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Staff:	Jim Baskin
Staff Report:	March 1, 2007
Meeting of:	March 16, 2007

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Robert S. Merrill, North Coast District Manager
Jim Baskin, Coastal Planner

SUBJECT: **REVISED FINDINGS FOR DEL NORTE COUNTY LCP AMENDMENT No. DNC-MAJ-2-06 (Hogberg)** (LCP Amendment denied by the California Coastal Commission on November 15, 2006; revised findings for consideration at the California Coastal Commission meeting of March 16, 2007)

STAFF NOTES:

1. Commissioners Eligible To Vote on the Revised Findings.

By unanimous roll call vote in each case, the Commission adopted a series of two resolutions to deny the LCP amendment request as submitted. The prevailing Commissioners on each vote that are eligible to vote on the revised findings include the following:

Commissioners, Burke, Potter, Reilly, Schallenberger, Wan, and Chairman Kruer.

The motions for adoption of the Revised Findings are found below on Page 3.

2. Commission Review of LCP Amendment and Revised Findings.

At the Commission meeting of November 15, 2006, the Commission denied certification of Del Norte County LCP Amendment No. DNC-MAJ-2-06 (Hogberg). As the Commission's action differed from the written staff recommendation, staff has prepared the following set of revised findings for the Commission's consideration as the needed findings to support its actions.

The Commission will hold a public hearing and vote on the revised findings at its March 16, 2007 meeting. The Commission will vote only on whether the attached Revised Findings

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supports its action on the LCP Amendment at the meeting of November 15, 2007, and not on the merits of the amendment or whether the action to deny the amendment should be changed. Public testimony will be limited accordingly.

3. Additional Information.

For additional information about the certified LCP Amendment, please contact Jim Baskin at the North Coast District Office at the above address, (707)445-7833. Please mail correspondence to the Commission at the same address.

4. Analysis Criteria.

In denying the Land Use Plan portion of the amendment to the Del Norte County Local Coastal Program, the Commission found that the LUP as amended would be inconsistent with the policies of Chapter 3 of the Coastal Act. In denying the requested amendment to the Implementation Program portion of the LCP, the Commission found that the Implementation Program, as amended, would not conform with and would be inadequate to carry out the certified Land Use Plan.

5. Highlighted Revisions to Findings.

Changes to the findings for contained in the original staff recommendation for denial of the LCP amendment as submitted and certification with suggested modifications appear in highlighted text format. Deleted language is shown in ~~strike through~~; new text appears as **bold double-underlined**. Staff recommend that the Commission adopt the necessary findings to support the Commission's action to deny the LCP amendment as submitted.

REVISED FINDINGS

SYNOPSIS:

1. Amendment Description:

Del Norte County requested certification of LCP Amendment No. DNC-MAJ-2-06 (Hogberg) to the County's certified Land Use Plan (LUP) and Implementation Plan (IP) to re-designate the land use and zoning designations of an approximately 10-acre area comprised of seven 1- to 3-acre parcels currently planned and zoned Rural Residential – One Dwelling Unit per Two Acres (RR 1/2) to Rural Residential – One Dwelling Unit per One Acre (RR 1/1) and from Medium Density Rural Residential-Agriculture – One Unit Per Two Acres Density with Manufactured Housing Combining Zone (RRA-2-MFH) to High Density Rural Residential-Agriculture – One Unit Per Acre Density with Manufactured Housing Combining Zone (RRA-1-MFH), respectively.

2. Summary of Commission Action.

The Commission denied the LCP amendment as submitted to the Commission and found that the requested changes to the Land Use Plan as submitted were inconsistent with the policies of Chapter 3 of the Coastal Act and that the Implementation Program , as amended would not conform with and would be inadequate to carry out the certified Land Use Plan.

PART ONE: RESOLUTION TO ADOPT REVISED FINDINGS

I. MOTION, STAFF RECOMMENDATION, AND RESOLUTION

Staff recommends that the Commission adopt the following findings in support of its action on November 15, 2006 to deny Del Norte County LCP Amendment No. DNC-MAJ-2-06 (Hogberg).

MOTION: I move that the Commission adopt the revised findings in support of the Commission's action on November 15, 2006 concerning Del Norte County LCP Amendment No. DNC-MAJ-2-06 (Hogberg).

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote on the motion. Passage of this motion will result in the adoption of revised findings as set forth in this staff report. The motion requires a majority vote of the members from the prevailing side present at the November 15, 2006 hearing, with at least three of the prevailing members voting. Only those Commissioners on the prevailing side of the Commission's action are eligible to vote on the revised findings.

RESOLUTION TO ADOPT REVISED FINDINGS:

The Commission hereby approves the findings set forth below for Del Norte County LCP Amendment No. DNC-MAJ-2-06 (Hogberg) on the ground that the findings support the Commission's decision made on November 15, 2006 and accurately reflect the reasons for it.

PART TWO: ADOPTED RESOLUTIONS TO DENY CERTIFICATION AS SUBMITTED

On November 15, 2006, the Commission adopted the following resolutions to deny certification of County of Del Norte LCP Amendment No. DNC-MAJ-2-06 (Hogberg) as submitted:

I. RESOLUTIONS

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A. DENIAL OF LUP AMENDMENT NO. DNC-MAJ-2-06 (HOGBERG), AS SUBMITTED:

RESOLUTION I:

The Commission hereby denies certification of the Land Use Plan Amendment No. DNC-MAJ-2-06 as submitted by the County of Del Norte and adopts the findings set forth below on the grounds that the land use plan as amended does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Land Use Plan Amendment.

B. DENIAL OF IMPLEMENTATION PROGRAM AMENDMENT AMENDMENT NO. DNC-MAJ-2-06 (HOGBERG), AS SUBMITTED:

RESOLUTION II:

The Commission hereby denies certification of the Implementation Program submitted for the County of Del Norte and adopts the findings set forth below on grounds that the Implementation Program Amendment as submitted does not conform with and is inadequate to carry out the provisions of the Land Use Plan as amended. Certification of the Implementation Program Amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted.

PART THREE: INTRODUCTION

I. BACKGROUND

The County of Del Norte's LCP amendment is proposed at the behest of Stan Hogberg, owner of a two-acre parcel (APN 112-171-06) located along the eastern side of Dundas Road, approximately one mile northeast of the City of Crescent City in unincorporated Del Norte County (see Exhibit Nos. 1 and 2). The amendment is proposed to facilitate further subdivision of the Hogberg parcel and the adjoining three-acre Smith parcel (APN 112-171-05) that would not be possible under the current land use plan and zoning designations. Secondly, the amendment would change the land use and zoning designations on the surrounding other five parcels to match that of their current nonconforming one-acre size.

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II. AMENDMENT DESCRIPTION

The County has applied to the Commission for certification of an amendment to map designations within both the Land Use Plan (LUP) and Implementation Program (IP) portions of its certified Local Coastal Program (LCP). The amendment to the LUP involves a change in the permissible maximum density in the project site's Rural Residential land use designation from one dwelling per two acres (RR 1/2) to one dwelling per acre (RR 1/1). The proposed IP amendment would revise the zoning designation of the subject ten-acre area from Medium Density Rural Residential-Agriculture – One Unit Per Two Acres Density with Manufactured Housing Combining Zone (RRA-2-MFH) to High Density Rural Residential-Agriculture – One Unit Per Two Acres Density with Manufactured Housing Combining Zone (RRA-1-MFH).

The specific zoning map revisions to the County's coastal zoning ordinance proposed for amendment are attached as Exhibit No. 9. The existing zoning map is also included in Exhibit No. 5.

III. SUBJECT PROPERTY

The subject site proposed for the LCP amendment consists of a rectilinear 10-acre area comprised of seven parcels ranging from one to three acres in size, situated south of the intersection of Dundas Road with Elk View Road, approximately 1½ mile northeast of the City of Crescent City (see Exhibit Nos. 1-3). The existing seven parcels were legally created by aliquot grant deed conveyances and/or record of survey recordation conducted prior to both the Coastal Act and the Subdivision Map Act.

The property is situated on the eastern side of the Crescent City Coastal Plan on a low divide between the Elk Creek and Jordan Creek drainages, at an elevation of approximately 25 to 35 feet above mean sea level and has flat to slightly sloped topography. Single-family residences have been developed on each of the parcels with the exception of the two-acre Hogberg lot. Vegetation cover on the portions of the properties not cleared for residential uses is comprised of remnants of second-growth coast redwood forest with a variably thick understory composed of red alder (Alnus rubra), evergreen huckleberry (Vaccinium ovatum), salal (Gaultheria shallon), swordfern (Polystichum munitum) and thimbleberry (Rubus parviflorus). A biological assessment prepared for the related Hogberg subdivision proposal found no special status fish or wildlife species utilizing the properties for habitat and no wetlands within 200 yards of the site (see Exhibit No. 14).

The subject site lies within the LCP's "Crescent City" sub-region and is subject to the specific area policies for "Planning Area No. 4, Crescent City Surrounding Area." The subject property is designated in the Land Use Plan as Rural Residential – One Dwelling Unit per Two Acres (RR 1/2), as certified by the Commission on December 14, 1981 (see Exhibit No. 5). The property is zoned Medium Density Rural Residential Agriculture with Manufactured Housing Combining Zone (RRA-2-MFH), certified by the Commission on October 12, 1983 (see Exhibit No. 5). Adjoining properties to the north and south are similarly zoned RRA-2, with the parcels to the

west across Dundas Road having an RRA-1 designation. A roughly 40-acre private woodlot parcel situated to the east of the project area across Tsunami Lane is zoned Coastal Timber (CT).

The subject property is not within any viewpoint, view corridor, or highly scenic area as designated in the Visual Resources Inventory of the LCP's Land Use Plan. Due to the property's inland location, low relief, and densely vegetated setting, public views to and along the ocean across the property are non-existent.

PART FOUR: AMENDMENTS TO THE LAND USE PLAN

I. ANALYSIS CRITERIA

To approve the amendments to the Land Use Plan (LUP), the Commission must find the LUP, as amended, will remain consistent with the policies of Chapter 3 of the Coastal Act.

II. FINDINGS FOR DENIAL OF LUP AMENDMENT NO. DNC-MAJ-2-06 AS SUBMITTED AND CERTIFICATION IF MODIFIED

The Commission finds and declares as following for LUP Amendment No. DNC-MAJ-2-06: As submitted, the proposed LUP amendment would not be fully consistent with the policies of the Coastal Act.

A. Consistency with Coastal Act Policies for the Protection of Timberlands and Environmentally Sensitive Habitat Areas.

1. Relevant Coastal Act Policies

Section 30243 states, in applicable part:

The long-term productivity of soils and timberlands shall be protected...

Section 30240(b) states:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

2. Consistency Analysis.

The proposed LUP amendment would result in a doubling in the allowable maximum residential density on the 10-acre project. Under the current one-dwelling per-two-acres land use

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designation, one additional residence could be developed on the currently vacant Hogberg two-acre parcel (APN 112-171-06). With the land use designation changed to one-dwelling-per-acre density, the five-acre combined area of the Hogberg and Smith parcels could be subdivided to create three additional one-acre parcels, to accommodate an ultimate development of a total of four additional houses.

The lands proposed for amendment to their land use plan designation are located adjacent to an approximately 40-acre private woodlot parcel to the east across narrow, unpaved Tsunami Lane. This woodlot parcel is covered by second-growth coast redwood forest whose timber stand is in a mid-seral growth stage, having been harvested approximately 30 years ago. The long axis of the forested parcel is oriented in a north to south direction, extending easterly in a roughly 660-foot-wide lateral band between the Tsunami Lane roadway and Resource Conservation Area (RCA) designated lands further to the east, corresponding to the riparian corridor bracketing the North Fork of Elk Creek (see Exhibit Nos. 3 and 4).

Given the composition and age-class of the wooded parcel, and the functional habitat linkages between the forested property and the riparian and wetland areas further to the east, the adjoining woodlot property comprises future productive timberland, serves as a buffer between riparian wetlands and rural residential development, and affords early- to mid-successional habitat to a variety of North Coast Coniferous Forest flora and fauna.

Unless adequately-wide spatial buffers are provided, conflicts can result from side-by-side residential and natural resource land uses. Such conflicts include potentially significant adverse effects both to and from each of the land use areas, including: (1) increased erosion and water quality impacts from stormwater runoff onto timberlands from development of impervious surfaces in adjoining residential areas; (2) decreased utilization of forest lands as wildlife habitat due to increased human activity in the surrounding residential area; and (3) increased nuisance claims from area residents due to noise, smoke, the use of herbicides, and road damages and traffic hazards related to the movement and operation of mechanized heavy equipment associated with timber harvesting and silvicultural practices on the adjoining woodlot property.

Timber harvesting is primarily regulated by the California Department of Forestry and Fire Protection (CDF). With respect to the imposition of timber harvesting setbacks as set forth in the Z'berg-Nejedly Forest Practices Act and related administrative regulations (14 CCR 895 *et seq.*), CDF has enumerated buffer standards for certain situations, including areas delineated as Special Treatment Areas pursuant to Coastal Act Section 30714(b). Specifically, buffer widths of between 200 and 350 feet are required between the harvesting area and designated Coastal Scenic View Corridors, publicly owned preserves and recreation areas, and designated state highways. In other areas, logging roads, tractor roads, and skid trails and landings are required to be screened from direct view to the extent feasible by leaving trees and vegetation between the disturbed area and public areas where the disturbance would be visible to a substantial numbers of viewers (14 CCR § 921.8(b)). CDF bases these buffer requirements on a case-by-case basis as determined by factual information (e.g., the size of the harvest, harvesting methodology to be used, the proximity and density of residential development, etc.), as contained within the timber harvest plan for a particular timber cutting proposal. In addition, for timber harvesting operations

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not involving CDP approval of a Timber Harvest Plan (THP), such as a three-acre THP exemption or timberland conversion, the County may impose setbacks between the harvest operations site and adjacent roads and properties as part of its coastal grading/development permit approval process. Case law has upheld these local governments efforts to regulate the location of timber harvesting operations relative to adjoining residential areas through setbacks, the most notable being San Mateo County's 1,000-foot setback (see *Big Creek Lumber Co. v. County of San Mateo* (1995) 31 Cal.App.4th 418, 428). Several other coastal counties have also established similar setback provisions, such as Mendocino County's 200-foot-wide buffer requirement between residential building sites and lands designed for forestry uses (see County of Mendocino Coastal Element Policy 3.3-8).

Del Norte County does not have specific prescriptive standards for setbacks between timber harvesting and silvicultural operations and adjacent development. Similar to CDF, in its actions on a particular timber harvesting proposal, the County may apply setback conditions to the permit based on site-specific considerations. To date, the County has yet to process a specific coastal grading permit for a three-acres-or-less timber removal operation on a development site that would be exempt from exclusive regulation by the CDF under the Timber Practices Act. However, in discussions with County staff, it is theoretically possible that such an operation might be approved by the County in a manner that would allow for harvesting of timber right up to the parcel boundary.¹ Programmatically, however, the County strives to minimize conflicts between incompatible resource extraction and residential uses through a transitional density provisions within its LCP. Forestry Lands Policy 9 of the *Land Resources* Chapter of the Land Use Plan states:

Commercial timberlands uses and adjacent uses shall be placed so that, in general, lower intensity uses are adjacent to their commercial timberlands with higher intensity uses placed in a logical transition away from these timberlands. Lower intensity uses shall include other resource activities as set forth in the Land Resources - Agriculture section and Marine and Water Resources chapter of this document. [Emphasis added.]

In implementing this policy, the County has established the rural residential zoning districts bordering commercial timberlands in the Elk Valley planning sub-region to transition from lower to higher allowable residential density at increasing distance from the resource lands. For the Dundas Road project area, this pattern takes the form of an RRA-2 zoning district applied to the properties adjoining the CT-zoned areas within the inner Elk Creek drainage, transitioning to RRA-1 zoning district to the west and north toward more urbanized Parkway Drive commercial strip (see Exhibit No. 6). The proposed LUP amendment would alter this pattern, by reclassifying the land use designation on the 10-acre project area from a two-acre-per dwelling to a one acre per dwelling density, establishing a high density rural residential area directly adjacent to commercially viable coastal timberlands. The effect of the amendment would be to shift the burden of providing a buffer between residential and timber production uses onto the adjacent timberlands. As future residential uses could be located at a higher density in close proximity to

¹ Heidi Kunstal, County of Del Norte Community Development Department, pers. comm.

the timberlands, future timber production operations on the adjoining timberlands would likely be required as part of a timber harvest plan approval to maintain a bigger buffer on the timberland property thereby affecting timber production. Additionally, the proposed change in the land use designation would compromise the existing pattern and practice of establishing a gradient in permissible development density between the more urbanized areas to the west toward Crescent City and the environmentally sensitive resources to the east within the inner Elk Creek drainage.

Thus, based upon the information submitted with the amendment request, there is no factual basis to conclude that the proposed amendment would adequately protect the timberlands adjoining on the project site and the environmentally sensitive habitat areas further to the east against any significant disruption of the forested area's productivity and habitat values as required by Coastal Act Sections 30240(b) and 30243 as generally carried out through Policy 9 of the LUP's Land Resources chapter. Therefore, the Commission finds that the LUP amendment as submitted would not be consistent with Sections 30240(b) and 30243 of the Coastal Act and must be denied.

3. ~~Amendment Approvable if Modified.~~

~~As discussed above, for the proposed amended land use designation to be found consistent with the Chapter 3 policies, particularly Section 30254, the Commission finds it necessary to suggest a modification to the LUP amendment. **Suggested Modification No. 1** would entail the appending of a new specific area recommendation to the LUP's Land Use Chapter specifically calling for the application of a "B" Combining Zone imposing a special 200-foot wide front yard setback requirement to the three lot, five-acre portion of the project area adjoining the Timberlands designated lands to the east (APNs 112 171 04, 05, and 14). With this new policy included within the LUP, the protection of timberlands as directed by Coastal Act Section 30254 would be assured and the LUP, as amended, could be found consistent with the Coastal Act.~~

PART FIVE: AMENDMENTS TO IMPLEMENTATION PLAN

I. ANALYSIS CRITERIA

Section 30513 of the Coastal Act establishes the criteria for Commission action on proposed amendments to certified Implementation Programs (IP). Section 50513 states, in applicable part:

...The commission may only reject zoning ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection specifying the provisions of land use plan with which the rejected zoning ordinances do not

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conform or which it finds will not be adequately carried out together with its reasons for the action taken.

To approve the amendment, the Commission must find that the amended Implementation Plan will conform with and adequately carry out the provisions of the LUP as certified. For the reasons discussed in the findings below, the proposed amendment to the Implementation Program is not consistent with or adequate to carry out the certified Land Use Plan. ~~As modified, the proposed amendment to the Implementation Program would be consistent with and adequate to carry out the certified Land Use Plan.~~

II. FINDINGS FOR DENIAL OF IP AMENDMENT NO. DNC-MAJ-2-06 AS SUBMITTED AND CERTIFICATION IF MODIFIED

The Commission finds and declares as following for IP Amendment No. DNC-MAJ-2-06:

A. Planning and Locating New Development

1. Relevant Land Use Plan Policies.

The LUP Land Use Categories chapter defines the purpose of the Rural Residential (R/R) category as follows:

This category is intended to maintain the character of rural areas and minimize the services required by smaller lot development. The primary use of these lands is single family residential (one unit per specified minimum parcel). Uses permitted within residential areas include single-family residences, the keeping of horses for use by the owner, light agricultural activities, and accessory buildings appropriate to the residential use.

LCPZEO Chapter 21.17 establishes the prescriptive standards for the Rural Residential Agriculture (RRA-1) zoning district. LCPZEO Section 21.16.010 states, in applicable part:

This district classification is designed for the orderly development of rural homesites in the one to five acre category, to encourage a suitable environment for family life for those who desire rural residential land...

Since there is a limited area within the county which is suitable for rural residential land, this district is intended to protect rural residential uses against encroachment by other uses which may be in conflict therewith... It is the intention of this section to prevent the further subdividing of rural residential land into lot sizes which might threaten the rural quality of areas zoned RRA, and changes of zone from RRA to another classification are to be made only where such uses are in accord with the General Plan or an adopted specific plan.
[Emphases added.]

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Section D of the LUP's New Development chapter, titled "Rural Land Division Criteria," reads, in applicable part:

In rural areas new development shall be required to prove the subject area's ability to accommodate such development prior to approval...

2. LUP Conformity and Implementation Efficacy Analysis.

The subject property land use designation is proposed to be amended to Rural Residential One Dwelling per One Acre (RR 1/1). This land use designation is concurrently proposed to be implemented through amending the properties' zoning designation to High Density Rural Residential-Agriculture – One Unit Per Acre Density with Manufactured Housing Combining Zone (RRA-1-MFH). ~~Local Coastal Program Zoning Enabling Ordinance (LCPZEO) Chapter 21.17 establishes the prescriptive standards for development within Rural Residential Agriculture (RRA-1) zoning districts.~~ **However, as discussed in Part Four Findings Section II above, the Commission denies certification of the proposed LUP Amendment to change the land use designation from Rural Residential One Dwelling per Two Acres (RR 1/2) to Rural Residential One Dwelling per One Acre (RR 1/1).**

As the proposed High Density Rural Residential Agriculture – One Unit Per Acre Density with Manufactured Housing Combining Zone (RRA-1-MFH) would allow double the density (one unit per one acre) that the certified land use designation would allow (one unit per two acres), the proposed change in zoning designation for the subject property is inconsistent with the certified land use plan designation for the property and must be denied.

