanized communities through appropriate land use designations and zoning density. Avoid merging urban development boundaries of adjacent communities.</p>
<p>Planning Commission Version</p> <p>SR-P5. Development within Community Separators. Retain a rural character and promote low intensities of development in community separators. Avoid annexation or inclusion in spheres of influence for sewer and water services. Provide opportunities for additional development in urban development areas in exchange for permanent open space preservation within community separators. <i>Modify 6-1 (6-23-11)</i></p>		<p>CO-P4X SP-P5 Development within Community Separators. Retain a rural character and promote low intensities of development in community separators, <u>consistent with the LAFCo process.</u> <u>Prohibit Avoid annexation or inclusion in spheres of influence for sewer and water services.</u> Provide opportunities for <u>additional development in urban development areas</u> <u>transfer of development rights</u> in exchange for permanent open space preservation within community separators.</p> <p>Straw Vote: 5-0, 10-20-2014</p>
<p>Planning Commission Version</p> <p>SR-P6. Limit the Term of Off-Premise Billboards and Prohibition. Limit the term of new <u>and existing</u> off-premise billboards <u>by ordinance with use agreements</u> to provide for removal. <u>Prohibit the construction of new off-premise billboards along mapped Scenic Roadways and coastal views.</u></p>		<p>SR-P6. Limit the Term of Off-Premise Billboards and Prohibition. Limit the term of new <u>and existing</u> off-premise billboards <u>by ordinance with use agreements</u> to provide for removal <u>consistent with the Outdoor Advertising Act.</u> <u>Prohibit the construction of new off-premise billboards along mapped Scenic Highways Roadways and coastal views.</u></p> <p>Straw Vote: 5-0, 10-6-2014</p>

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Planning Commission Draft	Public Comments	Board of Supervisors Actions/Staff Recommendation
<p>Planning Commission Version</p> <p>SR-P7. Billboards in Sensitive Habitat Areas. Prohibit construction of billboards mapped sensitive, habitat areas.</p>		<p>SR-P7. Billboards in Sensitive Habitat Areas. Prohibit construction of billboards in mapped sensitive, habitat areas.</p> <p>Straw Vote: 5-0, 10-6-2014</p>
<p>Planning Commission Version</p> <p>SR-P8. Removal or Relocation of Billboards on Public Lands and Right-of-Ways in the Northwestern Pacific Railroad Right-of-Way. Support efforts of <u>public agencies; such as</u> the North Coast Railroad Authority <u>and</u> the U.S. Fish and Wildlife Service to remove or relocate billboards from their right-of-way between Fields Landing and Arcata <u>on lands under their control.</u></p>		<p>Planning Commission version.</p> <p>Straw Vote: 4-1 (Bohn), 10-6-2014</p>
<p>Planning Commission Version</p> <p>SR-P9. Removal of Illegal Billboards. <u>Illegal billboards on property within County jurisdiction shall be removed through code enforcement. The County shall advocate for removal of illegal billboards in areas outside of County jurisdiction, including petitioning</u> Petition Caltrans' Outdoor Advertising Office to remove illegal billboards along highways.</p>		<p>Planning Commission version.</p> <p>Straw Vote: 5-0, 10-6-2014.</p>
<p>Planning Commission Version</p> <p>SR-S1. Development in Mapped Scenic Areas. <u>Discretionary and ministerial development shall avoid visual disturbance of natural contours, hilltops, tree lines, forest landscapes, bluffs and rock outcroppings, to the maximum extent feasible. Roads and public utility corridors shall be narrow as possible and follow natural contours. Natural features disturbed for construction purposes shall be restored to as close to natural condition as feasible. The construction of new off-premise billboards is prohibited.</u> <i>Modify 6-0 (6-23-11)</i></p>	<p>HCRLWG COMMENTS: The impact of the standard cannot be assessed without the map. In general we do not agree with additional regulation of ministerial development.</p>	<p>Support a modified Planning Commission version:</p> <p>“SR-S1. Development in Mapped Scenic Areas. <u>Discretionary and ministerial development shall avoid visual disturbance of natural contours, hilltops, tree lines, forest landscapes, bluffs and rock outcroppings, to the maximum extent feasible. Roads and public utility corridors shall be narrow as possible feasible and follow natural contours. Natural features disturbed for construction purposes shall be restored to as close to natural condition as feasible. The construction of new off-premise billboards is prohibited.”</u></p> <p>Discussion: Inserting the term “where feasible” provides more flexibility compared to the term “where possible”, which can help avoid claims of unfair taking of property. Project review based on the term “feasible” can include factors such as the cost of mitigation, which would not necessarily be considered when applying the term “where possible”.</p> <p>The other straw-voted chapters of the GPU most often rely on the term “feasible” rather than “possible”. For example the Board made a similar modification when reviewing Chapter 14 - Safety in 2013:</p> <p>“S-P26. Hazardous Waste. Eliminate the use of toxic materials within Humboldt County, where possible feasible, and require the reduction, recycling, and reuse of such materials, to the greatest extent possible, where complete elimination of their use is not feasible. Require new development which may generate significant quantities of hazardous wastes to provide</p>