~~One-family residences are a principally permitted use in the RRA-1 zoning district. In addition, animal husbandry, where no more than one horse, mule, cow or steer, nor more than five goats, sheep or similar livestock are kept for each twenty thousand square feet of lot area, is allowed by right, subject to special fencing and setback standards. The keeping of one hog or pig per parcel is similarly allowed. In addition, agricultural uses and some limited onsite sales of agricultural products is allowed, provided such sales do not distract from the primarily residential character of the district.~~

~~Section D of the LUP's New Development chapter directs that such uses and improvements only be approved after the subject area's ability to accommodate such development has been demonstrated.~~

~~Parcel sizes within RRA-1 zoning districts may not be smaller than one acre pursuant to LCPZEO Section 21.17.060. A 100 foot minimum lot width requirement is established for parcels created within RRA-1 districts by LCPZEO Section 21.17.060. Minimum yard areas requirements for any subsequent development on the parcels such to the IP amendment would be subject to a minimum yard requirement of 25 feet along the front property line, 20 feet along the rear of the lot, and ten feet for side yards, with provisions for the placement of accessory structures within five feet of the rear property line, pursuant to LCPZEO Sections 21.17.070.~~

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~~CZC Sec. 21.17.040 limits main building heights to 25 feet above natural grade; accessory structures are limited to a 16 foot height, per LCPZEO Section 21.04.140. CZC Section 21.17.060 sets a maximum of 20% structural coverage on RRA 1 lots, regardless of their overall size.~~

~~As depicted on the County Assessor's parcel map for the project area, five of the seven of the parcels slated for rezoning are currently platted at a one-acre size with lot widths of between 132.40 and 133.17 feet and depths ranging from 330.26 to 330.13 feet (see Exhibit No. 3). The three-acre Hogberg parcel and the two-acre Smith parcel are platted as multiples of the neighboring one-acre lots. Thus, with respect to minimum lot dimension compliance, all of the subject properties would either currently or potentially upon future subdivision conform to the prescriptive standards of the RRA 1 zoning designation without any substandard sized parcel resulting in conflict with the intent of the amended RR-1 land use designation.~~

As regards demonstration of the adequacy of the area to support any new development as required by Section D of the LUP's *New Development* chapter, especially as relates to the creation of new parcels by subdivision on APNs 112-171-05 and -06, the petitioner applicants to the County have provided several studies addressing domestic water, wastewater disposal, and road infrastructure conditions in the project area (see Exhibit Nos. 11, 12, 13). These studies establish indicate that upon further development on the subject property, including subdivision to the full density permitted under the amended land use and zoning designations, all resulting parcels could be developed with adequate water and onsite sewage disposal facilities. However, the County Public Health Department's Division of Environmental Health has not approved any specific onsite sewage disposal system design based on these evaluations. In addition, the increases in traffic that would result from a full build-out of the project area under the LCP amendment would not significantly impact overall roadway capacity or degrade intersection level of service to adverse conditions. Further, based upon interviews with various first responders, including the County Sheriff, Crescent City Fire Department, California Department of Forestry and Fire Protection, and local ambulance services, the increased density that would result from the IP amendment would not adversely affect emergency service to the area.

Therefore, based on the conclusions drawn in the above referenced studies as no onsite sewage disposal systems for future development of the subject property at the densities proposed under the Implementation Program amendment have been approved by the County Public Health Department's Division of Environmental Health, the Commission finds that adequate evidence has not been provided to factually substantiate that the amendment to the project site zoning would conform with and adequately carry out the policies of the LUP as amended with respect to the demonstrated adequacy of services to support new development.

B. Protection of Environmentally Sensitive Habitat Areas and Forestry Lands

1. Relevant Land Use Plan Policies.

Section VI.C.6 of the County of Del Norte LUP's Marine and Water Resources chapter states:

Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Forestry Lands Policy 9 of the *Land Resources* Chapter of the Land Use Plan states:

Commercial timberlands uses and adjacent uses shall be placed so that, in general, lower intensity uses are adjacent to their commercial timberlands with higher intensity uses placed in a logical transition away from these timberlands. Lower intensity uses shall include other resource activities as set forth in the Land Resources - Agriculture section and Marine and Water Resources chapter of this document. [Emphasis added.]

2. LUP Conformity and Implementation Efficacy Analysis.

As discussed in depth in Consistency with Coastal Act Policies for the Protection of Timberlands and Environmentally Sensitive Habitat Areas Findings Section II.A of Part Three, the **proposed** change in land use and zoning designations would increase the allowable residential density of the area in such a manner as to allow for the creation of two additional one acre lots immediately adjacent to the forested resource lands bordering the project area to the east. The related increase in land use intensity that would result from subdivision of the Smith parcel, in terms of additional impervious surface development, related increases in stormwater runoff, human activity, and residential occupancy of areas in the immediate proximity to **both** the adjoining woodlot **and the environmentally sensitive areas within the inner Elk Creek drainage further to the east** ~~could~~ **would** result in **significant** adverse impacts to these resource lands unless measures are included **the current transitional development density pattern from the more urbanized area to the west** to prevent potential incompatible land uses from occurring **is maintained**. As discussed previously, the Commission has appended a suggested modification to the LUP amendment that would include a policy requiring that a 200 foot setback from timberlands be maintained. The **Without continuance of the existing development transitional pattern impacts to the productivity of the adjacent timberlands and the cumulative degradation of the biological resources within the Elk Creek water shed would result inconsistent with the policies of the Marine and water Resources and Land Resources chapters of the LUP. Therefore, the Commission finds that the** proposed IP amendment would not conform to nor adequately carry out **Section VI.C.6 of the County of Del Norte LUP's Marine and Water Resources chapter and** Forestry Lands Policy 9 ~~or the suggested modification of the LUP~~ **and must be denied.**

3. ~~Amendment Approvable if Modified.~~

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~~For the proposed amended zoning designation to be found in conformance with, and to effectively carry out, the policies of the LUP's Land Resources chapter regarding the protection of timberlands as modified, the zoning amendment must be shown to place development adjacent to such timberlands in a logical transition from lower intensity uses to higher intensity uses at increasing distance from these timberlands and provide for a 200 foot buffer between residential uses and timberlands. As discussed above, the Commission has determined that based upon the information submitted with the LCP amendment request, the rezoning as proposed would not include any provision for ensuring such a transition in use density between the project site residential area and adjoining commercial timberlands.~~

~~Therefore, the Commission finds that it is necessary to modify the precise areas being proposed for rezoning so as to ensure consistency with the LUP. **Suggested Modification No. 2** adjusts the proposed zoning map changes by including application of a Special Building Site or "B" Combining zone designation along the five acre area comprising the three parcels abutting Tsunami Lane directly across from the adjoining woodlot. Inclusion of the "B" combining zone designation would establish a 200 foot wide front yard setback requirement, consistent with similar urban:rural interface setbacks employed by CDF and other coastal counties, for new development on these parcels in place of the 25-foot setback called for in the RRA-1 zoning district regulations. In addition, any alterations, expansions, enlargement, extensions, or reconstruction to the nonconforming structures on these lots would be conditioned to be so altered, expanded, enlarged, extended, or reconstructed in a manner whereby no greater encroachment toward the CT-zoned lands would result. The amendment as modified would therefore conform with and adequately carry out the LUP's Land Resources policies, as modified.~~

4. Conclusion

~~The zoning code amendments as modified would conform with and be adequate to carry out the provisions of the County's Land Use Plan as modified, particularly as relate to the protection of commercial timberlands as articulated in the Land Resources Chapter. Therefore, the Commission finds the County's Implementation Program as modified would conform with and be adequate to carry out the requirements of the certified Land Use Plan as amended consistent with Section 30513 of the Coastal Act.~~

C. Rural Land Divisions

1. Relevant Land Use Plan Policies.

Section D of the LUP's *New Development* chapter, titled "Rural Land Division Criteria," reads as follows:

In rural areas new development shall be required to prove the subject area's ability to accommodate such development prior to approval. Land divisions, both major and minor subdivisions (not including boundary adjustments and

inside the urban/rural boundary) shall be permitted when 50% of the useable parcels in the area have been developed and the created parcels would not be smaller than the average size of the surrounding parcels. To determine if this criteria is met, the following shall apply:

a. Useable parcels do not include: (1) parcels committed to agricultural and designated as such in the Land Use Plan; (2) parcels committed to timberland and designated as such on the Land Use Plan; (3) parcels or portions of parcels committed to open space for purposes of compliance with zoning district minimum yard regulations, traffic safety visibility standards, setbacks from geologically unstable areas, buffers around environmentally sensitive habitat areas, floodway management, or other such siting restrictions required by the certified LCP.

b. To determine if the 50% rule has been met, a survey of the existing parcels in each planning area (delineated on the Land Use Maps) will need to be conducted. If 50% or more of the existing lots are developed, then the land division may be processed.²

2. LUP Conformity and Implementation Efficacy Analysis.

The subject property is located outside of the Urban-Rural Boundary (U-RB) line that delineates areas where domestic water and/or wastewater treatment is provided by municipalities or community service special districts. In such rural areas beyond the U-RB, domestic water supplies and sewage disposal are either developed individually on-site or provided by small private or community systems subject to overview by local and state government public health and water resources agencies. The LUP's New Development chapter together with implementing provisions within the County's subdivision and coastal zoning ordinances require that any land division proposal in rural areas demonstrate that the following two conditions exist before the proposed subdivision may be authorized:

- Development Timing Threshold: Fifty percent (50%) of the *usable* parcels *in the area* have been developed; and
- Development Pattern Compatibility: None of the parcels being created by the land division would be smaller than the *average* size of the parcels *surrounding* the subdivision site.

In defining which parcels are "usable," the extent of lands considered to be "in the area" or "surrounding" the subdivision site, and how to derive the "average" parcel size, the LUP, subdivision, and coastal zoning provisions direct that:

² These criteria are reiterated in Sections 16.04.037.B.1 & 2 of the Subdivision Ordinance of the LCPZEO.

COUNTY OF DEL NORTE LCP AMENDMENT (HOGBERG)

NO. DNC-MAJ-2-06

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- To determine if the 50% rule has been met, a survey of the existing parcels in each planning area (delineated on the Land Use Maps) will need to be conducted. If 50% or more of the existing, usable lots are developed, then the land division may be processed.
- “Useable” parcels do not include: (1) parcels committed to agricultural and designated as such in the Land Use Plan; (2) parcels committed to timberland and designated as such on the Land Use Plan; (3) parcels or portions of parcels committed to open space for purposes of compliance with zoning district minimum yard regulations, traffic safety visibility standards, setbacks from geologically unstable areas, buffers around environmentally sensitive habitat areas, floodway management, or other such siting restrictions required by the certified LCP.
- The study area for determining "the average size of surrounding parcels" shall include all parcels within one-quarter (1/4) mile of the exterior bounds of the property being subdivided.
- The “surrounding parcels” study area may be reduced to exclude parcels with land use or zoning designations, or other characteristics markedly dissimilar to the subject property, or those lying outside of a readily identifiable neighborhood area as delineated by a perimeter of major street or other cultural or natural features. Parcels or portions of parcels committed to the resource conservation area for purposes of compliance with zoning district minimum yard regulations, traffic safety visibility standards, setbacks from geologically unstable areas, buffers around environmentally sensitive habitat areas, floodway management, or other such siting restrictions required by the certified LCP may be excluded from the "average size" calculation.
- The "average size" usually means the arithmetic mean, although the mode or the median size may be used when the majority of parcels are of a common size and a very few parcels skew the mean to create an average atypical of the size of surrounding lots.

Fifty Percent Pre-developed Area Threshold Requirement

For purposes of determining if the 50% pre-developed threshold could be met for any subdivision pursued after the rezoning, Commission staff have examined the latest property tax assessment rolls compiled by the Del Norte County Assessor's Office. Using the criteria stated above, Commission staff examined property records for the 139 parcels within Planning Area No. 4 – Crescent City. Planning Area No.4 comprises the exurban areas outlying the municipal boundaries of the City of Crescent City, including neighborhoods along Northcrest, Pebble Beach, and Parkway Drives, and Elk Valley Road.

Planning Area No. 4 encompasses approximately 1½ square miles and is comprised of approximately 424 parcels considered to be “usable” for purposes of the 50% pre-developed criterion, insofar as they are designated for residential rather than agricultural or timberland uses.

COUNTY OF DEL NORTE LCP AMENDMENT (HOGBERG)

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Based upon the most recent County assessment rolls, 273 parcels of the 424 usable parcels within Planning Area No. 4, or approximately 64.4%, were shown to have structural improvements on the lots for purposes of *ad valorem* property taxation. Accordingly, at least 50% of the usable parcels in the area of the proposed subdivision, as defined by the LCP have been already developed. Thus, any proposed subdivision pursued within the project area under the amended zoning would conform with the development timing requirement of the LUP's rural land division standards. **However, notwithstanding the fact that a subdivision of the property that would be accommodated by the proposed zoning amendment would conform with the development timing requirement of the LUP's rural land division standards, as discussed in Findings Sections II.A and B above, the proposed Implementation Program Amendment is not consistent with the certified Land Use Plan designation for the site and other policies of the certified LUP and must be denied.**

Surrounding Parcel Size Compatibility

For purposes of determining if the size of any parcels created by subdivision under the amended zoning would be compatible with the development pattern of the project site surroundings, as directed by the above-listed LUP criteria, the petitioner-applicant to the County delineated a roughly 5,000-foot by 5,000-foot right-triangular area comprising similar rural residential neighborhoods situated in the series of non-through and looped local roads radiating off of Parkway Drive. A total of 264 individual parcels, comprising approximately 362.15 acres, lie within this surrounding area in proximity to the subject property.

Of these 264 residential parcels in the lot size study area, only 13 are less than one acre in gross size, with the largest being 8.04 acres. The arithmetic mean of these parcels is 1.37 acres, the median parcel size (the value falling in the middle of the range) is 1.60 acres, and the mode (the value which occurs most frequently) is one acre ($n = 129$).

As noted above, the decision making authority is not limited to solely utilizing the arithmetic mean in determining the "average" parcel size for purposes of determining consistency with the LUP's rural land division standards. In fact, LCPZEO Section 21.36.030.B provides that the mode or median size may be used where the majority of parcels are of common size and very few parcels skew the mean to create an average size atypical of the size of surrounding parcels.

For the subject parcel size study area, as discussed in Subject Property Findings Section III of Part Two, much of the Elk Valley and King Valley rural residential areas outlying Crescent City have been platted, by deed or subdivision map, following an aliquot land division pattern based on the "township and range" schema of the Public Lands Survey System. Under this platting scheme, numerous roughly 133-foot by 330-foot lots (or multiples thereof) have been created from portions of 40-acre "quarter-quarter section" federal government patents, establishing the dominant one-acre lot residential land pattern of the area outlying Crescent City. Thus, the Commission concludes that rote use of the arithmetic mean or median as the average size of surrounding parcels would not be appropriate as these metrics would not be representative of the most typical parcel size in the area surrounding the proposed subdivision.

COUNTY OF DEL NORTE LCP AMENDMENT (HOGBERG)

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The Commission also notes that with respect to use of the mode, or most common parcel size, 129 of the 264 lots considered in the study, or roughly 49% of the total sample, comprise the one-acre modal size. As this number is representative of a significant quotient of the total number of surrounding lots, the Commission likewise concludes that use of the one-acre modal lot size would be appropriately representative of the most typical parcel size in the proposed subdivision's surroundings. Thus, all of the current lot sizes in the area proposed for rezoning, or that could be further subdivided on the Hogberg and Smith parcels subject to the amended RRA-1 standards would be larger than the one-acre "modal" size of parcels in the area surrounding the project site, as determined from the lot size survey. Therefore, the proposed IP amendment would conform with and adequately carry out the lot size development pattern compatibility requirement of the LUP's rural land division standards. **However, notwithstanding the fact that a subdivision of the property that would be accommodated by the proposed zoning amendment would conform with the lot size development pattern compatibility requirement of the LUP's rural land division standards, as discussed in Findings Sections II.A and B above, the proposed Implementation Program Amendment is not consistent with the certified Land Use Plan designation for the site and other policies of the certified LUP and must be denied.**

PART FIVE: CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to California Environmental Quality Act (Public Resources Code Section 21000 et seq.), on December 13, 2005, the County of Del Norte as the lead agency in the discretionary review of the proposed development project, adopted Mitigated Negative Declaration No. SCH 2005052102, finding that the project would not a significant effect on the environment.

In addition to making a finding that the amendment is in full compliance with the Coastal Act, the Commission must make a finding consistent with Section 21080.5 of the Public Resources Code. Section 21080.5(d)(2)(A) of the Public Resources Code requires that the Commission not approve or adopt an LCP:

...if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects which the activity may have on the environment.

~~As discussed in the findings above, the amendment request as modified is consistent with the California Coastal Act and will not result in significant environmental effects within the meaning of the California Environmental Quality Act.~~

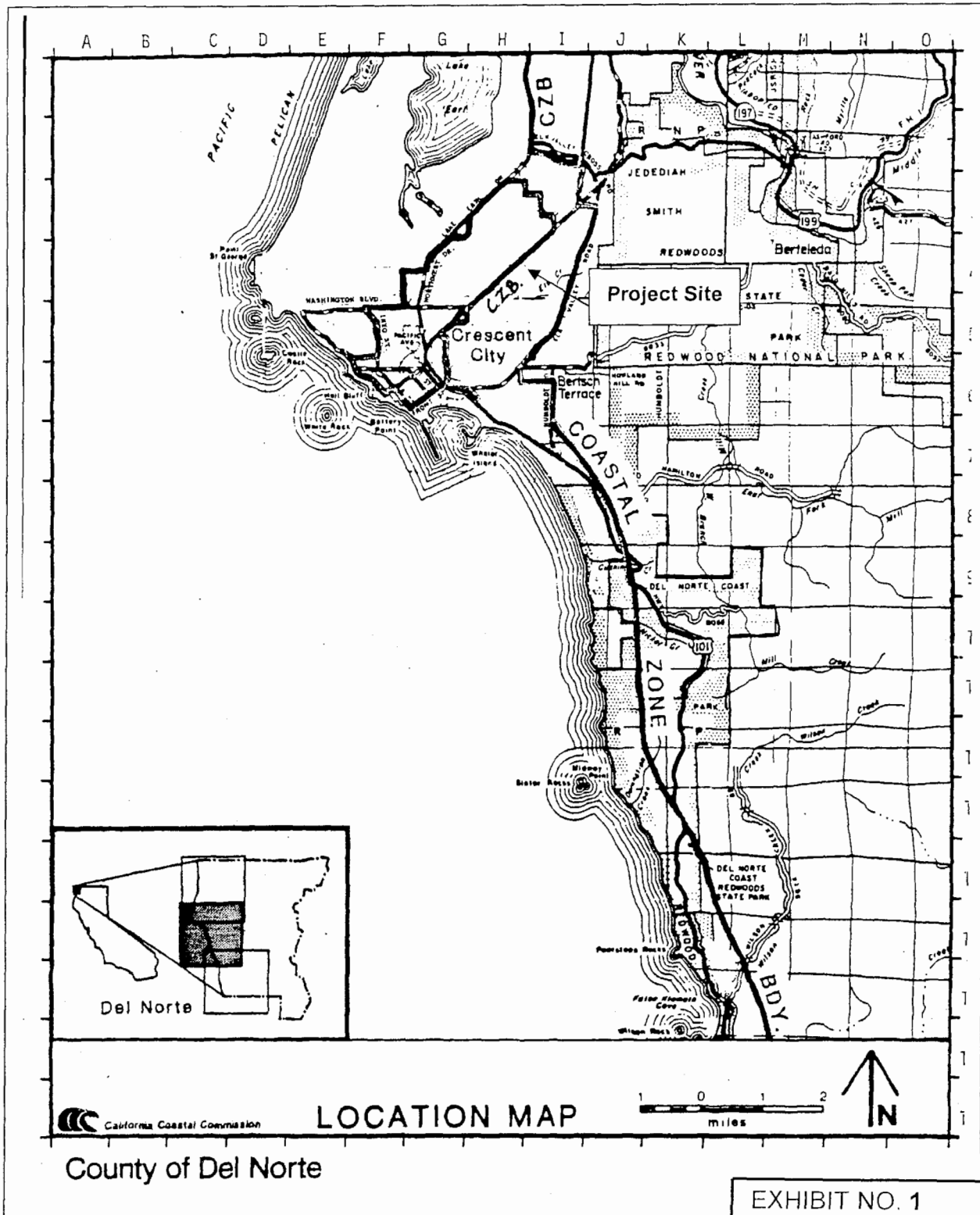
The Commission incorporates its findings on LUP and Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report.

As discussed herein in the findings addressing the consistency of the proposed amendment with the provision of the certified LUP and the public access policies of the Coastal Act, the proposed amendment is not consistent with the policies of the Coastal Act and the LUP that restrict: (1) the approval of new development to areas with demonstrated adequate capacities and abilities to support the development; (2) the design and siting of development adjacent to environmentally sensitive habitat areas, including wetlands and riparian areas; and (3) residential development densities in proximity to timberlands. In addition, certification of the proposed LCP amendment would set a precedent for altering the established diffusive gradient transitional pattern between higher development densities in proximity to urban areas to the west of the project site and the economically significant and environmentally sensitive resources lands to the east. Establishing this precedent could inappropriately induce growth by encouraging landowners in other similar locales to pursue related increases in development densities that could have cumulative adverse effects on the commercial viability of adjoining timberlands and the biological productivity and sustainability of adjacent environmentally sensitive habitat areas.

As discussed above in the findings addressing the proposed land use and zoning designation changes' consistency with the Coastal Act and the LUP, a feasible alternative is available — in the form of denying the LCP amendment — which would substantially lessen any significant adverse direct, indirect, and cumulative impacts that the LUP amendment may have on the environment. Therefore, the Commission finds that the proposed project cannot be found consistent with the requirements of the Coastal Act to conform to CEQA.