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		<p>a plan for disposal which emphasizes on-site treatment, neutralization, and recycling." Straw Vote 5/0 5-20-2013</p>
<p>Planning Commission Version</p> <p>SR-S2. Development in Mapped Heritage Landscapes. Protect the scenic and historical qualities of mapped heritage landscapes as a resource of public importance. Discretionary and ministerial development shall be sited and designed to protect views, minimize the alteration of natural land forms, be visually compatible with the character of surrounding areas, and preserve significant historical features. Discretionary development should restore and enhance visual quality in visually degraded areas. <i>Retain (6-23-11)</i></p>	<p>HCRLWG COMMENTS: The impact of the Standard cannot be assessed without the map.</p>	<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-S3. Scenic Roadway Plan Standards. The following standards apply to mapped scenic roadways: Plan for scenic roadway protection includes the following standards:</p> <p>A. Visual Buffer Width. The width of the visual buffer along the road shall not exceed 200 feet from the edge of the traveled roadway.</p> <p>B. Permitted Uses. Permitted uses shall be allowed except the construction of new off-premise billboards is prohibited. <u>Permitted uses</u> that <u>are</u> within the visual buffer area measures may be required to protect scenic qualities of the site.</p> <p>C. Site Development. Buildings and landscaping within the visual buffer shall be designed and located on the site to create a harmonious visual relationship with surrounding development and the natural terrain and vegetation.</p> <ol style="list-style-type: none"> 1) Existing topography, vegetation, and scenic features of the site shall be retained to the maximum extent possible and incorporated into the proposed development. 2) Structures and signs shall be limited in height, bulk, and siting to be visually compatible with, and subordinate to, the character of surrounding areas. <p>D. Consideration of Views. Structures, signs, and plant materials within the visual buffer shall be constructed, installed, and planted to complement, enhance, and retain scenic views. Vegetative screening shall be used where needed to prevent</p>	<p>HCRLWG COMMENTS: The impact of the Standard cannot be assessed without the map. What are the criteria for "harmonious visual relationships"? Section F here would be covered by the grading ordinance.</p> <p>SR-S3. Scenic Roadway Plan Standards. ... A through G no recommended changes H. Location and Screening of Unsightly Features. Potentially unsightly features within the visual buffer area, such as parking lots etc., shall be located in areas not visible from the scenic highway <u>where feasible</u>. Where it is not possible to locate such features out of view, features shall be screened from view by planting and/or fences, walls, or berms. Screening shall utilize primarily natural materials rather than solid fencing, preferably vegetation, in conjunction with low-earth berms.</p> <p>I through J no recommended changes</p>	<p>Support a modified Planning Commission version (no recommended changes except to the first paragraph):</p> <p>SR-S3. Scenic Roadway <u>Highway</u> Plan Standards. The following standards apply to mapped Scenic roadways <u>Highways</u>: Plan for scenic roadway protection includes the following standards:...</p> <p>Discussion: <i>The above modifications make the standard consistent with the changes to Goal SR-Gx tentatively approved by the Board of Supervisors on 10-6-2014. The remainder of the standard uses the same language as the 1984 Framework Plan except in subparagraph (B) which prohibits billboards along scenic highways.</i></p>

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<p>significant intrusion or degradation of public views.</p> <p>E. Location and Screening of Unsightly Features. Potentially unsightly features within the visual buffer area, such as parking lots etc., shall be located in areas not visible from the scenic highway. Where it is not possible to locate such features out of view, features shall be screened from view by planting and/or fences, walls, or berms. Screening shall utilize primarily natural materials rather than solid fencing, preferably vegetation, in conjunction with low-earth berms.</p> <p>F. Site Grading. Grading or earth-moving operations within the visual buffer area shall be planned and executed in such a manner that final contours appear to be consistent with the existing terrain both on, and adjacent to, the site.</p> <p>4) Vegetative cover shall be provided within a reasonable time after grading is completed to prevent visible scars remaining on the land from such operations.</p> <p>5) Contours altered by grading shall be restored by means of land sculpturing and a cover of topsoil in such a manner as to minimize runoff and erosion and prevent ponding of water.</p> <p>6) Finished contours shall be planted with native vegetation, so as to require minimum care and to be visually compatible with the existing ground cover landscaping.</p> <p>G. Access Roads. The location and design of access roads within the visual buffer area shall not detract from the scenic quality of the road.</p> <p>H. Utilities. New, relocated, or existing utility distribution lines within the visual buffer area shall be placed underground whenever feasible. When it is not feasible to place lines underground, they shall be located so as to be inconspicuous from the scenic route wherever feasible. Combined or adjacent rights-of-way and common poles shall be used wherever feasible.</p> <p>I. Railroads and Public Facilities. Visual buffers shall exclude railroad rights-of-way and public facilities.</p> <p><i>Modify 6-0 (6-23-11)</i></p>		

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<p>Planning Commission Version</p> <p>SR-S4. Development in Mapped Community Separators. Unless there are existing design standards adopted for community separators, New structures development within mapped community separators shall:</p> <ul style="list-style-type: none"> A. Site and design structures to take maximum advantage of existing topography and vegetation in order to substantially screen structures from view along scenic corridors. B. Minimize cuts and fills on hills and ridges. C. Minimize the removal of trees and other mature vegetation. D. Install landscaping consisting of native vegetation in natural groupings that fits with the character of the area in order to screen structures from view where existing topography and vegetation would not screen structures from view from scenic corridors. E. Design structures to use building materials and color schemes that blend with the natural landscape. F. Cluster structures on each parcel within existing built areas and near existing natural features, to the maximum extent feasible. G. Locate building sites and roadways to preserve natural features, native vegetation and existing trees. <p><i>Modify 6-0 (6-23-11)</i></p>		<p>CO-S6SR-S4. Development in Mapped Community Separators. Unless there are existing design standards adopted for community separators, New structures development within mapped community separators shall:</p> <ul style="list-style-type: none"> A. Site and design structures to take maximum advantage of existing topography and vegetation in order to substantially screen structures from view along scenic corridors. B. Minimize cuts and fills on hills and ridges. C. Minimize the removal of trees and other mature vegetation. D. Install landscaping consisting of native vegetation in natural groupings that fits with the character of the area in order to screen structures from view where existing topography and vegetation would not screen structures from view from scenic corridors. E. Design structures to use building materials and color schemes that blend with the natural landscape. F. Cluster structures on each parcel within existing built areas and near existing natural features, to the maximum extent feasible. G. Locate building sites and roadways to preserve natural features, native vegetation and existing trees. <p>Straw Vote: 5-0 (10-20-2014)</p>
<p>Planning Commission Version</p> <p>SR-S5. Subdivisions in Community Separators. Subdivisions in community separators shall:</p> <ul style="list-style-type: none"> A. Ensure developments are subordinate to the viewscape, from the point of view of public roadways and trails. B. Reduce visual impact where consistent with the Land Use Element by clustering. C. Preserve natural features and native vegetation by locating building sites and roadways. D. Require dedication of permanent open space easement at the time of subdivision to the extent possible allowable by law. E. Be accompanied by a visual analysis that demonstrates that the development is not detrimental to or enhances the visual quality of the Community Separators as a whole. F. Adequate additional public services and infrastructure are available to serve the development. G. The development is compatible with surrounding properties especially those used for agricultural pursuits. <p>In addition to the mandatory criteria set forth above, special consideration will be given to projects that incorporate one or more of the following:</p> <ul style="list-style-type: none"> 1) Aggregation of parcels within the Community Separator to achieve a project design that enhances the separators as a whole. 	<p>HCRLWG Recommendation: Delete Given the effectiveness of current Community Planning Areas we see no need to create these.</p>	<p>CO-S7 SR-S5. Subdivisions in Community Separators. Subdivisions in community separators shall:</p> <ul style="list-style-type: none"> A. Ensure developments are subordinate to or consistent with the viewscape, from the point of view of public roadways and public trails. B. Reduce visual impact where consistent with the Land Use Element by clustering. C. Preserve natural features and native vegetation by locating building sites and roadways. D. Where appropriate, Require encourage the dedication of permanent open space easement at the time of subdivision to the extent possible allowable by law. E. Be accompanied by a visual analysis that demonstrates that the development is not detrimental to or enhances the visual quality of the Community Separators as a whole. F. Adequate additional public services and infrastructure are available to serve the development. G. The development is compatible with surrounding properties especially those used for agricultural pursuits. H. In addition to the mandatory criteria set forth above, special consideration will be given to projects that incorporate one or more of the following: <ul style="list-style-type: none"> 4) Aggregation of parcels within the Community Separator to achieve a project design that enhances the separators as a whole. 5) Creative financing mechanisms to maintain and preserve open space or parkland that may be dedicated in fee as part