EXHIBITS:

1. Location Map
2. Vicinity Map
3. County of Del Norte Assessor's Parcel Map 112-17
4. Site Aerial
5. Existing Coastal Zoning Map C-9
6. Excerpt, *Land Use* Map, Crescent City Sub-region
7. Excerpt, *Land Use Constraints* Map, Crescent City Sub-region
8. County Resolution of Transmittal No. 2006-38
9. County Zoning Amendment Ordinance No. 2005-21
10. General Plan Amendment and Zoning Reclassification Impact Assessment
11. Onsite Sewage Disposal Suitability Evaluations for APNs 122-171-05 and -06
12. Rural Land Division Study
13. Traffic Impact Study
14. Biological Assessment



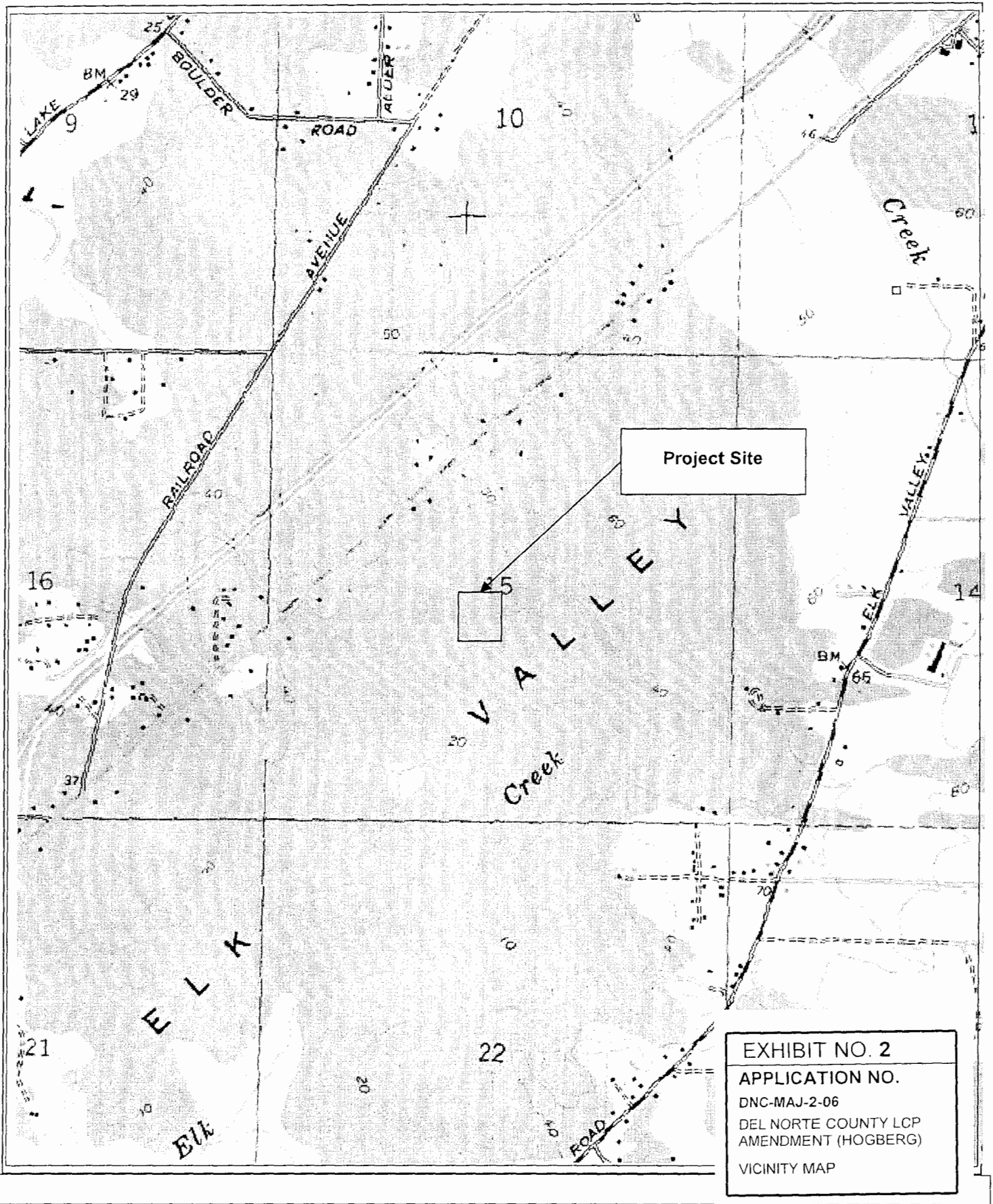


EXHIBIT NO. 2
APPLICATION NO.
DNC-MAJ-2-06
DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)
VICINITY MAP

112-17

E 1/2 SW 1/4 SEC 15 T.16N., R.1W., HB&M.

Project Site

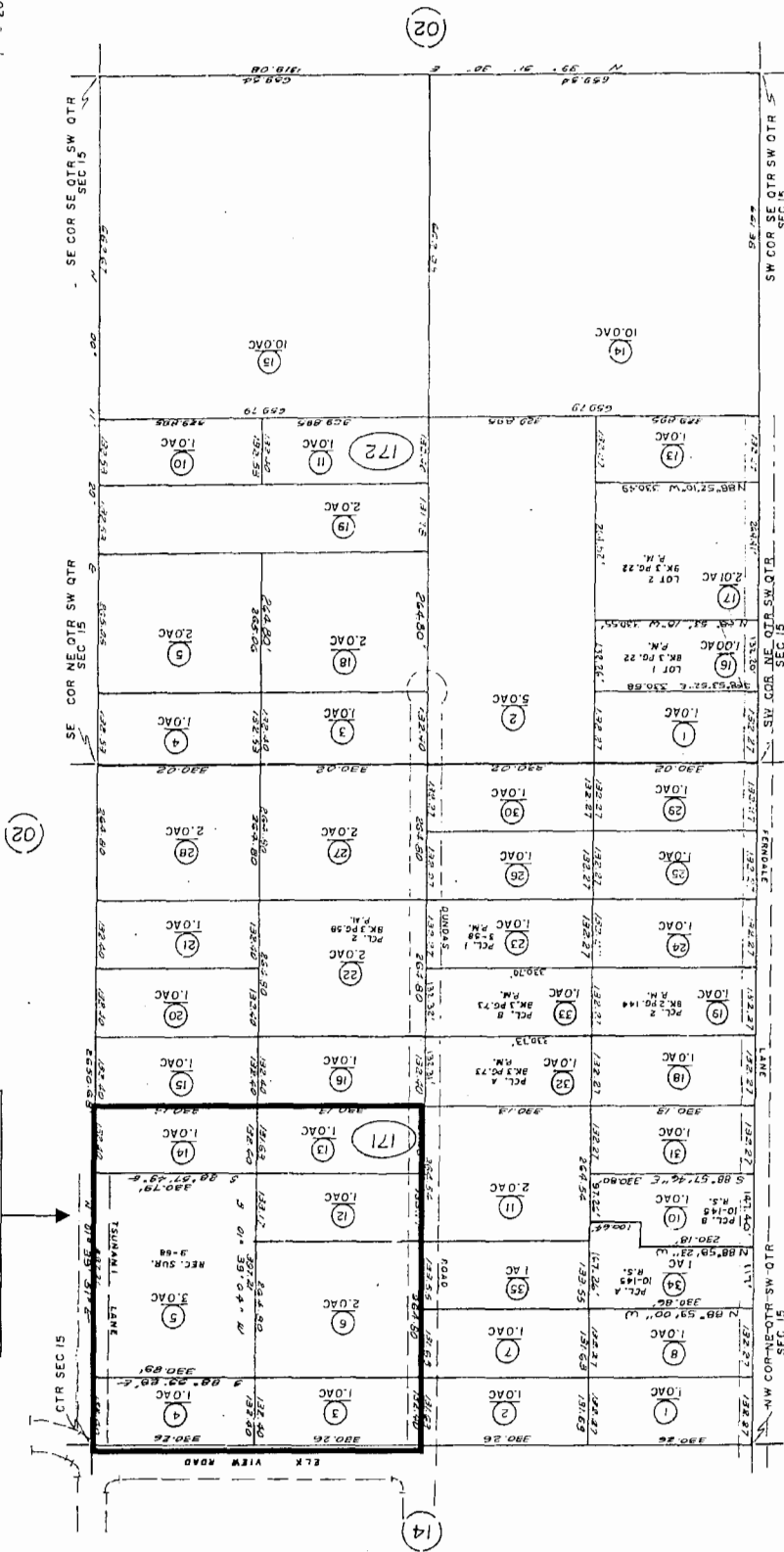


EXHIBIT NO. 3

APPLICATION NO.

DNC-MAJ-2-06

DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)

COUNTY OF DEL NORTE
ASSESSOR'S PARCEL MAP
112-17



EXHIBIT NO. 4

APPLICATION NO.

DNC-MAJ-2-06

**DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)**

SITE AERIAL

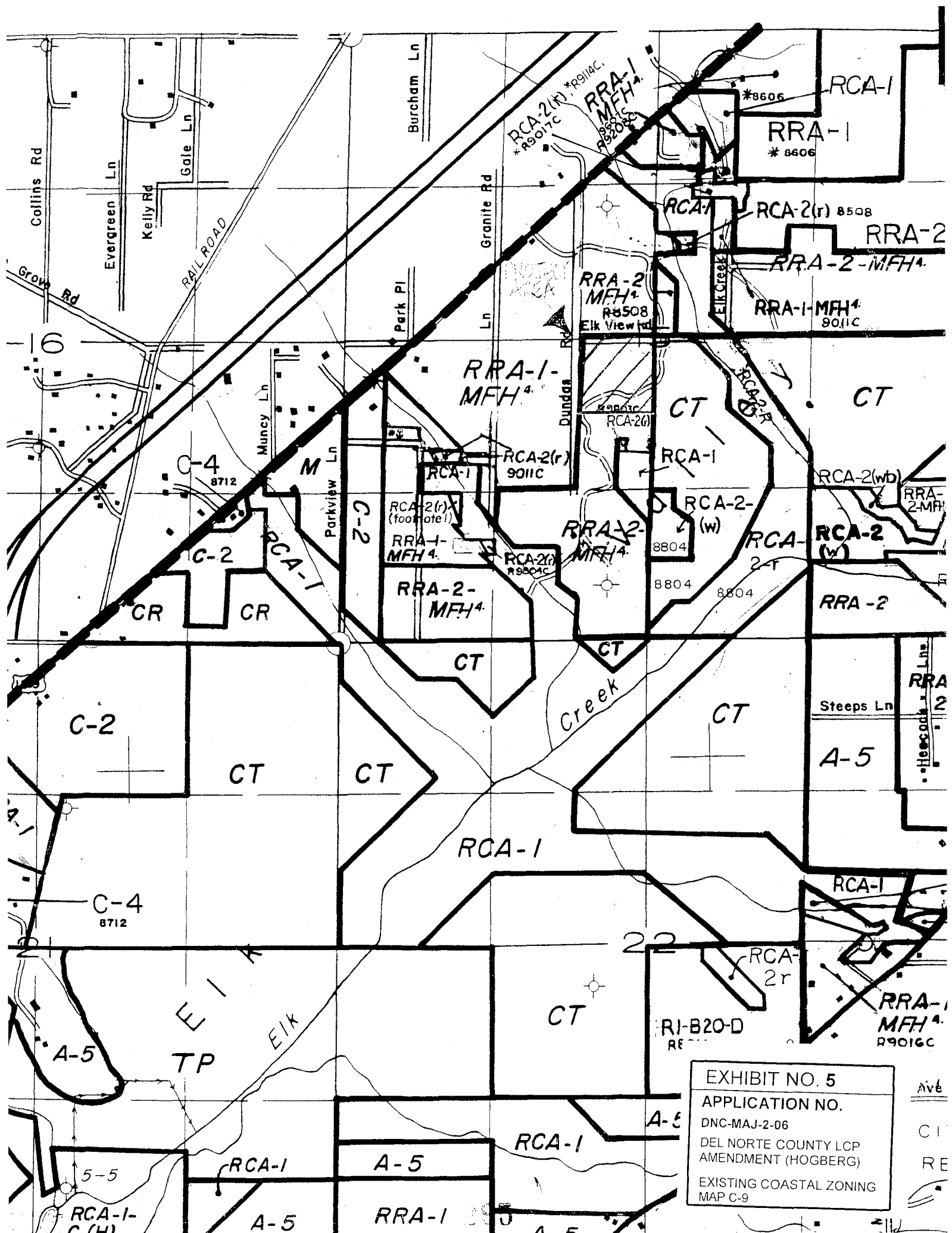


EXHIBIT NO. 5
APPLICATION NO.
DNC-MAJ-2-06
DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)
EXISTING COASTAL ZONING
MAP C-9

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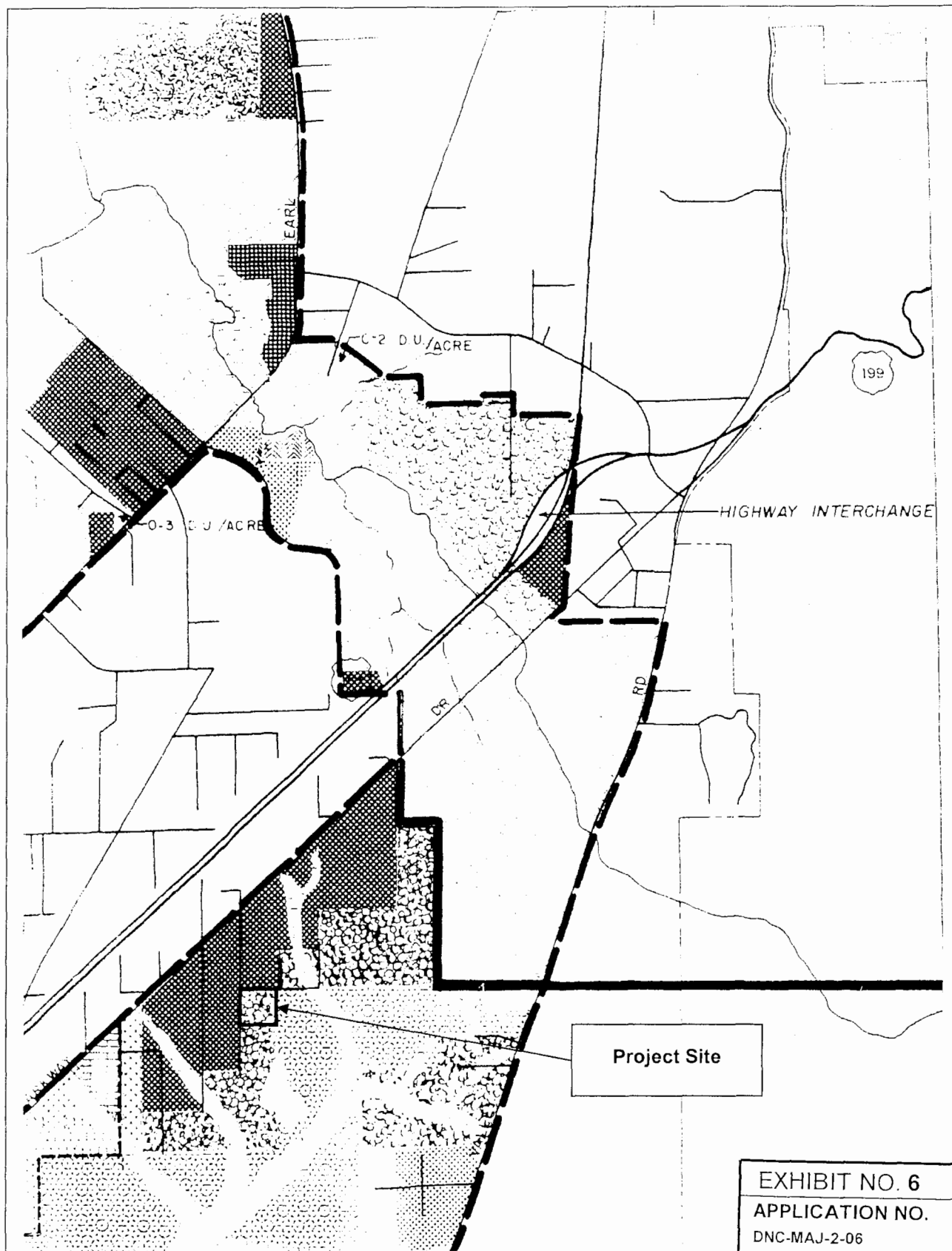


EXHIBIT NO. 6

APPLICATION NO.

DNC-MAJ-2-06

DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)

EXCERPT, LAND USE MAP,
CRESCENT CITY SUB-REGION

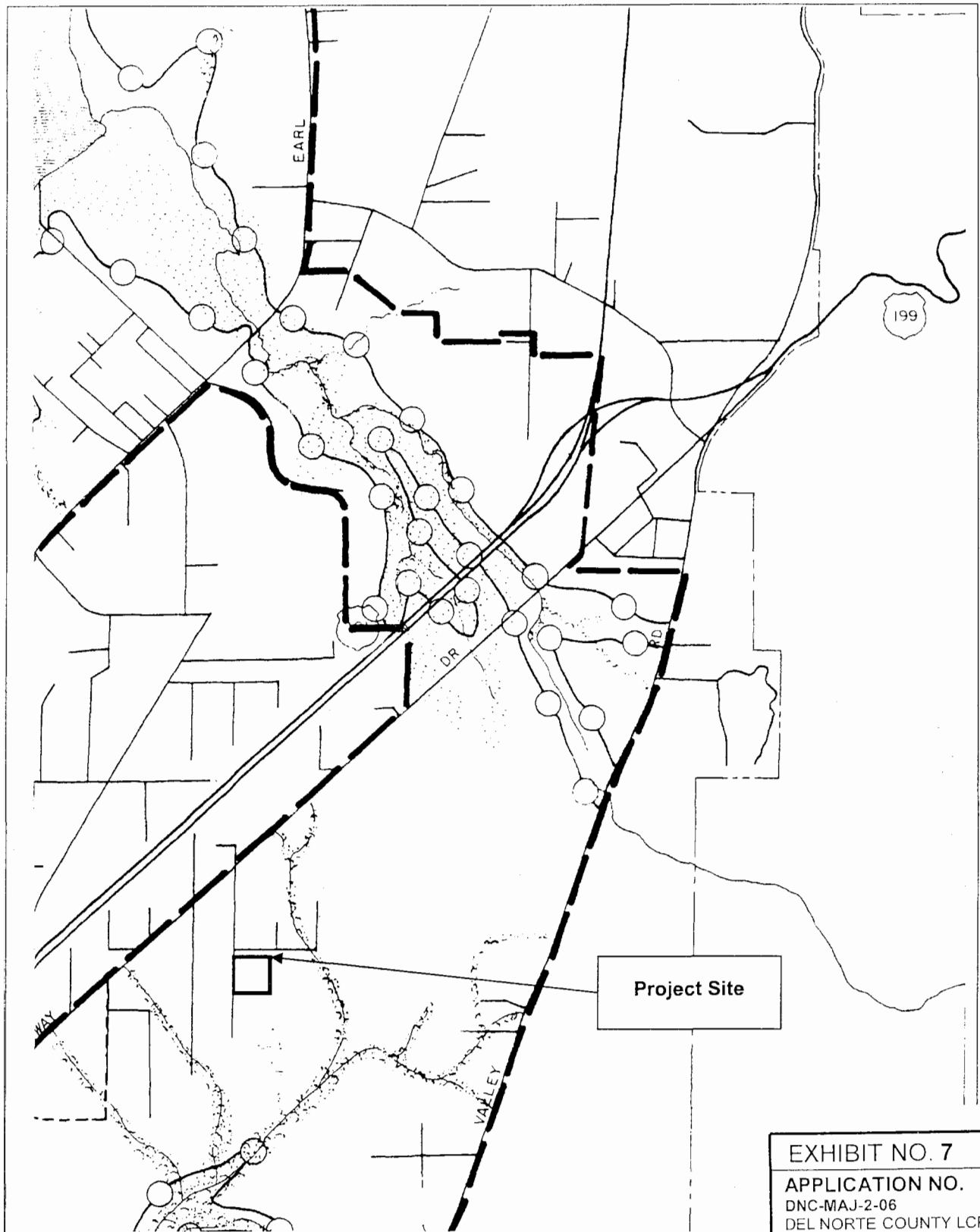


EXHIBIT NO. 7

APPLICATION NO.

DNC-MAJ-2-06
DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)

EXCERPT, LAND USE
CONSTRAINTS MAP,
CRESCENT CITY SUB-REGION

BOARD OF SUPERVISORS
COUNTY OF DEL NORTE
STATE OF CALIFORNIA

RESOLUTION NO. 2006 - 38

EXHIBIT NO. 8

APPLICATION NO.
DNC-MAJ-2-06
DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)
COUNTY RESOLUTION OF
TRANSMITTAL NO. 2006-38
(1 of 2)

A RESOLUTION OF THE DEL NORTE COUNTY BOARD OF SUPERVISORS
SUBMITTING A LOCAL COASTAL PLAN AMENDMENT (R0504C/GPA0502C
Hogberg) TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION
REVIEW

WHEREAS, on February 01, 1984, the California Coastal Commission certified the Del Norte County Local Coastal Plan; and

WHEREAS, the Del Norte County Board Local Coastal Plan provides for amendments to the Local Coastal Plan; and

WHEREAS, the Board of Supervisors have held public hearings and considered requests to amend the Local Coastal Plan including the Land Use Plan and the implementing Title 21 Coastal Zoning; and

WHEREAS, the requests for amendment have been reviewed and processed pursuant to the provisions of the Local Coastal Plan and Title 21 (Coastal Zoning); and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) an environmental document has been prepared and circulated for each request in compliance with CEQA which the Board has determined as adequate for each request; and

WHEREAS, the Board of Supervisors now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County and amends the Local Coastal Program as follows:

R0504C/GPA0502C Hogberg – A Land Use and Zoning Reclassification which will amend the Crescent City/Lake Earl Land Use map from One Dwelling Unit per Two Acres (RR1/2) to One Dwelling Unit per Acre (RR 1/1) and amending Coastal zoning map C-9 for the same physical area from Medium Density Rural Residential-Agricultural with a Manufactured Housing Combining Zone (RRA-2-MFH) to High Density Rural Residential-Agricultural with a Manufactured Housing Combining Zone (RRA-1-MFH). (APNs 112-171-03, 04, 05, 06, 12, 13, and 14)

WHEREAS, the proposed amendments are consistent with the provision of the Coastal Act of 1976, the Del Norte County Local Coastal Plan and are intended to be carried out in a manner in conformity with the Coastal Act and the implementing Local Coastal Plan.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above listed and described changes are hereby approved and adopted as amendments to the Del Norte County Local Coastal Plan.
2. The Board of Supervisors of the County of Del Norte directs and authorizes that the above listed amendments are within the California Coastal Zone and are to be transmitted to the Coastal Commission for its review and certification for the unincorporated area of the County.
3. The Chair of this Board is hereby authorized and directed to sign and certify all maps, documents, and other materials and to take other necessary steps in accordance with this Resolution to reflect the above described action by the Board of Supervisors.
4. These amendments shall take effect and be enforced thirty (30) days after the date of the passage of the companion ordinance, and after approval of the amendment by the Coastal Commission, whichever is later.