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<p>2) <u>Creative financing mechanisms to maintain and preserve open space or parkland that may be dedicated in fee as part of the proposed development.</u></p> <p>3) <u>Project design features that provide for pedestrian or bicycle links between the communities on either side of the Community Separator and to any parkland that may be dedicated in fee as part of the proposed development.</u></p> <p><i>Modify 6-0 (6-23-11)</i></p>		<p>of the proposed development.</p> <p>6) Project design features that provide for pedestrian or bicycle links between the communities on either side of the Community Separator and to any parkland that may be dedicated in fee as part of the proposed development.</p> <p>Straw Vote: 4-1 (Lovelace) 10-20-2014</p>
<p>Planning Commission Version</p> <p>SR-S6. New Off-Premise Billboards. New off-premise billboards shall be restricted to a maximum term of <u>10 5</u> years and limited to areas designated as Commercial Services or Industrial General. <u>Off-premise billboards shall not include animation or electronic messaging unless for public service purposes and be restricted to a size of 300 square feet.</u></p>		<p>SR-S6. New Off-Premise Billboards. New off-premise billboards shall be restricted to a maximum term of <u>15 10 5</u> years and limited to areas designated as Commercial Services or Industrial General. <u>Off-premise billboards shall not include animation or electronic messaging unless for public service purposes and be restricted to a size of 300 square feet.</u></p> <p>Straw Vote: 4-1 (Lovelace), 10-6-2014</p>
<p>Planning Commission Version</p> <p>SR-SX. Light and Glare. New outdoor lighting shall be compatible with the existing setting. Exterior lighting fixtures and street standards (both for residential and commercial areas) shall be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.</p> <p><i>Retain (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>
<p>Planning Commission Version</p> <p>SR-SXX. Permits for Billboards. Require Conditional Use Permits and conformance to building, zoning and other local codes for construction of new billboards as well as expansion, repair, or re-construction of existing billboards.</p>		<p>SR-SXX. Permits for Billboards. Require Conditional Use Permits and conformance to building, zoning and other local codes for construction of new billboards as well as expansion <u>of existing billboards.</u> (but not including Customary maintenance under the Outdoor Advertising Act, repair, or reconstruction) of existing billboards shall not require Conditional Use Permits.</p> <p>Straw Vote: 4-1 (Lovelace), 10-6-2014 and 10-20-2014</p>