PASSED AND ADOPTED this 23th day of May 2006, by the following polled vote of the Board of Supervisors of the County of Del Norte.

AYES: Supervisor McClure, MaNamer, Finigan, Blackburn and Sampels

NOES: None

ABSTAIN: None

ABSENT: None

Signature on File

Sarah Samples, Chair
Del Norte County Board of Supervisors

ATTEST

Signature on File

Sherri Adams, Deputy Clerk of the Board of Supervisors
County of Del Norte, State of California

2 of 2

ORDINANCE NO. 2005-21
BOARD OF SUPERVISORS
COUNTY OF DEL NORTE
STATE OF CALIFORNIA

AN ORDINANCE AMENDING ORDINANCE NO. 83-03
AND COUNTY CODE TITLE 21 BY ADOPTING NEW COASTAL ZONING MAP C-9
(Hogberg) TO THE COASTAL COMMISSION AS AN LCP AMENDMENT

The Board of Supervisors, County of Del Norte, State of California, does ordain as follows:

Section I: Section 2.D.2 of the Coastal Zoning enabling Ordinance No. 83-03 and County Code Title 21 is hereby amended by deleting therefrom Coastal Zoning Area Map C-9 and amending same with a new Coastal Zoning Area Map C-9 as specified in attached Exhibit "A" and subject to the following condition:

Section II: This ordinance shall take effect and be enforced thirty (30) days after the date of its passage or approval of the rezone by the Coastal Commission, whichever is the latter.

Findings of

Fact: This Ordinance is passed and adopted based upon the findings cited in the Staff Report and the Board of Supervisors hereby makes said findings as more particularly described in said Staff Report, which is herein incorporated by reference (65804(c)(d) of the Government Code).


PASSED AND ADOPTED this 13th day of December 2005 by the following polled vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

 Signature on File
Martha McClure, Chair
Del Norte County
Board of Supervisors

ATTEST:

 Signature on File
DON W. WALSH, Clerk of the
Board Of Supervisors, County of
Del Norte, State of California

APPROVED AS TO FORM:

ROBERT BLACK, County Counsel
County of Del Norte, State of California

EXHIBIT NO. 9

APPLICATION NO.
DNC-MAJ-2-06
DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)
COUNTY ZONING
AMENDMENT ORDINANCE
(1 of 2)

2. See rezone eff. v.
3. SEE REZONE 9311C
4. R9502C

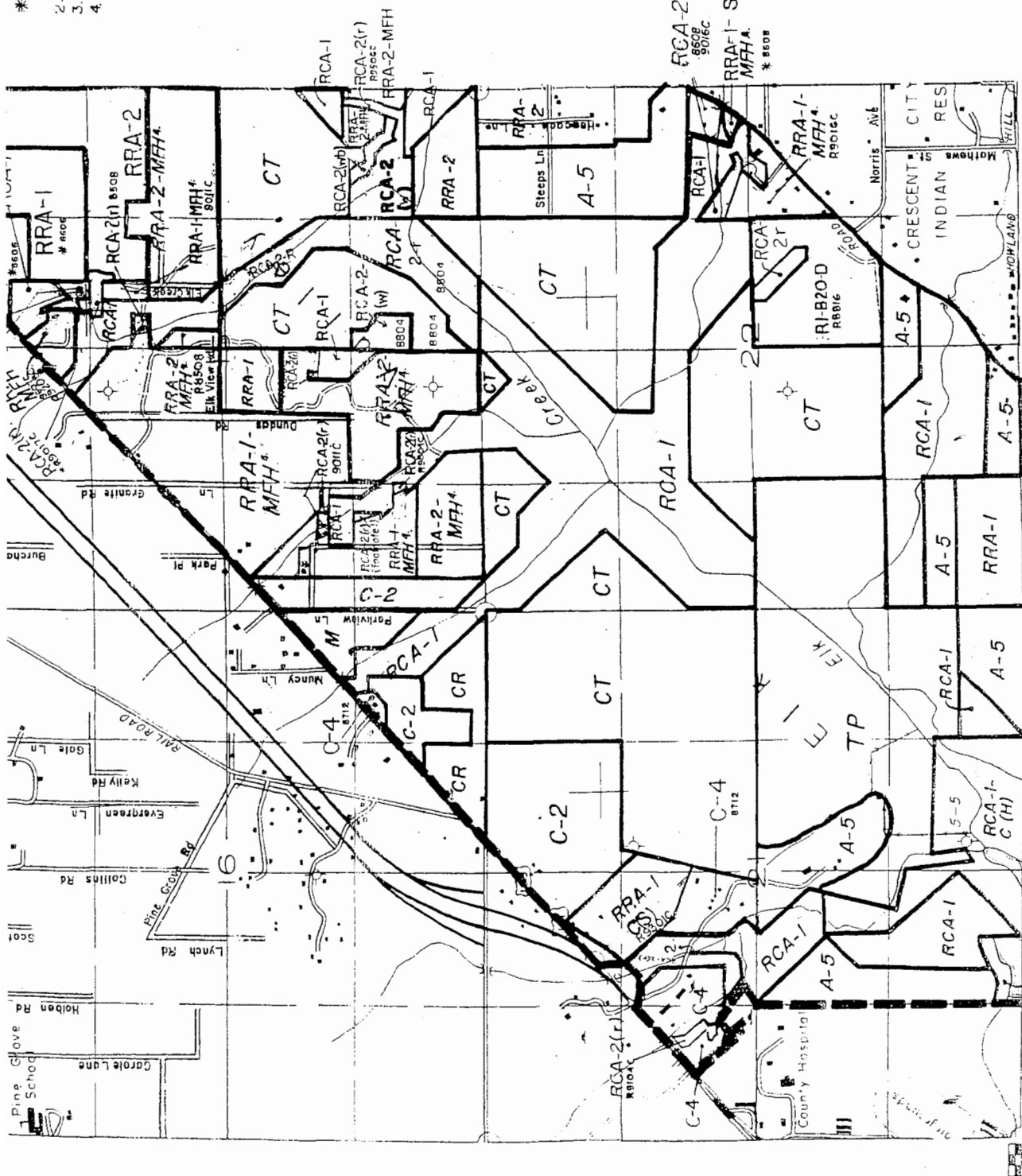
RRR-1- Section 21.06.050 Ordinance 83-03
MFH.A.
* 8508

APPROVED BY PLANNING COMMISSION
APPROVED BY BOARD OF SUPERVISOR

COUNTY OF DEL NORTE, CALIFORNIA

83-03: Sept 6.83

סמל: 1181/18



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DNC-MAJ-1-05, Hogberg LCP Amendment

Additional Application Information Requests

Prepared June 8, 2006, Revised 8/01/2006

Hogberg Proposed Changes: RR 1 / 2 → RR 1/1; RRA-2-MFH → RRA-1-MFH

“Adequacy of Area to Support New Development – Sewage Disposal”

It was requested that APN 112-171-05 be investigated for its suitability to support on-site sewage disposal treatment.

A site investigation was conducted in April 2006 and results indicate that this parcel has suitable soil conditions and space to support on-site sewage disposal. A copy of the report has been attached for your information.

“Adequacy of Area to Support New Development – Transportation Infrastructure”

A supplemental analysis of the effects the increased density would have on fire, police, and other emergency responder services for the entire Dundas/Jeremiah/Elk View/Tsunami abutting area if the area were built out to one-dwelling-per-acre density, was requested. The analysis is to include consultations with the affected public safety provider agencies and identify all feasible mitigation measures.

The proposed general plan amendment and zoning changes were discussed with each emergency responder agency representative and an existing road system map provided with the project and the surrounding areas overlaid upon it. The agency representatives providing input are listed below:

1. Chief Steve Wakefield, Crescent Fire Protection District (CFPD);
2. Peace Officer Jim Smith, California Department of Forestry (CDF);
3. Ron Sandler, CEO, Del Norte Ambulance (DNA); and
4. Sheriff Dean Wilson, Del Norte County Sheriff's Department (DNCSD).

Immediate concerns of the emergency responding agencies were common to all except for the law enforcement agency, who did not have any concerns. The concerns have been summarized in the following table. All the agencies indicated that these conditions exist now. Comments regarding increased traffic and emergency response were anecdotal. Additional traffic was already addressed by the Applicant's engineer.

EXHIBIT NO. 10

APPLICATION NO.

DNC-MAJ-2-06
DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)
GENERAL PLAN AMENDMENT
& ZONING RECLASSIFICATION
IMPACT ASSESSMENT (1 of 5)

DNC-MAJ-1-05, Hogberg LCP Amendment

-Continued-

Summary of the Concerns by Emergency Provider

AGENCY	DENSITY INCREASE CONCERNS	COMMENTS
CFPD, Structure Fire Protection & Medical Emergency	1. Safety due to increased traffic and existing road conditions. 2. Longer response times due to traffic, lack of visible addresses or use of nonstandard signage and existing road conditions. 3. Ability to respond in multi-agency event because of existing road conditions.	1. Connectivity of the existing road system seems adequate.
DNA, Medical Emergency	Items 1 – 3 above were concerns shared by DNA also; 4. If gated communities, provisions for an additional emergency access. (Note: Gated communities are not being proposed.)	1. See Item #1 above.
CDF, Non-structure Fire Protection	1. General lack of maintenance for current level of response is a concern; and 2. Ability to respond with increased traffic and substandard road widths.	1. Generally increased density use decreases the severity of fire because of larger areas cleared of brush; and 2. Generally better maintenance of road systems is also a consequence of higher density areas.
DNCS, Law Enforcement	None	No concerns with existing road system.

Effects of Increased Density on the Existing Road System

1. Increased number of emergency responses to the area and safety concerns because of existing road conditions;
2. Increased traffic using the existing streets and therefore potential for increased vehicular accidents;
3. Slower response times because of increased traffic, existing street conditions and lack of visible street signs and home addresses;
4. Increased chance for multi-agency response events and inability of the existing road system to accommodate the responding vehicles simultaneously resulting in longer response time;
5. Increased density potentially makes the area higher priority for maintenance and capital improvement projects; and
6. Reduction of non-structure fire fuels because of increased clearing and grubbing on smaller parcel sizes.

205

DNC-MAJ-1-05, Hogberg LCP Amendment

-Continued-

Mitigation Measures

Regarding Effects 1, 2, 3, & 4, the road is currently not developed to current standards and mitigation for the existing inadequacies is that the agencies enforce their standards. For new development, the best solution is developing the road through conditioning of future projects.

Effects #s 5 & 6 provide positive impacts and therefore do not need mitigation.

Effect #6, which is the reduction of non-structure fire fuels, provides mitigation to Effects #s 1-4 by reducing the number of emergency responders needing to enter the area during a catastrophic event.

“Development Timing and Intensity of Rural Land Divisions”

Before rural land divisions can proceed in areas outside of existing developed areas, 50 percent of the usable parcels within the existing area must already be developed i.e. 50% pre-developed threshold. If this is met, then the land division size for newly created parcels would be no smaller than the average size of surrounding parcels.

In order to determine if the 50% pre-development threshold is met, it was requested that a data base of Del Norte County Planning Area No. 4 parcels be compiled, detailing how many useable parcels within the planning area have been developed and how many remained vacant. In addition, it was requested that a similar analysis be performed on a rationally delineated “surrounding area”, which would detail parcel size mean, median and mode. Then based upon the aforementioned results, perform an analysis as to whether further subdivision of either or both of APNs 112-171-05 or -06 could be found consistent with the rural lands divisions requirements.

- **50% Pre-development Threshold**

Del Norte County CDD staff compiled the information for Planning Area No. 4 and found a total of 424 useable parcels and of that total, 64.4% had been developed. Consequently the 50% threshold is met. A copy of the analysis summary has been included.

- **Surrounding Area Analysis**

A surrounding area was delineated in coordination with CDD staff. The boundaries selected were based upon relative proximity to the project area, presence of the Elk Creek drainage basin or roads and zoning/land uses of the surrounding project areas.

345

DNC-MAJ-1-05, Hogberg LCP Amendment

-Continued-

It is further described by the following:

Parkway Drive forms the northwesterly boundary, beginning at the intersection with Washington Blvd., and terminating on the section line immediately east of the intersection with Sandman Road; the section line immediately east of Sandman Road forms the east boundary, between its intersection with Parkway Drive on the north and its intersection with the Washington Blvd. section line on the south; and the south boundary of the surrounding area is an extension east of Hwy 101 of the section line that is the same as Washington Blvd., between Hwy 101 and the section line that forms the east boundary. Said delineation is triangular in shape and is as indicated on the attached map.

After applying the same criteria as was used in the 50% pre-development threshold analysis for identifying "useable" parcels, the resulting data set was analyzed for the statistical mean, median and mode. The results are summarized below (A copy of the results is attached):

- # of Useable Parcels 264
- # of Developed 199
- Average Useable Parcel Size 1.37 acres
- Median Useable Parcel Size 1.60 acres
- Mode of Useable Parcel Size 1.00 acre

Results of the 50% pre-development threshold and surrounding area analyses indicate that further subdivision of either or both APNs 112-05 or -06 would be consistent with the requirements for rural land divisions: Over 50% of the parcels are developed thereby meeting the first criteria for rural land division and the existing surrounding area analysis indicates a parcel size that would be consistent with newly created parcel size resulting from the proposed plan and zone changes, thereby meeting the second criteria for rural land division (i.e. the created parcel size be the same as the nearby existing parcel sizes).

"Transitional Density Buffering Between Resource and Non-resource Lands"

The concern raised by the North Coast District Office is that the proposed plan and zoning changes would effectively juxtapose higher density rural residential land uses alongside resource extraction lands. It was requested by the reviewer that an analysis as to how the proposed zoning would be consistent with and adequately carry out Forestry Lands Policy 9, be provided.

495

DNC-MAJ-1-05, Hogberg LCP Amendment

-Continued-

Forest Lands Policy 9

"Uses and adjacent uses within commercial timberland areas shall be so placed so that, in general, lower intensity uses are adjacent to their commercial timberlands with higher intensity uses placed in a logical transition away from these timberlands. Lower intensity uses shall include other resources activities as set forth in the Agricultural section of the Land Resources Chapter and Marine and Water Resources Chapter of this document."

From the above statistical analysis performed on useable parcels in the immediate project and surrounding areas, the proposed plan and zoning changes will align the land use and zoning to what currently exist. The statistical results indicate two important points: 1. The most commonly occurring useable parcel size is already 1 acre; and 2. 75% of the useable parcels are developed. Therefore developed, 1 acre parcels are already in existence and are located adjacent to Resource Lands. No documented conflicts exist between current residential properties and adjacent resource lands.

List of attachments provided:

1. On-Site Sewage Disposal System Site Evaluation for APN 112-171-05
2. Planning Area No. 4, Summary of Developed, Undeveloped and Total Useable Parcels based upon Rural Land Division Standards
3. Surrounding Area Boundary indicated on the Zoning Map
4. Surrounding Area Boundary indicated on the Land Use Map along with Urban Growth area indicated
5. Surrounding Area Data Base and Statistical Summary of Useable Parcels Contained Within the Boundary

545

STOVER ENGINEERING

Civil Engineers and Consultants

PO Box 783 - 711 H Street
Crescent City CA 95531
Tel: 707.465.6742
Fax: 707.465.5922
info@stovereng.com

STAN HOGBERG
2315 PARKWAY DRIVE
CRESCENT CITY, CA 95531

Job Number: 3668

July 13, 2006

RE: APN 112-171-05, Rick Smith Residence, SDS Site Evaluation

Dear Stan:

EXHIBIT NO. 11

APPLICATION NO.

DNC-MAJ-2-06
DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)
EXCERPTS, ONSITE SEWAGE
DISPOSAL SUITABILITY
EVALUATIONS FOR APNs
122-171-05 & -06 (1 of 9)

At your request, Stover Engineering performed an on-site sewage disposal evaluation for the subject parcel located off of Tsunami Lane in Crescent City, California. Based upon our investigation, it is my opinion that a suitable conventional on-site sewage disposal system plus a reserve mound area can be situated on APN 112-171-05 as indicated on the attached site plan. The property is served water by an on-site well. This report conforms to the Del Norte County On-site Sewage Disposal Ordinance.

We conducted a site investigation during the wet-weather season on 27 April 2006. The Health Department was informed of the visit but was not in attendance. Two exploratory test pits were dug on the northwesterly side of the parcel with a backhoe to a depth of 8 feet below ground surface (bgs) and are labeled as Test Hole (TH) -1 and TH-2. The soils in each hole were found to be generally the same with the upper depth a homogeneous dark brown horizon consisting of loam with blocky, irregular structure and roots. This horizon was underlain by brown, loamy sand with orange-red tints. It had a blocky, loose structure. Generally the sand content increased with depth and at approximately 6 ½ feet to 7 feet bgs, the soils appeared to be damp, granular sand that was tan to white in color. No ground water was observed to 8 feet bgs. No percolation testing was performed at this time. This site is generally level.

Analysis for Leachfield System Suitability was performed by SHN Consulting Engineers and Geologists, Inc. The soil from TH-1 was classified as loamy sand with a combined clay and silt content of 13% and Zone 1 soil classification on the Soil Percolation Suitability Chart. The soil from TH-2 was classified as loamy sand and is a Zone 2 on the Soil Percolation Suitability Chart. A conventional leachfield may be constructed for the primary system in the area where the soils in TH-2 were investigated and a Wisconsin mound system may be constructed for the reserve system in the area where the soils in TH-1 were investigated. If percolation testing is performed on the soils located in the reserve area, the results could justify the use of a conventional leachfield system instead of a Wisconsin mound system. The attached exploratory logs indicate the soil types and water levels as observed in the test holes and attached Site Plan indicates the locations and dimensions required for both the primary conventional system and the reserve mound system that are necessary for the observed conditions.

DNC - MAJ - 1 - 05

HOGBERG LCP AMENDMENT

ATTACHMENT

Smith, SDS
13 July 2006
Page 2

Please be informed that grading activities which disturb the primary field or the reserve field as indicated on the attached site plan, will alter the suitability of the existing soils and subsequently invalidate the findings of our report. In addition, the placement of both onsite and offsite future improvements including but not limited to wells and water lines, must adhere to the Del Norte County On-site Sewage Disposal Ordinance with respect to setbacks.

We trust that this provides the information you require. Please feel free to contact me if you have any questions.