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Planning Commission Draft	Public Comments	Board of Supervisors Actions/Staff Recommendation
<p>Planning Commission Version</p> <p>SR-IM1. Mapping of Scenic Areas, Heritage Landscapes and Scenic Roadways. Initiate a public process to identify, map, and designate Scenic Areas, Heritage Landscapes and Scenic Roadways, including specific ordinance standards for scenic protections and design review <i>Retain (6-23-11)</i></p>	<p>HCRLWG Recommendation: Delete The designation of these areas could negatively impact the owners' ability to manage and make necessary improvements on the resource lands.</p> <p>Members of the Ad Hoc Working Group (break them apart): SR-IM1. Mapping of Create Scenic Areas Mapping Program, & Heritage Landscapes and Scenic Roadways. Initiate a public process to identify, map, and designate Scenic Areas, Heritage Landscapes and Scenic Roadways, including specific ordinance standards for scenic protections and design review</p> <p>SR-IMXX. Create Heritage Landscapes. Initiate a public process to identify, map, and designate Heritage Landscapes, including specific ordinance standards for scenic protections and design review.</p> <p>New IM: SR-IMXXX. Scenic Highway Designation. Work with Caltrans to get eligible highways designated as scenic highway.</p> <p>Heritage landscapes process will be more straightforward than Scenic Resources. Also, Scenic Byway process involves Caltrans and separate state process. Warrants separate IMs related to separate policies.</p>	<p>Support a modified Planning Commission version:</p> <p>SR-IM1. Mapping of Scenic Areas, Heritage Landscapes and Scenic Roadways Highways. Initiate a public process to identify, map, and designate Scenic Areas, Heritage Landscapes and Scenic Roadways Highways, including specific ordinance standards for scenic protections and design review</p> <p>Discussion: The above modifications make the standard consistent with the changes to Goal SR-Gx tentatively approved by the Board of Supervisors on 10-6-2014.</p>
<p>Planning Commission Version</p> <p>SR-IM2. Community Separators. Identify, map, and designate an overlay zone for community separators with specific standard for open space protections and design review. <i>Retain 5-1 (6-23-11)</i></p>		<p>Now CO-IM6 SR-IM2. Community Separators. Identify, map, and designate an overlay zone for community separators with specific standards for open space protections and consistency with the design standards in CO-S6 and design review.</p> <p>Straw Vote: 5-0, 10-20-2014.</p>
<p>Planning Commission Version</p> <p>SR-IM3. Scenic Road Protection Program. Community Development Services and Department of Public Works staff shall develop a program for coordinated protection of mapped scenic roads in concert with the involved public and private agencies. <i>Retain (6-23-11)</i></p>	<p>HCRLWG Recommendation: Delete The impact of the Standard cannot be assessed without the map.</p>	<p>Support the HCRLWG version.</p> <p>Discussion: This implementation measure would be redundant with the revised SR-IM1, which directs staff to "Initiate a public process to identify, map, and designate ... Scenic Roadways Highways".</p>
<p>Planning Commission Version</p> <p>SR-IM4. Sign Ordinance Revision. Amend the sign ordinance to implement adopted policies for off-premise billboards and to consider other revisions to ensure community compatibility.</p>		<p>Planning Commission version.</p> <p>Straw Vote: 5-0, 10-6-2014.</p>
<p>Planning Commission Version</p> <p>SR-IM5. Removal of Illegal Billboards. Identify billboards that may have been placed without permits or have expired permits—and with the help of Caltrans' Outdoor Advertising Office—pursue removal of billboards found to be illegally placed as defined by the California Outdoor Advertising Act.</p>		<p>Planning Commission version.</p> <p>Straw Vote: 5-0, 10-6-2014.</p>

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<p>Planning Commission Version</p> <p>SR-IM6. Wayfarers Signage. Establish a local scenic byways network designed to direct travelers to areas of scenic, cultural, and historic interest. <i>Retain (6-23-11)</i></p>		<p>Support the Planning Commission version.</p>
<p>Draft Environmental Impact Report (DEIR): (SCH# 2007012089) Mitigation 3.15.3.1.a</p> <p>“Until a public process is initiated to identify, map, and designate Scenic Areas, Heritage Landscapes and Scenic Roadways, including specific ordinance standards for scenic protections and design review, as provided for in SR-IM1 (and CU-IM1), the County shall address potential for significant impacts to scenic resources during ministerial and discretionary permit review.”</p>		<p>Modify the DEIR version.</p> <p>Discussion: This mitigation measure is necessary to avoid permitting development that causes significant adverse impacts to scenic resources during the time period between the adoption of scenic resource protection policies and adoption of the maps implementing the policies. The mitigation requires at a minimum that interim scenic resource protection measures be applied to projects in areas that would arguably be protected in the future.</p> <p>However, as written, this mitigation is too vague to achieve the desired results, and should be modified at the time the EIR is recirculated to clarify the interim performance measures, and to better identify the areas where those measures will be applied.</p>
<p>Draft Environmental Impact Report (DEIR) Mitigation 3.15.3.1.a</p> <p>SR-PX. Scenic Roadway Map. Until such time as a the General Plan Scenic Roadway Map is prepared and adopted, Humboldt County roadways listed in Sections 263.1 through 263.8 of the California Streets and Highways Code shall be considered to be Scenic Roadways pursuant to Policy SR-P3. Scenic Roadway Protection.</p>		<p>Support the DEIR version.</p>
<p>Draft Environmental Impact Report (DEIR) Mitigation 3.15.3.2.a</p> <p>SR-IMX. Community Separator Protection Program. The County shall implement a program that allows the protection and maintenance of distinct separators between developed areas by protecting continued viability of working resource lands within these community separators.</p>		<p>Support the DEIR version.</p>

Conservation & Open Space, 10.7 Scenic Resources – Planning Commission Recommendations, Public Comments, and Board of Supervisors Actions/Staff Recommendations

Planning Commission Draft	Public Comments	Board of Supervisors Actions/Staff Recommendation
<p>Draft Environmental Impact Report (DEIR) Mitigation 3.15.3.3.a</p> <p>SR-IMX Lighting Design Guidelines. Amend the Zoning Regulations to include lighting design guidelines. Require new development and projects that would make significant parking lot improvements or add new exterior lighting to submit a lighting plan consistent with these guidelines. Lighting design guidelines should address:</p> <ul style="list-style-type: none"> • Intensity – Acceptable standards shall be defined for various land uses and development types specifying the maximum allowable total lumens per acre; • Directional Control – Standards shall be developed to minimize the upward transmission and intensity of light at various distances from its source through the use of full-cutoff lighting, downward casting, shielding, visors etc; • Signage – Standards with respect to illuminated signs shall be developed that prohibit or limit the size, spacing, design, upward transmission of light, and hours of operation. In addition signs should be white or light colored lettering on dark backgrounds; • Night Lighting – Hours of operation for various uses shall be specified in order to prohibit all night lighting except when warranted for public safety reasons. On demand lighting shall be encouraged; • Incentives – The County shall develop incentives for residents and businesses encouraging the conversion of existing lighting sources to compliant ones; and • Enforcement – These standards shall be incorporated into the County Development Code and design review process for new development. 		<p>Support the DEIR version.</p>

Attachment 4

Updated Draft Schedule for Completion of the Remaining GPU Tasks

2014 DRAFT CALENDAR

January	February	March	April	May	June	July	August	September	October	November	December
Board of Supervisors Hearing Process											
<p>BOS Hearing (1-13-14) Items to Refer Back to Planning Commission Map Noticing WorkPlan Chapters 2 & 3 Public Guide and Governance</p>	<p>BOS Hearing (2-10-14) CANCELLED</p>	<p>BOS Hearing (3-10-14) 1:30-6:00 Report from Planning Commission Chapter 4: Land Use Designation: Tribal Open Amended Schedule</p>	<p>BOS Hearing (4-7-14) 1:30 - 6:00 CANCELLED</p>	<p>BOS Hearing (5-5-14) 1:30-6:00 HOUSING ELEMENT</p>	<p>BOS Hearing (6-2-14) 1:30 - 6:00 Open Space & Conservation Chapter 10.3 Biological Resources</p>	<p>BOS Hearing (7-14-14) 1:30-6:00 Open Space & Conservation Chapter 10.3 Biological</p>	<p>BOS Hearing (8-18-14) 1:30-6:00 TENTATIVE Open Space & Conservation Chapter 10.3 Biological Resources</p>	<p>BOS Hearing (9-8-14) 1:30-6:00 Open Space & Conservation: Chapter 10.3 Biological Resources & Chapter 10.4 Mineral Resources & Chapter 10.5 Waste Management</p>	<p>BOS Hearing (10-6-14) 1:30-6:00 Open Space & Conservation: Introduction & Chapter 10.5 Waste Management & Chapter 10.7 Scenic Resources</p>	<p>BOS Hearing (11-3-14) 1:30 - 6:00 TENTATIVE Open Space & Conservation 10.6 Cultural Resources & 10.7 Scenic Resources</p>	<p>BOS Hearing (12-15-14) 1:30 - 6:00 TENTATIVE Chapter 11 Water Resources & Land Use Map Scheduling & Noticing</p>
<p>BOS Hearing (1-27-14) CANCELLED</p>	<p>BOS Hearing (2-24-14) CANCELLED</p>	<p>BOS Hearing (3-24-14) 1:30-6:00 Chapters 2 & 3 Public Guide & Governance</p>	<p>BOS Hearing (4-21-14) 1:30 - 6:00 HOUSING ELEMENT</p>	<p>BOS Hearing (5-19-14) 1:30 - 6:00 Open Space & Conservation Chapter 10.2 Open Space</p>				<p>BOS Hearing (9-22-14) 1:30-6:00 Open Space & Conservation: Chapter 10.4 Mineral Resources & Chapter 10.5 Waste Management & Chapter 10.7 Scenic Resources</p>	<p>BOS Hearing (10-20-14) 1:30-6:00 Open Space & Conservation 10.2 Open Space (Community Separators) & 10.7 Scenic Resources</p>		