Very truly yours,

STOVER ENGINEERING

Signature on File

Ward L. Stover, PE
Principal

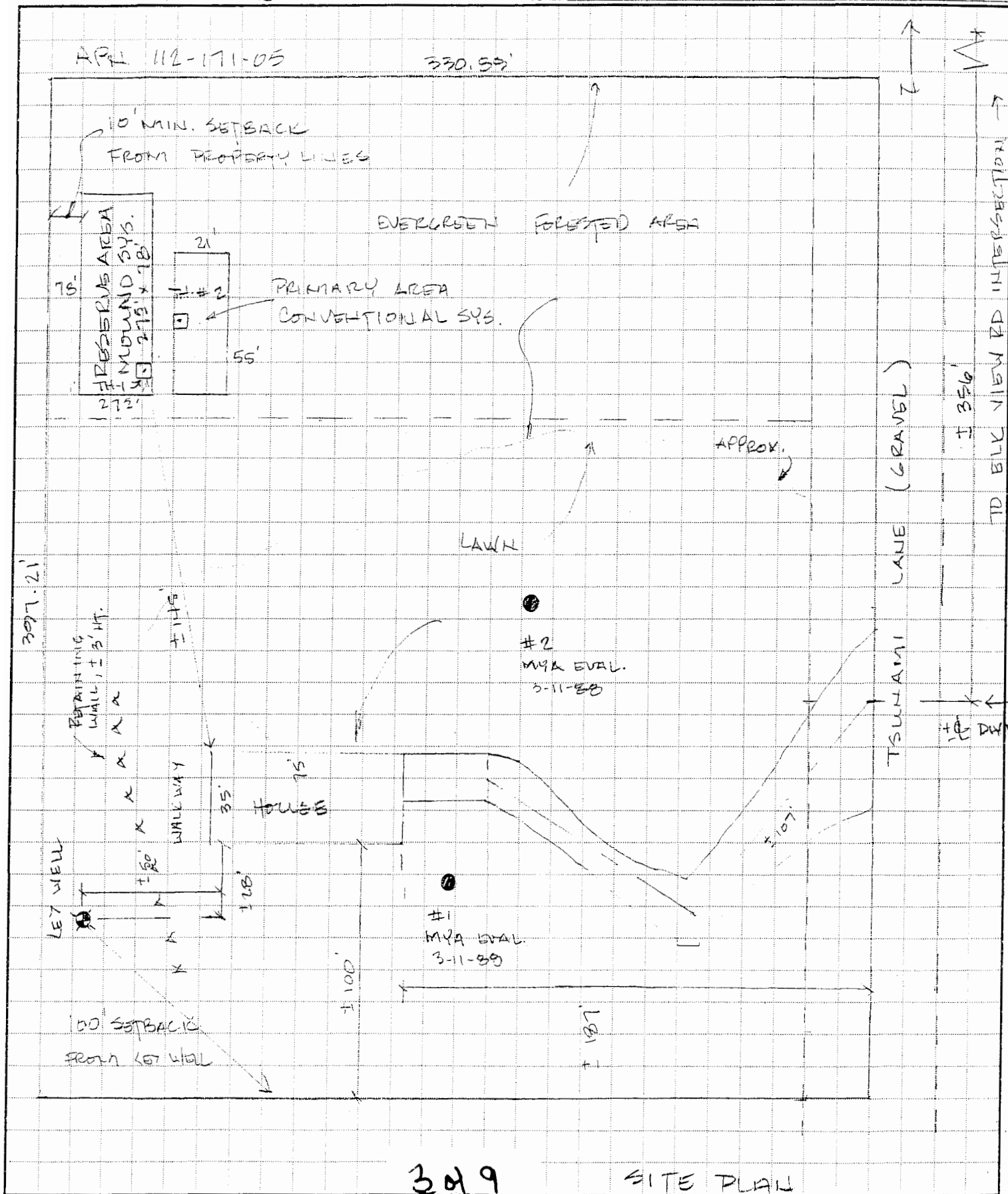
Attachments (16 Pages)

299

STOVER ENGINEERING
 711 H Street
 Crescent City, CA 95531
 (707) 465-6742 Fax (707) 465-5922

JOB 3665 - WITTEL CREEK GATE PLAN
 SHEET NO. 3 OF 10
 CALCULATED BY SW DATE 4-23-99
 CHECKED BY _____ DATE _____
 SCALE 1" = 50'

SITE PLAN



STOVER ENGINEERING

711 H Street
Crescent City, CA 95531

(707) 465-6742 Fax (707) 465-5922

PRIMARY AREA
CONVENTIONAL SLT, TH-2

JOB 3663 S TH SDS 112-171-05

SHEET NO. 4 OF 14

CALCULATED BY RS DATE 5-1-06

CHECKED BY DATE

SCALE 1/4"

DESIGN REFERENCES

1. EPA DESIGN MANUAL # 625
2. DEL NORTE CO. ORD., CHAT 14.12
3. UNIFORM PLUMBING CODES
4. BASIN PLAN

PEAK FLOW

3-BASIN SINGLE CHANNEL DISCHARGE = 450 gpd, REF. 2 TABLE 3

SEPTIC TANK SIZE

MINIMUM SIZE = 1,000 gal., REF. 3

" " = 1,200 gal., REF. 2

USE 1,200 gal. SEPTIC TANK

DETERMINE LEACHFIELD SIZE FOR PRIMARY AREA

ABSORPTION AREA, $A_A, ft^2 = \text{PEAK FLOW, gpd} / \text{APPLIC. RATE, gpd}/ft^2$
FOR LOAMY SAND, ZONE 2, USE 0.80 gpd/ ft^2 , REF. 4, TABLE 4.2
(TH-2)

$$A_A = \frac{450}{0.80} = 563 ft^2$$

LEACH LINE LENGTH, L_1, ft

$$L_1 = \frac{A_A}{\text{TRENCH WIDTH}}$$

TRENCH WIDTH

$$= 188 ft$$

ADJUSTED BECAUSE OF SIDEWALL = 85%, REF. 1

ADJUSTED LENGTH =

TABLE 3

$$L_2 = (188)(.85)$$

$$= 160'$$

USE 3' EACH, 2' EACH LATERAL

LATERAL LENGTH $L_3 = 55 ft$

" WIDTH $W = 21 ft$

4 of 9

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JOB 3068 - MITH ADS, 112-171-00

SHEET NO. 5 OF 16

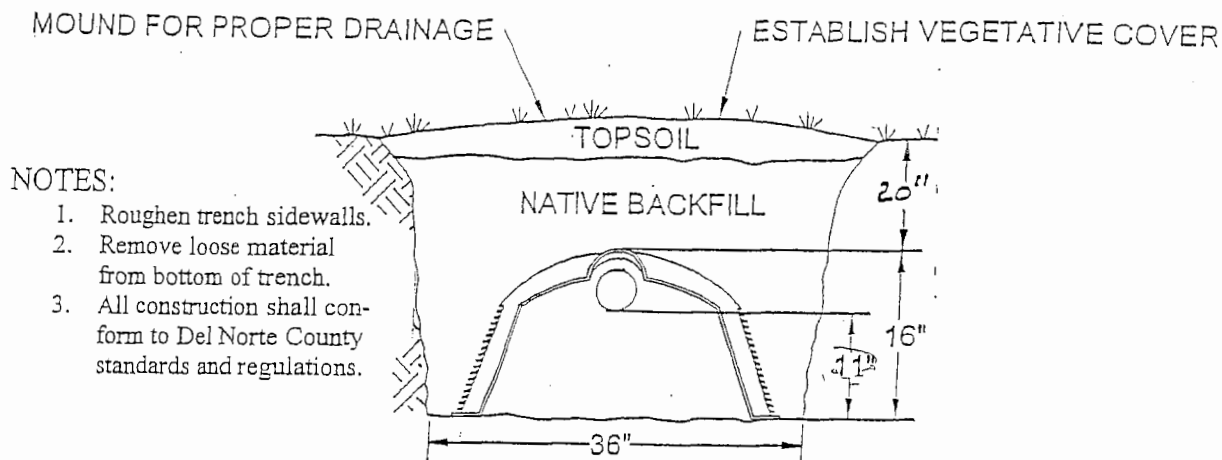
CALCULATED BY RS DATE 5-1-00

CHECKED BY DATE

SCALE 1/4"

PREPARED ASSETS

TRENCH DETAIL



LEACHFIELD

Percolation Rate = 30 MPI Therefore, Application Rate = 0.80 GPD/SF
(ASSUMED)

NORTH COAST BASIN PLAN

Table 4-2. RATES OF WASTEWATER APPLICATION FOR ABSORPTION AREAS

Soil Texture	Percolation Rate Minutes per inch	Application Rate Gallons per Day per Square Foot
Gravel, coarse sand	<1	.Not Suitable
Coarse to medium sand	1 - 5	1.2
Fine sand, loamy sand ←	6 - 15	1.1 - 0.8 ←
Sandy loam, loam	16 - 30	0.7 - 0.6
Loam, porous silt loam	31 - 60	0.5 - 0.4
Silty clay loam, clay loam -a,b	61 - 120	0.4 - 0.2

Note: Application rates may be interpolated based on percolation rates, within the ranges listed above.

- Soils without expandable clays.
- These soils may be easily damaged during construction.

5099

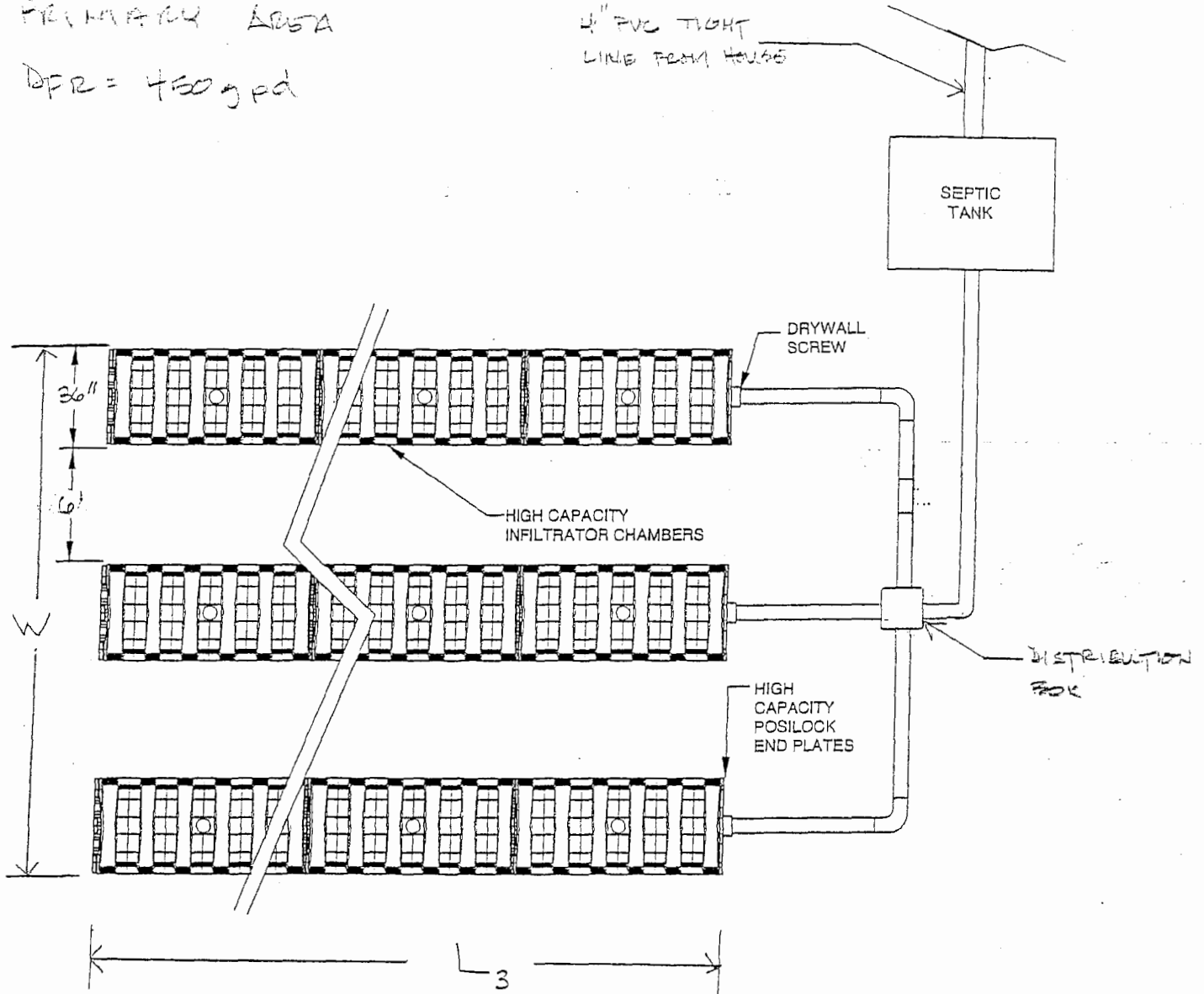
STOVER ENGINEERING
711 H Street
Crescent City, CA 95531
(707) 465-6742 Fax (707) 465-5922

JOB _____
SHEET NO. _____ OF _____
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE _____

PRIMARY AREA

DPR = 450 gpd

4" PVC TIGHT
LINE FROM HOUSE



L₃ = LATERAL LENGTH = 55'

W = LEACH FIELD WIDTH = 21'

PRIMARY AREA

649

STOVER ENGINEERING

PO Box 783 - 711 H Street - Crescent City, California 95531 (707) 465-6742 Fax (707) 465-5922
e-mail: stovereng@aol.com

STAN HOGBERG
2315 PARKWAY DRIVE
CRESCENT CITY, CA 95531

Job Number: 3668

29 April 2005

RE: On-site Sewage Disposal Evaluation – APN 112-171-06

Dear Mr. Hogberg:

Stover Engineering was retained by you to perform an on-site sewage disposal evaluation for the subject parcel located off Dundas Road in Crescent City, California. Based upon our investigation, it is our opinion that a suitable on-site sewage disposal system plus a reserve area can be situated on Lot 1 as shown on the site plan. Lot 2 testing was performed by Tromble Engineering and the sizing of its primary and reserve areas as shown on the site map are based upon Tromble Engineering's calculations. This report conforms to the Del Norte County On-site Sewage Disposal Ordinance. The observations and recommendations are based on the information collected on the investigation date and subsequent percolation testing at the specific test hole locations.

We conducted a site investigation on 24 November 2004 and a second site investigation on 30 March 2005 for additional soil profile information on Test Hole 2. Leon Perrault, REHS, from the Del Norte County Health Department was present during the investigation of the profile holes. Test Holes (TH-1 & TH-2) were dug with a backhoe generally to a depth of 8 feet and for TH-2, to a depth of 17 feet for the second investigation. The soil properties in TH-1 and TH-2 were found to be similar, consisting of dark brown loamy topsoil in the top ½ foot, followed by sandy loam of a color ranging from reddish brown to yellowish orange, from ½ to 8 feet and in TH-2, the sandy loam horizon continued to a depth of 17 feet. No groundwater or mottling was observed in any of the test holes. The attached exploratory logs indicate the soil types and where observed in the test holes.

Textural analysis was performed for both holes on 3 December, 2004. Based on the textural analysis TH-1 was determined to be Zone 2 and TH-2 was determined to be Zone 1.

Percolation testing was performed for both test holes on 7 March, 2005. Since the work was performed during the wet weather season, no presoaking of the test holes was required. The bottom of each percolation test hole was at 3 feet below the ground surface. Stabilized percolation rates of 2.7 minutes per inch (MPI) were observed for both test holes.

Based on the apparent separation distance to the water table and our calculations, a "standard leach field" may be constructed as there is sufficient room on Lot 1 to site a primary and reserve sewage disposal system, and sufficient room on Lot 2 for the same as shown on the site plan. Attached are our

7089
Civil Engineers and Consultants

Tailed Frog (*Ascaphus truei*)

Distribution. The range of the tailed frog extends from southwestern British Columbia south through western Washington and Oregon and into northwestern California. Disjunct populations also exist in Montana and Idaho. In California, the tailed frog is found in the northwestern corner of the state from Del Norte County south to central Sonoma County and east as far as southwest Shasta County (Bury 1968, Stebbins 1985).

Habitat Requirements. The tailed frog requires cold, perennial, swift-flowing streams, and cool, moist micro-habitat conditions (Welsh 1990). They are typically associated with redwood, Douglas-fir, and yellow pine forests (Bury 1968). Highly specialized larvae are found attached to rocky substrates in fast-flowing water. In northern California, tailed frogs are most often found in small, moderate to high gradient fish bearing and non-fish bearing watercourses. Larval tailed frogs mature for a period of one to two years before metamorphosis occurs. Tailed frogs are vulnerable to extreme habitat changes and predation from resident trout and Pacific giant salamanders. Although the tailed frog is known to occupy cool, small headwater streams it can sometimes be located in lower gradient reaches of larger streams.

Occurrence within the Project Area. No tailed frog habitat was located within the assessment area.

Management Considerations. Habitat conditions within the assessment area were unsuitable for the tailed frog. No management considerations for this species are necessary.

Del Norte Salamander (*Plethodon elongatus*)

Distribution. The Del Norte salamander is found in coastal forests of Del Norte, Humboldt, Siskiyou and western Trinity counties. Unlike the other amphibian species listed, which prefer riparian or wetland habitats, the Del Norte salamander is an upland species, relatively common in preferred habitats of moist, rocky soils and rubble, slides, or under dead and down woody material. This species is designated as a Species of Special Concern by the California Department of Fish and Game.

Habitat Requirements. Del Norte salamanders are found in a variety of forest types, including redwood, valley - foothill riparian, Douglas-fir, montane riparian and montane hardwood-conifer forests to 2,500 feet. However, regardless of the forest type, this species requires rocky ground with interstitial spacing which allows for vertical movement to sub-surface refugia. They feed on a variety of invertebrates including springtails, beetles, annelid worms, spiders, flies and millipedes. Breeding occurs in moist soils, as they do not require standing water.

Occurrence within the Project Area. No potential Del Norte salamander habitat was noted within the project area.

Management Considerations. This species is very common in the area, though restricted to talus or rocky substrates which do not occur on or near the project area. Therefore, there is no need for additional management considerations for this species.

Northern Red-legged frog (*Rana aurora*)

Distribution. The northern red legged frog was relatively common in riparian areas and ponds over most of non-desert areas of California. Loss of habitat and predation by non-native frogs has reduced or eliminated populations in southern and central California, but not the in northwest. In Del Norte county this is a very common species in a wide range of habitats. It is designated as a Species of Special Concern by the California Department of Fish and Game.

Habitat Requirements. This species breeds in moist areas, requiring standing water. It feeds on a variety of invertebrates, and can forage in wet fields, backyards, and in woodlots.

Occurrence within the Project Area. No Potential red legged frog habitat was found noted during review.

Management Considerations. No Red-legged frog habitat was located on or near the project area. Red-legged frogs are relatively abundant in the area but are not protected. Therefore, there is no need for additional management considerations for this species.

Coastal Cutthroat Trout (*Oncorhynchus clarki clarki*)

Distribution. Coastal cutthroat trout are one of three subspecies of cutthroat trout (*Oncorhynchus clarki*) found in California; Lahontan cutthroat trout (*O.c. henshawi*) and Paiute cutthroat trout (*O.c. seleniris*) are the other two subspecies and both inhabit inland waters. Coastal cutthroat trout are found in small coastal streams from the Eel River in California North to Seward, Alaska (Moyle 1976). In California, they are limited to drainages along the western slope of the Coast Range. Coastal cutthroat trout have both anadromous and resident forms.

Habitat Requirements. Coastal cutthroat require small, low gradient coastal streams that are cool (<18o C) and well shaded. Small gravel, which can vary in size from 10 to 40 millimeters, is essential for spawning (Wydoski and Whitney 1979). When steelhead trout are found in the same stream, coastal cutthroat tend to utilize smaller tributaries and higher portions of the watershed.

During the first year of rearing, coastal cutthroat primarily inhabit the smaller tributaries and headwater streams in the system where they feed primarily on insects (Moyle et al. 1989). After the first year, coastal cutthroat may migrate out to sea or downstream into the larger river system where smaller fish may become a more important part of their diet (Wydoski and Whitney 1979). Once they reach the ocean, most will remain within their natal stream's estuary. They may spend one or several years at sea but will migrate upstream to spawn.

Occurrence within the Project Area. No potential habitat was seen on or near the project area.

Management Considerations. There is no potential habitat for this species within the project area. No management considerations for this species are necessary.

Tidewater Goby (*Eucyclogobius newberryi*)

Distribution. The tidewater goby is a California endemic species that is distributed in brackish-water habitats along the California coast (Moyle et al. 1995). In California, the goby is located from San Diego County to Del Norte County at the mouth of the Smith River. Recent surveys for the tidewater goby in Lakes Earl and Tolowa in Del Norte county found thousands within the muddy bottoms of the lakes.

Habitat Requirements. The tidewater goby is found in shallow lagoons and lower stream reaches where water is brackish to fresh and slow moving, but not still (Moyle et al. 1995). They avoid areas of strong current and wave action. They are most often found in areas of mud and fine sediment accumulations. They are most common in the coastal block to the ocean for most of the year and not subject to tidal fluctuations.

Occurrence within the Project Area. The tidewater goby does not occur near the project area. This species is located in the sloughs and estuaries of the Smith River drainage and in Lakes Earl and Tolowa only.

Management Considerations. Habitat conditions within the assessment area are unsuitable for the tidewater goby. No management considerations for this species are necessary.

10 of 11

31

REFERENCES

- Brattstrom, B. H. 1963. A preliminary review of the thermal requirements of amphibians. *Ecology* 44:238-255.
- Bury, R. B. 1968. The distribution of *Ascaphus truei* in California. *Herpetologica* 24:39-46.
- Bury, R.B. and P.S. Corn. 1988. Douglas-fir forests in the Oregon and Washington Cascades: relation of the herpetofauna to stand age and moisture. Pages 11-22 in R.C. Szaro, K.E. Severson, and D.R. Patton (eds.), *Management of amphibians, reptiles and small mammals in North America*. (General Tech. Report RM-166.) U.S. Department of Agriculture, Forest Service, Rocky Mountain Range and Experiment Station, Fort Collins, Co.
- Molye, P.B., R.M. Yoshiyama, J.E. Williams, and E.D. Wikramanayake. 1995. Fish species of special concern in California. IFD, CDFG, Sacramento, California. 272. pp.
- Moyle, P.B., R.M. Yoshiyama, and E.D. Wikramanayake. 1989. Fish species of special concern in California, second edition. University of California Davis, Prepared for California Department of Fish and Game. Rancho Cordova, California.
- Nussbaum R. A., and C. K. Tait. 1977. Aspects of the life history and ecology of the Olympic salamander, *Rhyacotriton olympicus*. *American Midland Naturalist* 98:176-199.
- Ray, C. 1958. Vital limits and rates of desiccation in salamanders. *Ecology* 39:75-83.
- State of California Department of Fish and Game. 2001. Natural Diversity Data Base, Rarefind Printout, Dated June 1, 2000
- Stebbins, R. C. 1985. A field guide to western reptiles and amphibians. Houghton Mifflin Company. Boston, MA.
- Welsh, H. H., Jr. 1990. Relictual amphibians and old-growth forests. *Conserv. Biology* 4:309-319.
- Wydoski, R. S., and R. R. Whitney. 1979. Inland fishes of Washington. University of Washington Press. Seattle, WA.

11 of 11

PLANNING AREA NO. 4

Useable Parcels subject to Rural Land Division Standards

April 12, 2006

Parcels by Development	Number	Percentage
Developed Parcels	273	64.4%
Undeveloped Parcels	151	35.6%

Total parcels considered useable: 424

EXHIBIT NO. 12

APPLICATION NO.