Review of the 2012 Planning Commission Approved Draft Plan by the Humboldt County Board of Supervisors

Cancelled

BOS deliberation

Future Proposed Meeting

GPU PART 1 – SETTING

- Chapter 1. Introduction **finished review**
- Chapter 2. Public Guide **finished review**
- Chapter 3. Governance Policy **finished review**
- GPU PART 2 – BUILDING COMMUNITIES**
- Chapter 4. Land Use Element **finished review**
- Chapter 5. Community Infrastructure and Services **finished review**
- Chapter 6. Telecommunications **finished review**
- Chapter 7. Circulation Element **finished review**
- Chapter 8. Housing Element Summary - **finished review**
- Chapter 9. Economic Development Element - **finished review**

GPU PART 3 – RESOURCE MANAGEMENT

- Chapter 10. Conservation and Open Space Elements **partial review**
- Chapter 11. Water Resources Element
- Chapter 12. Energy Element **finished review**

GPU PART 4 – PUBLIC HEALTH AND SAFETY

- Chapter 13. Noise Element **finished review**
- Chapter 14. Safety Element **finished review**
- Chapter 15. Air Quality Element **finished review**

GPU PART 5 - MAPS

2015 DRAFT

January	February	March	April	May	June	July	August	September	October	November	December
Board of Supervisors Hearing Process											
BOS Hearing 1-12-15 1:30-6:00 TENTATIVE Chapter 11 Water Resources	BOS Hearing 2-9-15 1:30-6:00 TENTATIVE Appendix F: Other Maps: Biological, Safety, and Circulations	BOS Hearing 3-9-15 11:00-7:00 TENTATIVE Maps: Central Humboldt	BOS Hearing 4-13-15 11:00 - 7:00 TENTATIVE Maps: Southern Humboldt			BOS Hearing TBD 11:00 -7:00 TENTATIVE Maps: North & Eastern Humboldt Any time: May, June, July			BOS Hearing 10-5-15 1:30-6:00 TENTATIVE Environmental Impact Report	BOS Hearing 11--15 1:30-6:00 TENTATIVE Environmental Impact Report	BOS Hearing 12-14-15 1:30-6:00 TENTATIVE FINAL VOTE
	BOS Hearing 2-23-15 1:30-6:00 TENTATIVE Appendix B Glossary & Appendix C Community Plans & Appendix E Coastal Plans	BOS Hearing 3-23-15 1:30-6:00 TENTATIVE TBD	BOS Hearing 4-27-15 1:30-6:00 TENTATIVE Punch List Items			BOS Hearing 7-27-15 1:30-6:00 TENTATIVE Consistency Review & Determination of Substantial Changes			BOS Hearing 10-19-15 1:30-6:00 TENTATIVE Environmental Impact Report		

Review of the 2012 Planning Commission Approved Draft Plan by the Humboldt County Board of Supervisors

Cancelled

BOS deliberation

Future Proposed Meeting

GPU PART 1 – SETTING

- Chapter 1. Introduction **finished review**
- Chapter 2. Public Guide **finished review**
- Chapter 3. Governance Policy **finished review**
- GPU PART 2 – BUILDING COMMUNITIES**
- Chapter 4. Land Use Element **almost complete review**
- Chapter 5. Community Infrastructure and Services **finished review**
- Chapter 6. Telecommunications **finished review**
- Chapter 7. Circulation Element **finished review**
- Chapter 8. Housing Element Summary **finished review**
- Chapter 9. Economic Development Element - **finished review**

GPU PART 3 – RESOURCE MANAGEMENT

- Chapter 10. Conservation and Open Space Elements **-UNDER REVIEW**
- Chapter 11. Water Resources Element
- Chapter 12. Energy Element **finished review**

GPU PART 4 – PUBLIC HEALTH AND SAFETY

- Chapter 13. Noise Element **finished review**
- Chapter 14. Safety Element **finished review**
- Chapter 15. Air Quality Element **finished review**

GPU PART 5 - MAPS