DNC-MAJ-2-06

DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)

RURAL LAND DIVISION STUDY
(1 of 10)

DNC-MAJ-1-05
HOGBERG LCP AMENDMENT
ATTACHMENT

DNC-MAJ-1-05
Hogberg LCP Amendment
SURROUNDING AREA
Coastal Query MODIFIED

Parcel Number	Developed	count if Y	Within Surround ing Area Y or N	If Y Parcel Size AC	
---------------	-----------	---------------	--	---------------------------	--

Surrounding Area Total Acreage	362.15
# OF USEABLE PARCELS	264
# of Parcels Developed	199
Parcel Size Average	1.37
Parcel Size Median	1.60
Parcel Size Mode	1.00

2910

DNC-MAJ-1-05
HOGBERG LCP AMENDMENT
LCP AMENDMENT

	A	B	C	D	E	F
1	DNC-MAJ-1-05 Hogberg LCP Amendment SURROUNDING AREA Coastal Query MODIFIED					
2	Parcel Number	Developed	count if Y	Within Surrounding Area Y or N	If Y Parcel Size AC	
3	11203202	Y	1	Y	1.20	
4	11203203	N		Y	0.08	
5	11203204	N		Y	0.37	
6	11203205	N		Y	0.19	
7	11203207	N		Y	0.19	
8	11203209	N		Y	0.83	
9	11203211	N		Y	0.18	
10	11203212	N		Y	0.37	
11	11203213	Y	1	Y	4.13	
12	11203501	N		Y	0.08	
13	11203502	N		Y	0.37	
14	11203506	N		Y	0.25	
15	11203507	N		Y	0.12	
16	11203509	Y	1	Y	0.83	
17	11203510	Y	1	Y	0.83	
18	11203511	N		Y	2.87	
19	11203512	N		Y	2.95	
20	11203608	Y	1	Y	0.83	
21	11203609	Y	1	Y	0.83	
22	11203611	N		Y	2.49	
23	11204003	Y	1	Y	2.00	
24	11204004	N		Y	1.00	
25	11204005	Y	1	Y	2.00	
26	11204006	N		Y	2.00	
27	11204020	Y	1	Y	0.99	
28	11204021	Y	1	Y	0.66	
29	11204022	Y	1	Y	0.99	
30	11204023	Y	1	Y	0.99	
31	11204026	Y	1	Y	2.50	
32	11204027	Y	1	Y	0.17	
33	11204028	Y	1	Y	0.43	
34	11204030	Y	1	Y	1.05	
35	11204032	Y	1	Y	2.50	
36	11204033	Y	1	Y	2.50	
37	11204045	N		Y	0.67	
38	11212105	N		Y	1.62	
39	11212106	Y	1	Y	1.00	
40	11212107	Y	1	Y	2.00	
41	11212108	N		Y	1.00	
42	11212109	N		Y	1.00	
43	11212110	N		Y	2.00	
44	11212111	Y	1	Y	1.00	

3910

	A	B	C	D	E	F
1	DNC-MAJ-1-05 Hogberg LCP Amendment SURROUNDING AREA Coastal Query MODIFIED					
2	Parcel Number	Developed	count if Y	Within Surrounding Area Y or N	If Y Parcel Size AC	
45	11212112	Y	1	Y	2.00	
46	11212113	Y	1	Y	2.00	
47	11212114	Y	1	Y	1.00	
48	11212115	Y	1	Y	2.00	
49	11212120	Y	1	Y	1.00	
50	11212121	Y	1	Y	1.00	
51	11212122	Y	1	Y	1.00	
52	11212123	Y	1	Y	1.00	
53	11212124	Y	1	Y	1.00	
54	11212125	N		Y	1.00	
55	11212126	Y	1	Y	1.00	
56	11212127	Y	1	Y	2.00	
57	11212128	Y	1	Y	1.00	
58	11212129	Y	1	Y	1.00	
59	11212135	Y	1	Y	2.00	
60	11212136	Y	1	Y	1.47	
61	11212138	N		Y	2.00	
62	11212139	Y	1	Y	1.00	
63	11212140	N		Y	1.28	
64	11212141	Y	1	Y	1.74	
65	11212142	Y	1	Y	1.00	
66	11212143	Y	1	Y	1.00	
67	11212201	Y	1	Y	1.00	
68	11212202	Y	1	Y	1.00	
69	11212204	Y	1	Y	2.00	
70	11212205	N		Y	2.00	
71	11212206	Y	1	Y	1.00	
72	11212207	Y	1	Y	1.00	
73	11212208	Y	1	Y	1.00	
74	11212210	Y	1	Y	1.00	
75	11212211	N		Y	2.00	
76	11212212	N		Y	2.00	
77	11212214	Y	1	Y	5.00	
78	11212215	N		Y	10.00	
79	11212216	N		Y	1.00	
80	11212217	N		Y	3.00	
81	11212218	Y	1	Y	1.00	
82	11212219	N		Y	3.00	
83	11212220	Y	1	Y	2.01	
84	11212221	Y	1	Y	2.01	
85	11213105	Y	1	Y	1.62	
86	11213106	N		Y	1.62	

4410

	A	B	C	D	E	F
1	DNC-MAJ-1-05 Hogberg LCP Amendment SURROUNDING AREA Coastal Query MODIFIED					
2	Parcel Number	Developed	count if Y	Within Surround ing Area Y or N	If Y Parcel Size AC	
87	11213109	N		Y	1.00	
88	11213110	Y	1	Y	1.00	
89	11213112	Y	1	Y	1.00	
90	11213113	N		Y	1.00	
91	11213114	N		Y	1.00	
92	11213115	Y	1	Y	1.00	
93	11213116	N		Y	1.00	
94	11213117	N		Y	1.00	
95	11213119	Y	1	Y	1.00	
96	11213121	Y	1	Y	1.00	
97	11213122	Y	1	Y	1.00	
98	11213126	N		Y	1.00	
99	11213127	Y	1	Y	1.00	
100	11213128	Y	1	Y	1.00	
101	11213129	Y	1	Y	1.00	
102	11213130	Y	1	Y	1.00	
103	11213131	N		Y	1.00	
104	11213132	Y	1	Y	1.50	
105	11213133	Y	1	Y	0.50	
106	11213137	Y	1	Y	2.07	
107	11213139	Y	1	Y	1.00	
108	11213140	Y	1	Y	1.00	
109	11213141	Y	1	Y	1.00	
110	11213142	Y	1	Y	1.00	
111	11213204	Y	1	Y	1.00	
112	11213207	Y	1	Y	1.00	
113	11213209	N		Y	1.00	
114	11213210	Y	1	Y	1.00	
115	11213211	N		Y	2.00	
116	11213212	Y	1	Y	2.00	
117	11213213	N		Y	1.00	
118	11213217	N		Y	1.00	
119	11213218	Y	1	Y	1.00	
120	11213219	N		Y	1.00	
121	11213220	Y	1	Y	1.00	
122	11213221	N		Y	1.00	
123	11213223	Y	1	Y	1.00	
124	11213227	Y	1	Y	2.01	
125	11213228	Y	1	Y	2.01	
126	11213229	N		Y	2.01	
127	11213231	Y	1	Y	1.00	
128	11213233	Y	1	Y	2.01	

5 of 10

	A	B	C	D	E	F
1	DNC-MAJ-1-05 Hogberg LCP Amendment SURROUNDING AREA Coastal Query MODIFIED					
2	Parcel Number	Developed	count if Y	Within Surround ing Area Y or N	If Y Parcel Size AC	
129	11213234	Y	1	Y	1.00	
130	11213235	Y	1	Y	8.04	
131	11213236	Y	1	Y	2.00	
132	11214125	Y	1	Y	1.00	
133	11214163	Y	1	Y	3.48	
134	11214164	N		Y	1.10	
135	11214203	Y	1	Y	0.52	
136	11214204	Y	1	Y	1.00	
137	11214205	Y	1	Y	1.00	
138	11214207	Y	1	Y	1.00	
139	11214208	Y	1	Y	2.00	
140	11214209	Y	1	Y	1.00	
141	11214210	Y	1	Y	1.00	
142	11214211	N		Y	1.00	
143	11214212	Y	1	Y	1.00	
144	11214214	Y	1	Y	1.00	
145	11214215	Y	1	Y	1.00	
146	11214217	Y	1	Y	1.00	
147	11214219	Y	1	Y	1.00	
148	11214220	Y	1	Y	1.00	
149	11214223	Y	1	Y	2.00	
150	11214228	Y	1	Y	1.01	
151	11214229	Y	1	Y	1.01	
152	11214230	Y	1	Y	1.01	
153	11214235	Y	1	Y	1.00	
154	11214236	Y	1	Y	1.14	
155	11214237	Y	1	Y	1.88	
156	11214238	Y	1	Y	1.51	
157	11214239	Y	1	Y	1.00	
158	11214240	Y	1	Y	1.00	
159	11214241	Y	1	Y	2.00	
160	11214242	Y	1	Y	0.79	
161	11214243	Y	1	Y	1.00	
162	11214244	Y	1	Y	1.00	
163	11214245	Y	1	Y	1.00	
164	11216102	Y	1	Y	1.00	
165	11216103	Y	1	Y	1.00	
166	11216104	Y	1	Y	1.00	
167	11216105	Y	1	Y	1.00	
168	11216109	Y	1	Y	3.65	
169	11216111	Y	1	Y	2.00	
170	11216112	Y	1	Y	1.00	

6 of 10

	A	B	C	D	E	F
1	DNC-MAJ-1-05 Hogberg LCP Amendment SURROUNDING AREA Coastal Query MODIFIED					
2	Parcel Number	Developed	count if Y	Within Surround ing Area Y or N	If Y Parcel Size AC	
171	11216113	N		Y	1.00	
172	11216116	Y	1	Y	1.00	
173	11216117	Y	1	Y	1.00	
174	11216118	Y	1	Y	1.00	
175	11216119	Y	1	Y	1.00	
176	11216120	Y	1	Y	1.00	
177	11216122	N		Y	1.00	
178	11216123	N		Y	1.00	
179	11216124	N		Y	1.00	
180	11216125	N		Y	1.00	
181	11216129	Y	1	Y	1.00	
182	11216138	Y	1	Y	1.00	
183	11216143	Y	1	Y	1.00	
184	11216144	Y	1	Y	1.50	
185	11216147	Y	1	Y	1.00	
186	11216148	Y	1	Y	1.00	
187	11216150	Y	1	Y	2.01	
188	11216153	Y	1	Y	1.00	
189	12116155	Y	1	Y	1.00	
190	11216156	Y	1	Y	1.00	
191	11216159	Y	1	Y	2.00	
192	11216160	Y	1	Y	2.00	
193	11216161	Y	1	Y	1.00	
194	11216162	Y	1	Y	1.00	
195	11216163	Y	1	Y	2.51	
196	11216165	Y	1	Y	1.00	
197	11216166	Y	1	Y	1.00	
198	11216201	Y	1	Y	1.00	
199	11216202	Y	1	Y	1.00	
200	11216203	Y	1	Y	1.00	
201	11216206	Y	1	Y	1.00	
202	11216207	Y	1	Y	1.00	
203	11216208	Y	1	Y	1.00	
204	11216209	Y	1	Y	1.00	
205	11216210	Y	1	Y	1.00	
206	11216211	Y	1	Y	1.00	
207	11216213	N		Y	1.00	
208	11216214	Y	1	Y	1.00	
209	11216215	Y	1	Y	1.00	
210	11216216	Y	1	Y	1.00	
211	11216217	Y	1	Y	1.00	
212	11216218	Y	1	Y	1.00	

7410

	A	B	C	D	E	F
1	DNC-MAJ-1-05 Hogberg LCP Amendment SURROUNDING AREA Coastal Query MODIFIED					
2	Parcel Number	Developed	count if Y	Within Surround ing Area Y or N	If Y Parcel Size AC	
213	11216219	Y	1	Y	1.00	
214	11216221	Y	1	Y	1.00	
215	11216222	Y	1	Y	1.00	
216	11216223	Y	1	Y	2.00	
217	11216224	Y	1	Y	1.00	
218	11216226	Y	1	Y	1.00	
219	11216227	N		Y	1.00	
220	11216228	Y	1	Y	1.00	
221	11216229	Y	1	Y	1.00	
222	11216230	Y	1	Y	4.00	
223	11216231	Y	1	Y	1.06	
224	11216232	Y	1	Y	2.00	
225	11217101	Y	1	Y	1.00	
226	11217102	Y	1	Y	1.00	
227	11217103	Y	1	Y	1.00	
228	11217104	Y	1	Y	1.00	
229	11217105	Y	1	Y	3.00	
230	11217106	N		Y	2.00	
231	11217107	N		Y	1.00	
232	11217108	Y	1	Y	1.00	
233	11217110	Y	1	Y	1.00	
234	11217111	Y	1	Y	2.00	
235	11217112	Y	1	Y	1.00	
236	11217113	Y	1	Y	1.00	
237	11217114	Y	1	Y	1.00	
238	11217115	Y	1	Y	1.00	
239	11217116	Y	1	Y	1.00	
240	11217118	Y	1	Y	1.00	
241	11217119	Y	1	Y	1.00	
242	11217120	?		Y	1.00	
243	11217122	Y	1	Y	2.00	
244	11217123	Y	1	Y	1.00	
245	11217124	Y	1	Y	1.00	
246	11217125	Y	1	Y	1.00	
247	11217126	Y	1	Y	1.00	
248	11217127	Y	1	Y	2.00	
249	11217129	Y	1	Y	1.00	
250	11217130	N		Y	1.00	
251	11217131	Y	1	Y	1.00	
252	11217132	Y	1	Y	1.00	
253	11217133	Y	1	Y	1.00	
254	11217134	Y	1	Y	1.00	

8410

	A	B	C	D	E	F
1	DNC-MAJ-1-05 Hogberg LCP Amendment SURROUNDING AREA Coastal Query MODIFIED					
2	Parcel Number	Developed	count if Y	Within Surround ing Area Y or N	If Y Parcel Size AC	
255	11217135	Y	1	Y	1.00	
256	11217201	N		Y	1.00	
257	11217202	N		Y	5.00	
258	11217203	N		Y	1.00	
259	11217205	N		Y	2.00	
260	11217210	N		Y	1.00	
261	11217211	Y	1	Y	1.00	
262	11217215	N		Y	10.00	
263	11217216	Y	1	Y	1.00	
264	11217217	Y	1	Y	2.01	
265	11217218	Y	1	Y	2.00	
266	11217219	Y	1	Y	2.00	

9410

Crescent City Area Land Use Map

Land Use Designations

- Urban Boundary
- City Limits
- Agriculture Prime
- Agriculture General (20 ac)
- Agriculture General (5 ac)
- Timberland
- Rural Residential 1du1ac
- Rural Residential 1du2 ac
- Rural Residential 1du3 ac
- Rural Residential 1du5 ac
- Rural Neighborhood with density
- Rural Mobilehome Park
- Golf Course
- Visitor Serving Commercial
- General Commercial
- General Industrial
- Light Industrial
- Agriculture Industrial
- Suburban Residential
- Urban Residential
- Multi-Family
- Urban Mobilehome Park
- Harbor Dependent
- Harbor Dependent Commercial
- Harbor Dependent Recreation
- Harbor Related
- Natural Hazard
- Greenery
- Public Facility
- Resource Conservation Area
- State and Federal Lands
- Tribal Lands

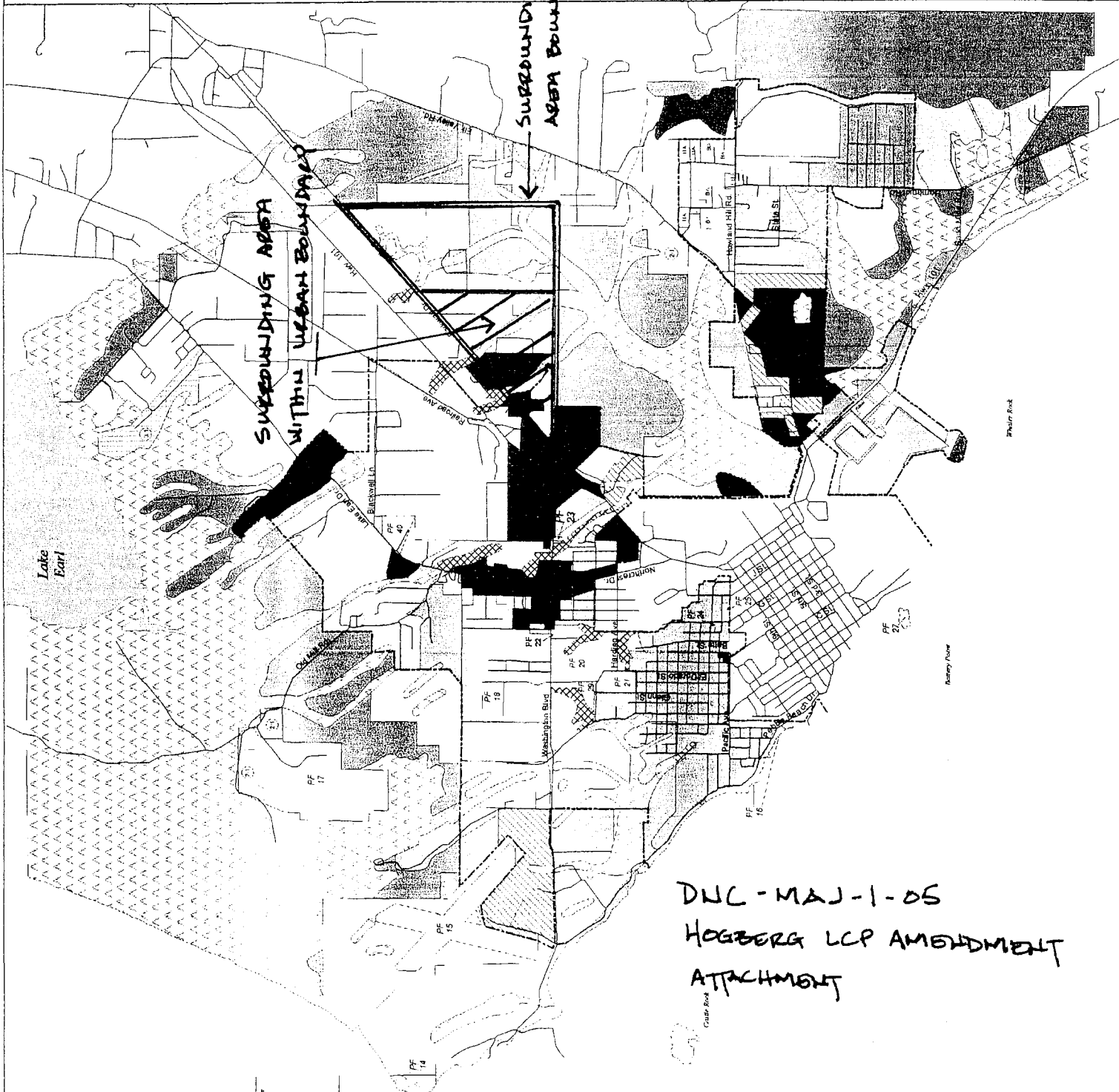
- General Plan Public Facilities Use Designations
- 13 (Point St. George Lighthouse) County Park
 - 14 (Pt. St. George Access) County Park
 - 15 (McNamara Field) Airport
 - 16 (Pebble Beach Access) County Park
 - 17 (County landfill) Solid Waste Facility
 - 18 (Mits. Peacock) School
 - 19 (College of the Redwoods) Community College
 - 20 (Del Norte High School) District Offices
 - 21 (Bess Maxwell) School
 - 22 (Crescent) Fire/Emergency Services Center
 - 23 (City) Water Storage Tank
 - 24 Public Utility Center
 - 25 (Mackin Ballfields) County Park
 - 26 (Crescent Elm) School
 - 27 (Battery Point Lighthouse) County Park
 - 40 (Pine Grove) School



1,000 0 1,000 2,000 Feet



Prepared by: U.S. LIGHT
Community Development Department
Crescent City, California
February 2005



DNC-MAJ-1-05
HOGGERG LCP AMENDMENT
ATTACHMENT

10 of 10

STOVER ENGINEERING

Civil Engineers and Consultants

PO Box 783 - 711 H Street
Crescent City CA 95531
Tel: 707.465.6742
Fax: 707.465.5922
info@stovereng.com

HEIDI KUNSTAL, PLANNER
DEL NORTE COUNTY
COMMUNITY DEVELOPMENT DEPT.
981 H STREET
CRESCENT CITY, CA 95531

Job Number: 3668

26 April 2005

RE: R0504C—Traffic Evaluation for APN 112-171-06

Dear Heidi:

You requested that we demonstrate the adequacy of Dundas Road for handling the additional traffic that would be potentially created by rezoning the above-referenced parcel from RRA-2-MFH to RRA-1-MFH. The proposed rezone area consists of seven parcels (refer to attached map of the proposed rezone area). The rezone potentially would permit the creation of three additional residential lots in the area: two 1-acre parcels on Tsunami and one 1-acre parcel on Dundas Road. It is my opinion that the proposed rezoning will not adversely impact the current level of service at the intersection of Dundas Road and Elk View Road. Development other than that contemplated in this letter may require additional study.

The proposed rezone area is serviced by Dundas Road on the west, Elk View Road on the north and Tsunami Lane on the east. The traffic study area consists of 26 existing parcels plus 3 new parcels under the proposed rezone. It is assumed that at full development for the proposed rezone area, all trip ends generated will run directly to Dundas Road. The existing trips generated and the trips generated due to the proposed rezone for am and pm times of the day were analyzed at the intersection of Dundas Road and Elk View Road. Attached trip generation estimates were developed using the ITE Trip Generation Manual, 5th Edition. Under the existing zoning, the estimated maximum trip generation is 3 entering (PM) and 3 exiting (AM). The same is estimated with the proposed addition of 3 residences. There are no measurable changes between the current zoning and the proposed. No other turning patterns were estimated for this traffic evaluation.

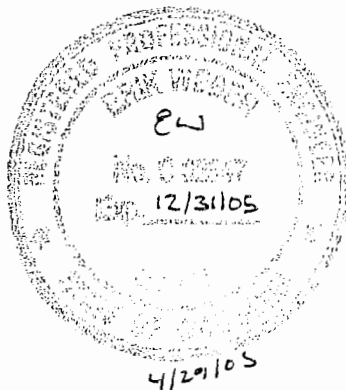
This rezone will not adversely affect the existing level of service on Dundas Road. I trust this provides the documentation you require. Please feel free to contact me if you have any questions.

Very truly yours,

STOVER ENGINEERING

Signature on File

Erik Weber, PE
Project Engineer



Enclosures: 12 pages

EXHIBIT NO. 13

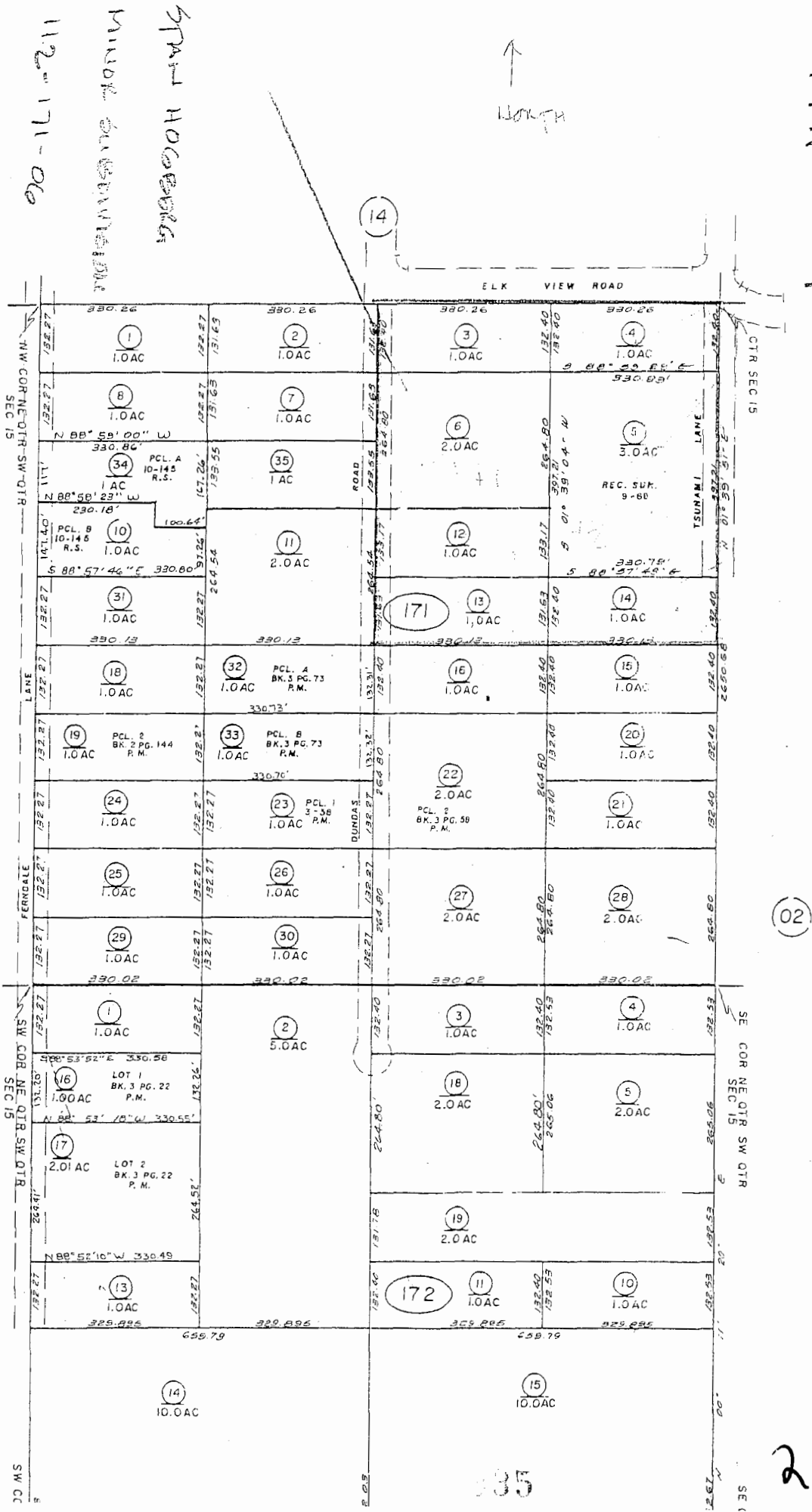
APPLICATION NO.

DNC-MAJ-2-06

DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)

TRAFFIC IMPACT STUDY
(1 of 14)

E¹/₂ SW¹/₄ SEC 15 T.16N., R.1W., H.B. & M.



STOVER ENGINEERING
711 H Street
Crescent City, CA 95531
(707) 465-6742 Fax (707) 465-5922

JOB 30608 - TRAFFIC IMPACT ANALYSIS
SHEET NO. 1 OF 5
CALCULATED BY ES DATE 4-25-05
CHECKED BY _____ DATE _____
SCALE _____

DISCUSSION W/ COMMUNITY DEVELOPMENT DEPT
RESULTED IN DEFINITION OF PROPOSED HOVING
BOUNDARY (REFER TO ATTACHED SH. 4/5) &
REQUEST THAT INTERSECTION OF ELK VIEW RD. &
DUNDAS BE ANALYZED & THAT GENERATED TRIPS
FROM PROPOSED TOWNHOMES PARCELS ARE
ASSUMED TO BE 100% DIRECTED TO THAT
INTERSECTION, DUNDAS & ELK VIEW RD.

IMPACT @ DUNDAS & ELK VIEW RD. INTERSECTION

EXISTING CONDITION = HOVING, RRA-2-MPH

'ADJACENT' (SOUTH OF ELK VIEW RD.)
DUNDAS GENERATED FROM TOWNHOMES/ELK VIEW RD. = 6 EA
(DU)
TO DUNDAS-ELK VIEW RD. INTERSECTION
'STREET' (SOUTH OF ELK VIEW RD.)
DUNDAS GENERATED TO DUNDAS-ELK
VIEW RD. INTERSECTION = 20 EA

- REFER TO SH. 2 OF 5 FOR THE STUDY AREA BOUNDARY.

PROPOSED CONDITION = HOVING, RRA-1-MPH

REFER TO SH. 4/5 FOR PROPOSED HOVING AREA

#1 - DU = 6 EA, 'ADJACENT' = PARCELS ON TOWNHOMES RD. OF
ELK VIEW & ON ELK VIEW N.E.S.
BETWEEN TOWNHOMES & DUNDAS.
#2 - DU = 21 EA, 'STREET' = PARCELS ON DUNDAS, SOUTH
OF ELK VIEW RD.

- REFER TO SH. 2 OF 5 FOR THE STUDY AREA BOUNDARY.

TRIP GENERATIONS - USING ITS, 5TH EDITION, TRIP GENERATION
MANUAL CHART 210 FOR
"ADJACENT TRAFFIC" & "PEAK HOUR"

ANALYZES EXISTING = PROPOSED @ INTERSECTION OF DUNDAS & ELK VIEW RD.

AM - "ADJACENT TRAFFIC"

1. EXISTING CONDITION, $DU_s = 6$ EA

FROM CHART, FITTED CURVE = $Ln(T) = .867 Ln(X) + .355$

$T = 2$ TRIPS, EXISTING "ADJACENT"

30/14

36

AM

TRAFFIC STUDY RSA

SHT. 2 OF 3

DWELLING UNITS - BASIS FOR "EXISTING" DUs
"PROPOSED" DUs

EXISTING

DUNDAS - DU = 20 / 111

ADJACENT - DU = 6

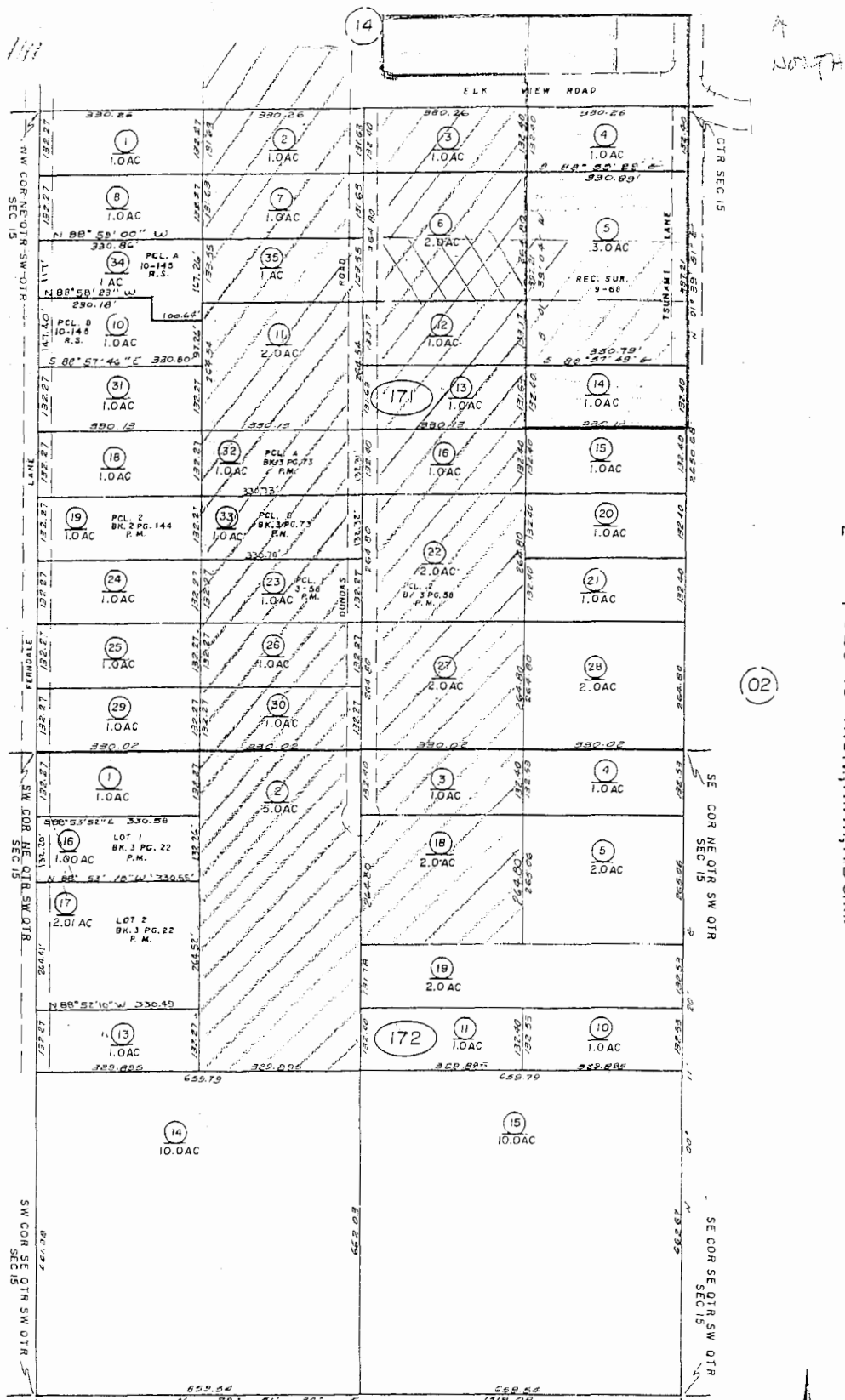
PROPOSED

DUNDAS - DU = 21

//// + [diagonal lines]

ADJACENT - DU = 8

[diagonal lines] + [diagonal lines]



E 1/2 SW 1/4 SEC 15 T.16N, R.1W, HB&M.

4414

(02)

112-17
1" = 200'

STOVER ENGINEERING
 711 H Street
 Crescent City, CA 95531
 (707) 465-6742 Fax (707) 465-5922

JOB 3668 - TRAFFIC IMPACT ANALYSIS

SHEET NO. 3 OF 5

CALCULATED BY RS DATE 4-25-05

CHECKED BY _____ DATE _____

SCALE _____

TRIP GENERATION

- CONTINUED - FROM SHEET 1 OF 5

AM - "ADJACENT TRAFFIC" - CONTINUED

2. PROPOSED, $D_{US} = 8$

FROM FITTED CURVE, $T = 2$ TRIPS, PROPOSED ADJACENT AM

PM - "ADJACENT TRAFFIC"

1. EXISTING, $D_{US} = 6$

FROM FITTED CURVE, $\ln(T) = .902 \ln(x) + .528$

$T = 2$ TRIPS, EXISTING ADJACENT PM

2. PROPOSED, $D_{US} = 8$

FROM FITTED CURVE, $T = 2$ TRIPS, PROPOSED ADJACENT PM

AM - "STREET" - FROM DUNNONS, SOUTH OF ELK VIEW RD.

1. EXISTING, $D_{US} = 20$ EA

FROM FITTED CURVE, $\ln(T) = .858 \ln(x) + .464$

$T = 3$ EA, EXISTING STREET AM

2. PROPOSED, $D_{US} = 21$ EA

FROM FITTED CURVE, $T = 3$ EA, PROPOSED STREET AM

PM - "STREET"

1. EXISTING, $D_{US} = 20$

FITTED CURVE: $\ln(T) = .892 \ln(x) + .590$

$T = 3$ EA, EXISTING STREET PM

2. PROPOSED, $D_{US} = 21$

FITTED CURVE: $T = 3$ EA, PROPOSED STREET PM

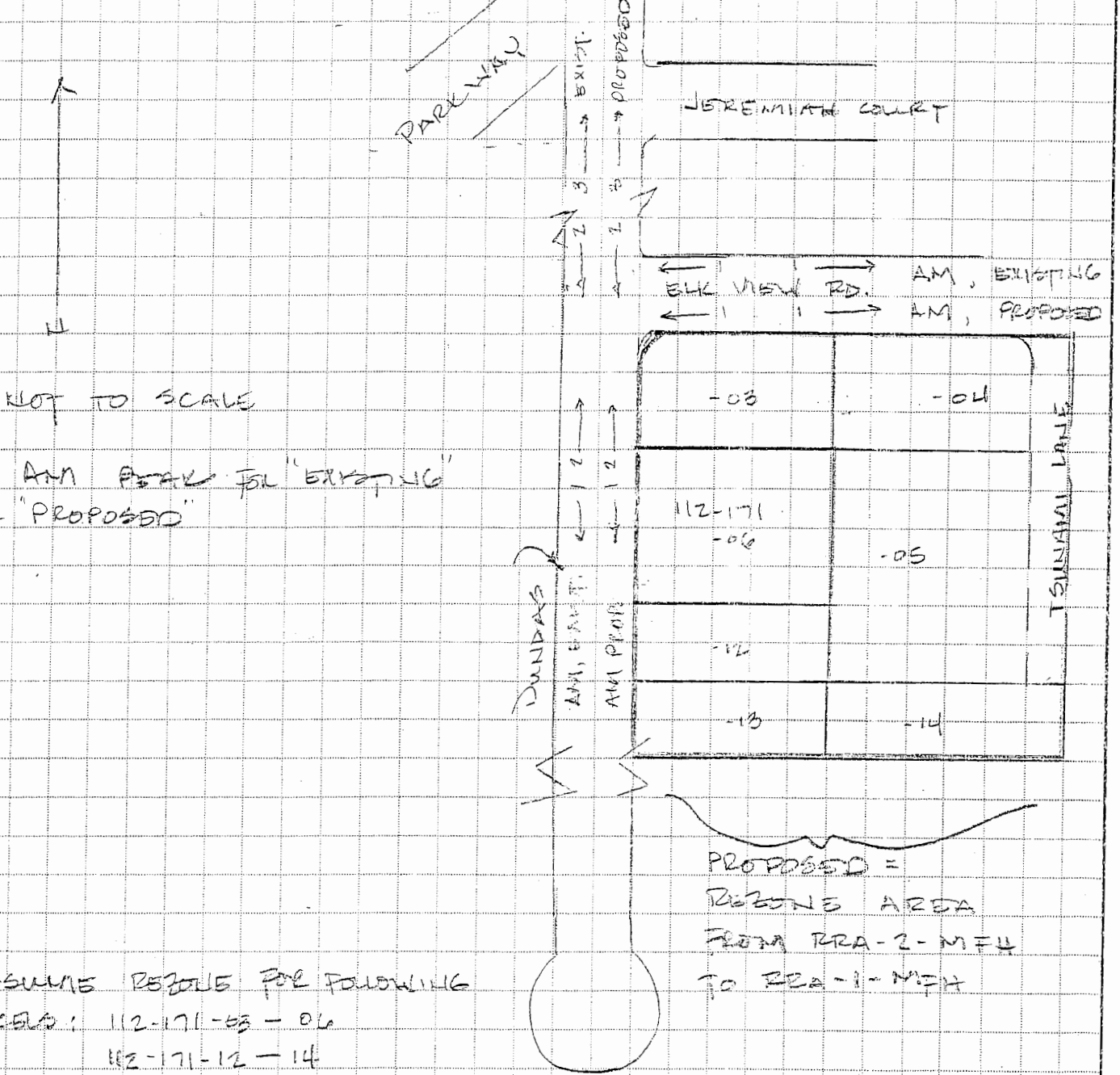
SUMMARY -	EXISTING		PROPOSED	
	AM	PM	AM	PM
ADJACENT	2	2	2	2
STREET	3	3	3	3

5 of 14

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 711 H Street
 Crescent City, CA 95531
 (707) 465-6742 Fax (707) 465-5922

JOB 3668 TRAFFIC ANALYSIS, AM
 SHEET NO. 4 OF 5
 CALCULATED BY _____ DATE 4-15-05
 CHECKED BY _____ DATE _____
 SCALE _____

AM -



ASSUME RESONE FOR FOLLOWING
 PARCELS: 112-171-03 - 04
 112-171-12 - 14

NO TURNING INFO - ASSUMES ALL TRIPS
 GENERATED FROM PARCELS FRONTING DUNDAS
 & TSULAMI. RESONE WOULD CREATE 1 ADDL DWELLING
 UNIT (DU) ON DUNDAS & 2 ADDL DUS ON
 TSULAMI.

STOVER ENGINEERING
 711 H Street
 Crescent City, CA 95531
 (707) 465-6742 Fax (707) 465-5922

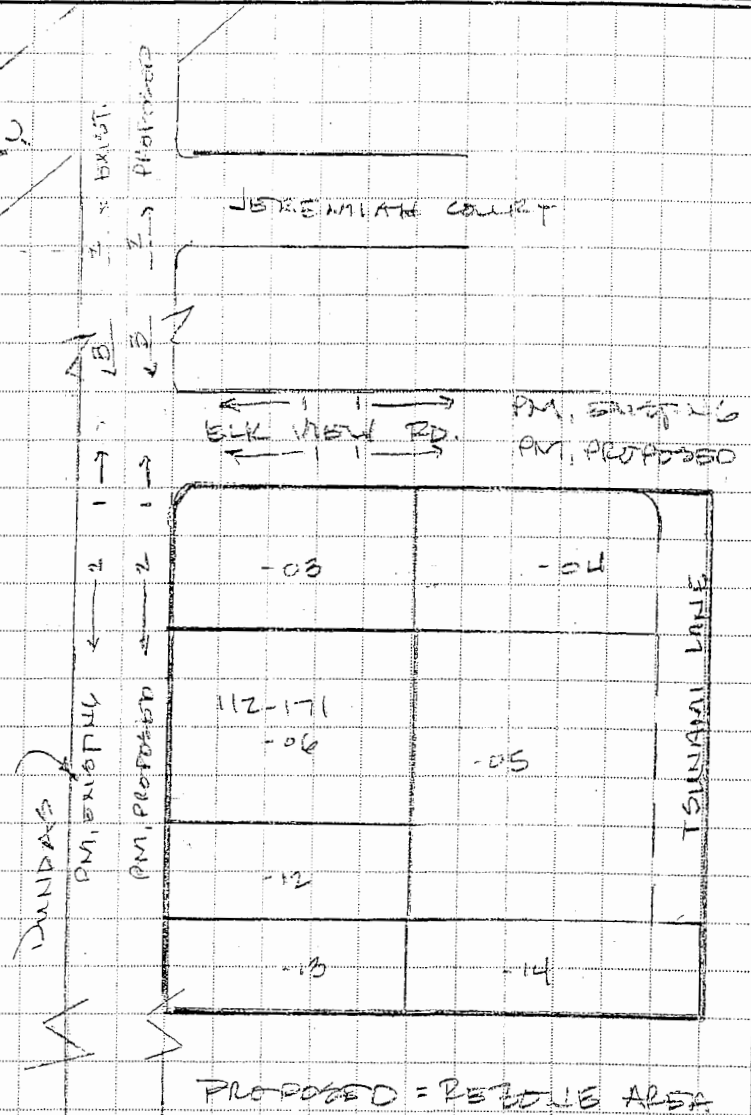
JOB 3669 TRAFFIC ANALYSIS, PM
 SHEET NO. 5 OF 5
 CALCULATED BY RS DATE 4-15-05
 CHECKED BY _____ DATE _____

SCALE

DM -

NOT TO SCALE

PM PEAK FOR "EXISTING"
 & "PROPOSED"



ASSUME RESIDUE FOR FOLLOWING
 PARCELS: 112-171-03 - 06
 112-71-12 - 14

NO TURNING INFO - ASSUMES ALL TRIPS
 GENERATED FROM PARCELS FRONTING DUNDAS
 & TSULIAMI

8914

11

Land Use: 210

Single-Family Detached Housing

Description

Any single family detached home on an individual lot is included in this land use category. A typical site surveyed is a suburban subdivision.

Additional Data

Information on transit trip ends is not available.

Information on person trip ends is not available.

Information on truck trips is not available.

Information on vehicle occupancy is not available.

Peak hours of the generator typically coincide with the peak hours of the adjacent street traffic.

Average development density:

3.5 dwelling units per acre

3.7 persons per dwelling unit

Average automobile ownership:

1.6 vehicles per dwelling unit

The studies were conducted at sites throughout the United States and Canada in the late 1960's through late 1980's.

Independent variables:

Although the number of vehicles and number of residents have high correlations with average weekday vehicle trip ends, these variables have limited use. This is because the number of vehicles and residents is difficult to obtain, many studies did not contain these data, and these data are difficult to predict. The number of dwelling units has a high correlation with average weekday vehicle trip ends, and is generally the independent variable of choice because it is contained in most studies, is easy to project, and convenient to use.

Adjustment factors:

This land use includes data from a wide variety of units with different sizes, price ranges, locations, and ages. Consequently, there is as wide a variation in trips generated within this category as there is between different residential land uses. As expected, dwelling units that were larger in size, more expensive, or farther away from the central business district (CBD) had a higher rate of trip generation per unit than those smaller in size, less expensive, or closer to the CBD. However, other factors, such as geographic location and type of adjacent and nearby development, also had an effect on the site trip generation.

Single-family detached units have the highest trip generation rate per dwelling unit of all residential uses because they are the largest units in size and have more residents and more vehicles per unit than other residential land uses; they are generally located further away from shopping centers, employment areas, and other trip attractors than are other residential land uses; and they have fewer alternate modes of transportation available because they are not as concentrated as other residential land uses.

A study performed for the Federal Highway Administration¹ developed adjustment factors for average weekday vehicle trip rates for residential land uses and their associated demographic characteristics. These characteristics included household size, vehicle ownership, and dwelling density. The adjustment factors shown below are to be added to or subtracted from the average weekday trip generation rates, using dwelling units as the independent variable. Any combination of adjustment factors may be applied to the trip generation rate. However, if residential characteristics are not available, then the average rate or equation would be utilized. Peak hour trip generation rates can be adjusted by the ratio of the average weekday adjusted trip rate to the average weekday trip rate.

Characteristic: Household Size	Adjustment Factor²
1-2	-3.4
2-3	-1.8
>3	0.0
Characteristic: Vehicles Owned	Adjustment Factor²
0-1	-1.5
1-2	0.0
>2	+2.9
Characteristic: Density (D.U. per Acre)	Adjustment Factor²
0-3	0.0
3-5	0.0
>5	-0.1

Source Numbers

1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 16, 19, 20, 21, 26, 34, 35, 36, 38, 40, 71, 72, 84, 91, 98, 100, 105, 108, 110, 114, 117, 119, 157, 167, 177, 187, 192, 207, 211, 246, 275, 283, 293, 300, 319, 320

¹U.S. Department of Transportation, Federal Highway Administration. *Development and Application of Trip Generation Rates*. Kellerco, January 1985.

²Adjustment factor to be added to (or subtracted from) the average weekday vehicle trip generation rate per dwelling unit.

U43 10a 14

APN 112-171-06

Single-Family Detached Housing (< 300 Units) (210)

Average Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

P.M. Peak Hour of Generator

Number of Studies: 357

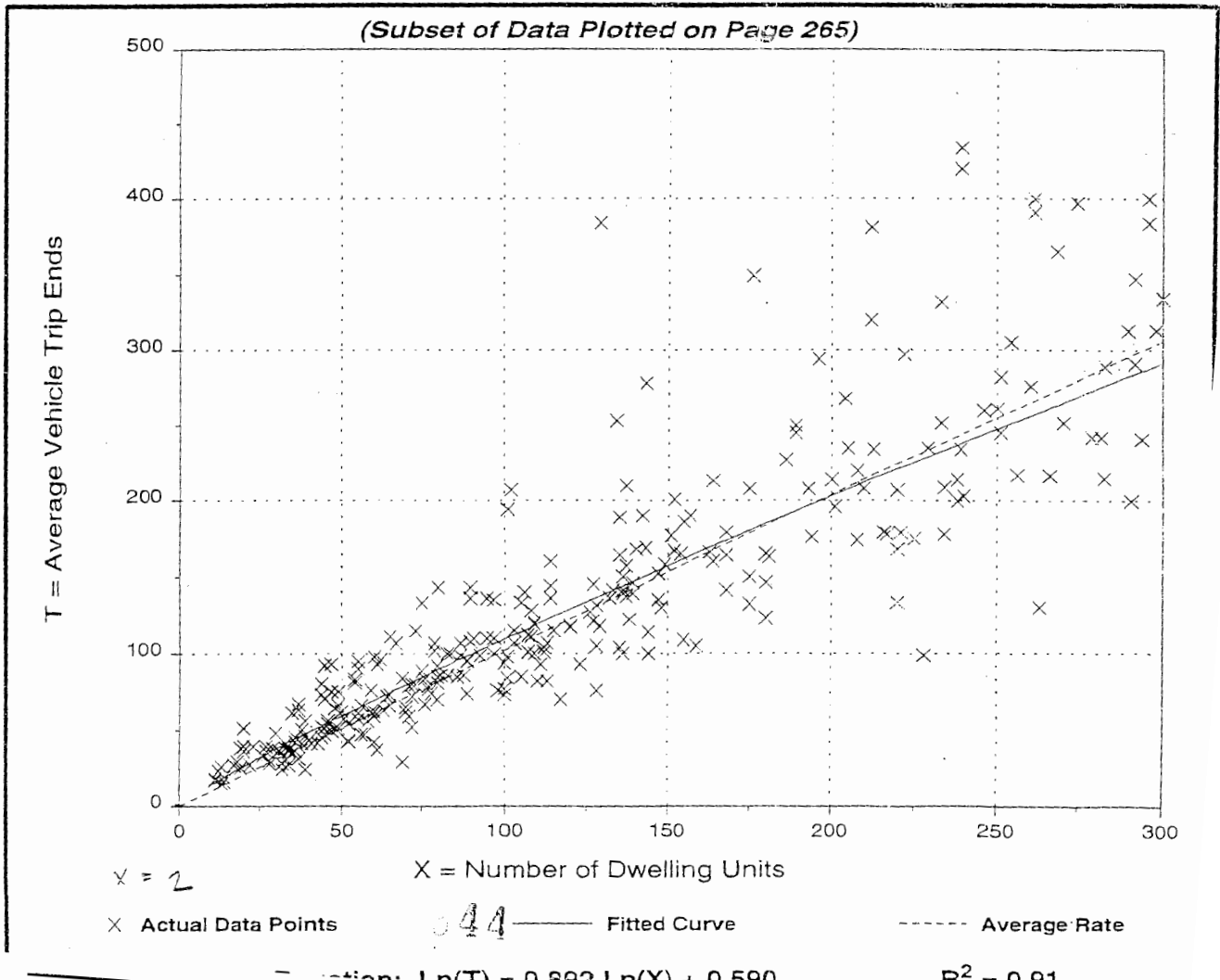
Average Number of Dwelling Units: 183

Directional Distribution: 64% entering, 36% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
1.02	0.42 - 2.98	1.05

Data Plot and Equation



Single-Family Detached Housing (< 300 Units) (210)

Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
A.M. Peak Hour of Generator

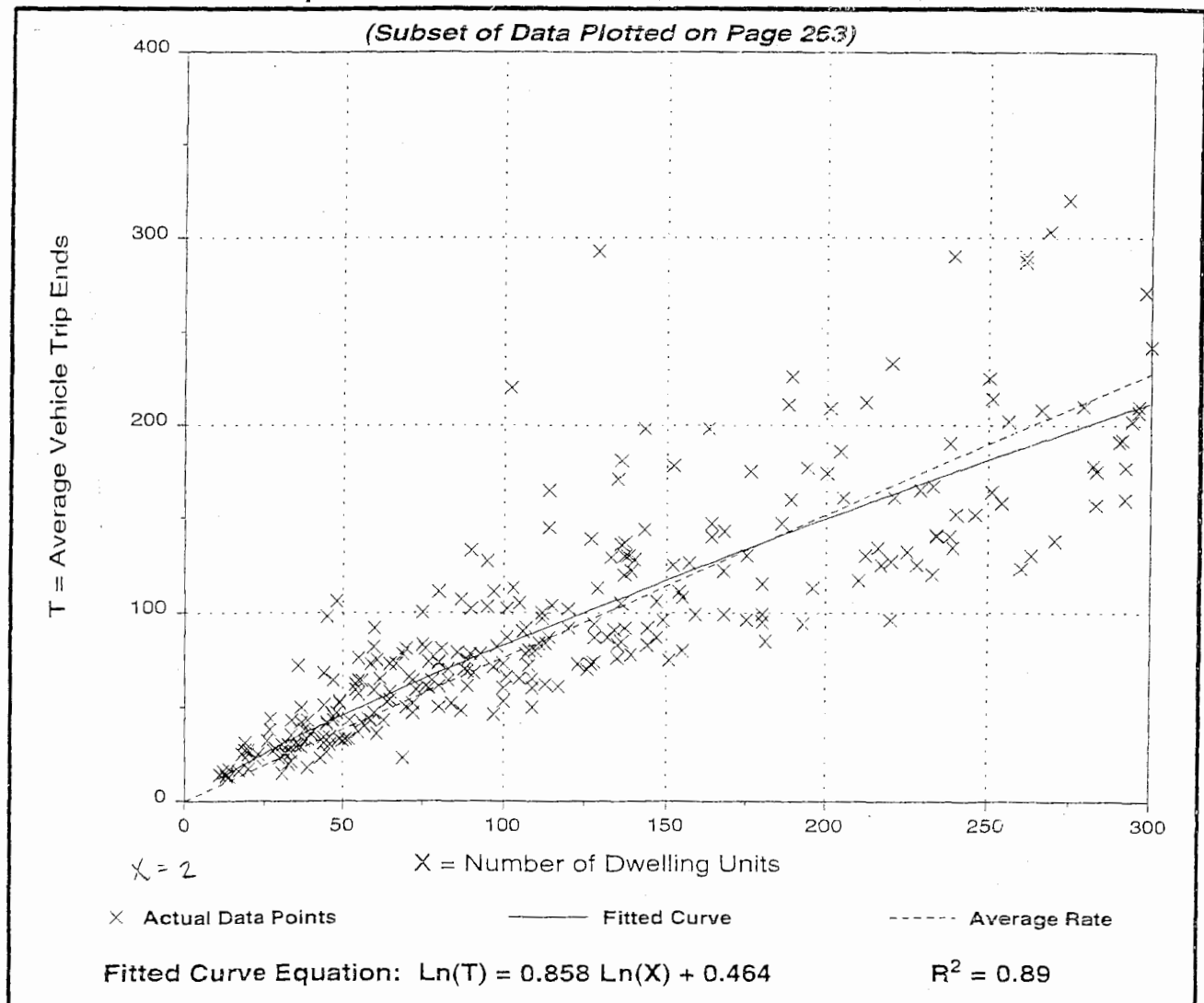
ADL - 112-171-06

Number of Studies: 339
Average Number of Dwelling Units: 190
Directional Distribution: 26% entering, 74% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.76	0.33 - 2.27	0.91

Data Plot and Equation



12914

Single-Family Detached Housing (< 300 Units) (210)

Average Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

1. ON TEULACAN, SOUTH OF
BLK NEW RD, + PARCELS N E S OF
BLK " " " TO DUNNORS: BLK NEW RD 14 PARCELS

Number of Studies: 280

Average Number of Dwelling Units: 210 *DU = 6 EACH, EXIST.*

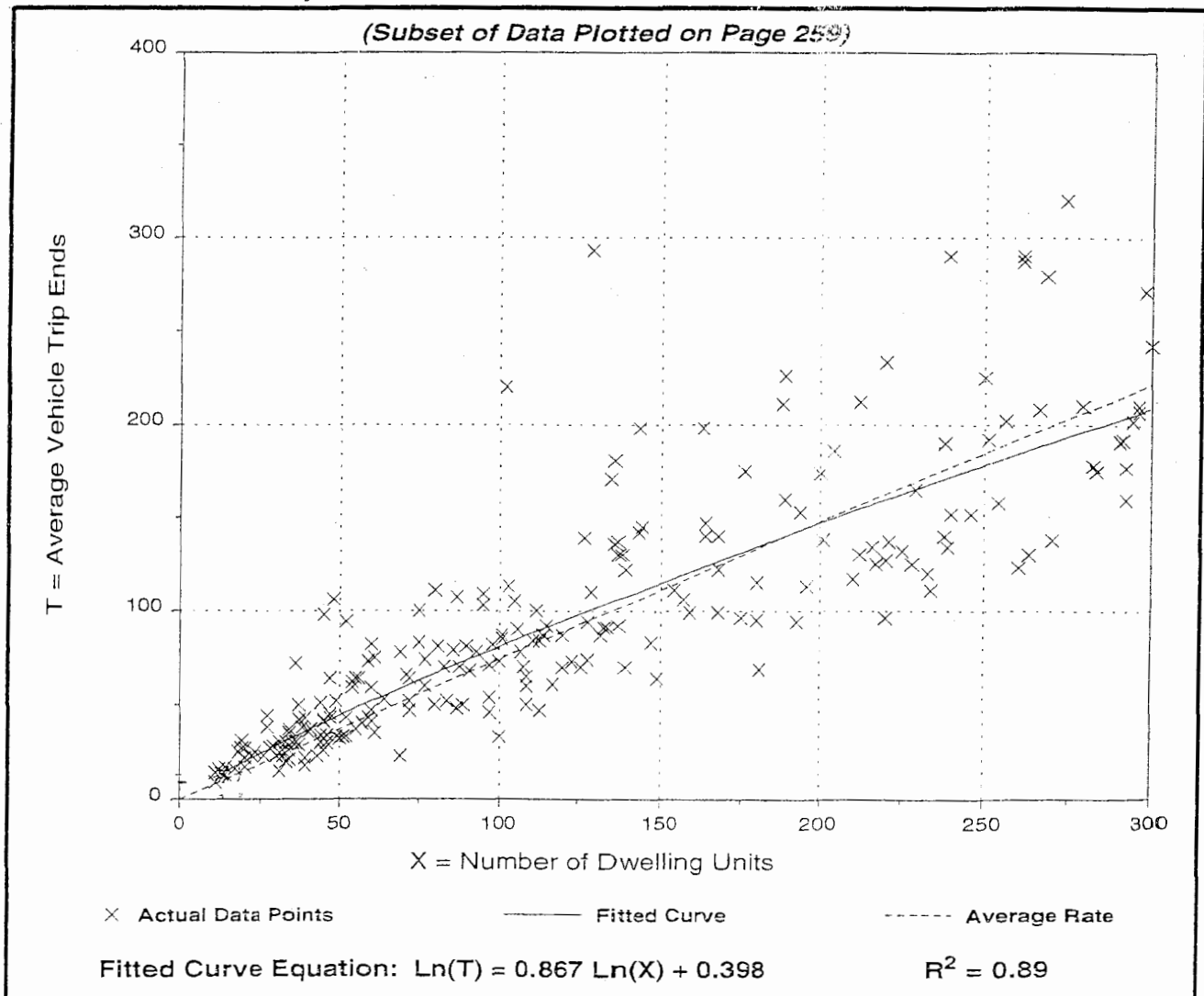
Directional Distribution: 26% entering, 74% exiting

Trip Generation per Dwelling Unit

DU = 6 EA, PROPOSED

Average Rate	Range of Rates	Standard Deviation
0.74	0.33 - 2.27	0.90

Data Plot and Equation



Single-Family Detached Housing (< 300 Units) (210)

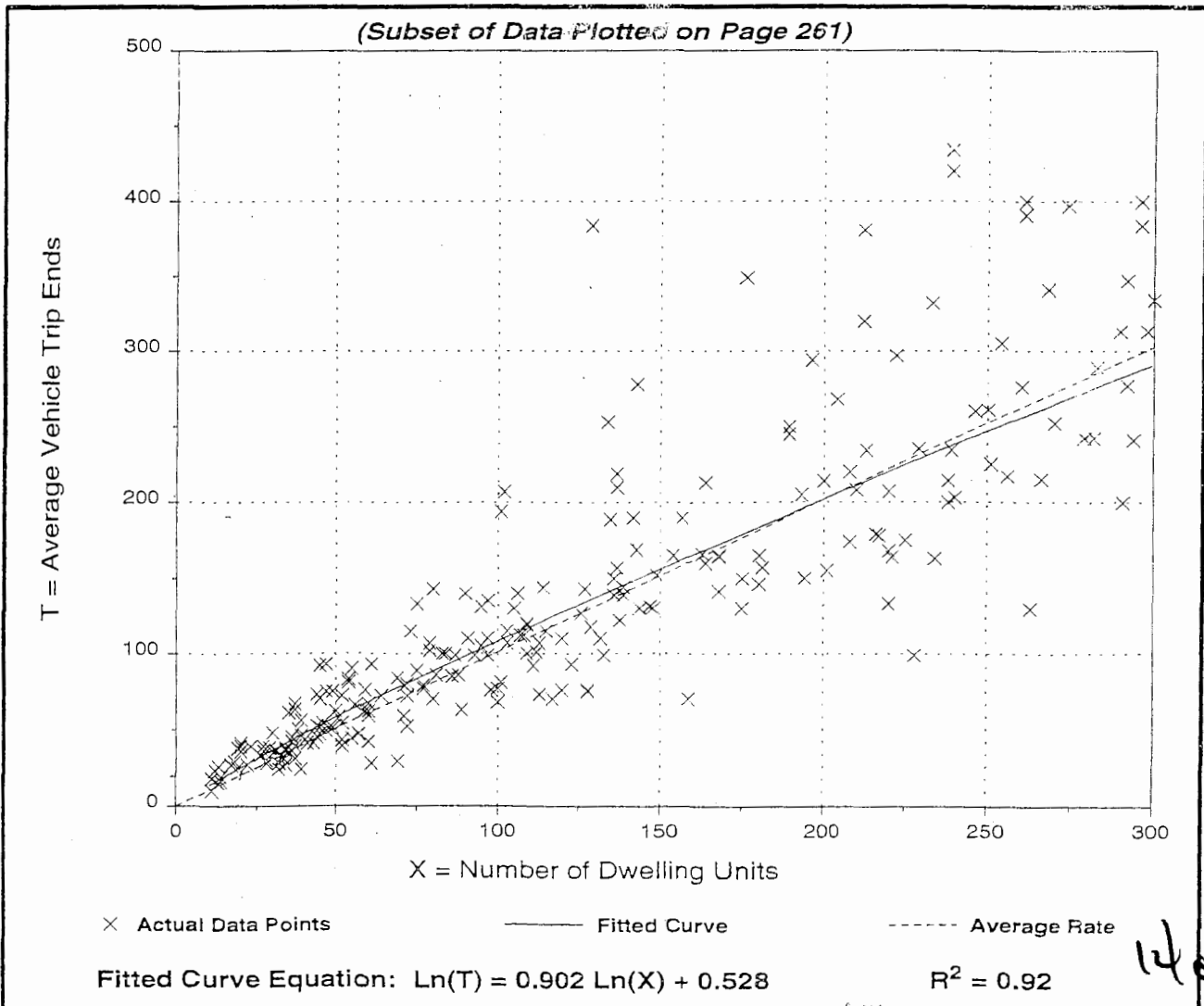
Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 301
Average Number of Dwelling Units: 222
Directional Distribution: 64% entering, 36% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
1.01	0.42 - 2.98	1.05

Data Plot and Equation





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BIOLOGICAL ASSESSMENT FOR PROPOSED REZONE, HOGBERG PROPERTY, DUNDAS ROAD, CRESCENT CITY, CA. APRIL, 2005 (APN # 112-171-06)

INTRODUCTION

The Applicant seeks a rezone from RRA-2-MFH to RRA-1-MFH on two acres of undeveloped property on Dundas Road. Galea Wildlife Consulting (GWC) was contracted to provide a general biological assessment of the project area to determine the possible impacts of the project on sensitive wildlife species, including those which are federally or state listed. Additionally, GWC conducted a review of habitats within and adjacent to the property determine if wetlands were present and if a wetland delineation was necessary.

Project Area Description

The property is located in a residential area on Dundas Road. This two acre parcel is surrounded by homes on all sides except where it faces Dundas Road. The entire property is relatively flat and is densely timbered with pole-sized spruce trees.

Records Search

A records search of the California Department of Fish and Game's (CDFG) Natural Diversity Data Base (CNDDB, 2005) was conducted to determine if any additional special-status plant or animal species had been previously reported within or near the project area. For the purposes of this report, special-status plant and animal species are defined as those listed in the California Fish and Game Code as Rare, Threatened or Endangered, those listed as Threatened or Endangered under the Federal Endangered Species Act, candidates for state or federal listing, and unlisted species that may be significantly affected and warrant consideration. Listed and sensitive wildlife species potentially occurring within the Crescent City quadrangle are presented in Table 1.

EXHIBIT NO. 14

APPLICATION NO.

DNC-MAJ-2-06

DEL NORTE COUNTY LCP
AMENDMENT (HOGBERG)

BIOLOGICAL ASSESSMENT
(1 of 11)

Field Investigation

A field investigation of the project area was conducted in April of 2005. Certified Wildlife Biologist Frank Galea conducted the field review. All potential wildlife habitats within the project area and immediately around the project area were assessed for their potential for listed wildlife species. Trees on the property were checked using binoculars for nests of any kind, and the ground below was searched for evidence of egret, heron or raptor nests which may be hidden in the canopy above.

RESULTS AND POTENTIAL IMPACTS

Records Search

The CDFG Natural Diversity Data Base (CNDDDB, 2005) provided a summary of those federal and state-listed and sensitive wildlife species and their mapped locations, reported to have occurred at least once within the Crescent City quadrangle. None of the mapped locations were from within or near the project area.

A list of those sensitive or listed animal species potentially occurring in the vicinity of the project area is presented in Table 1, including the common and scientific names for each. The listing status of each species and if potential habitat (as determined by GWC, based upon a review of habitat available within the project area) was located within the project area is also indicated in Table 1. The rationale for habitat determinations per species is provided in Appendix A, in the Habitat Analysis section.

Habitat Analysis for Fish and Wildlife

A habitat assessment for sensitive wildlife species was conducted in April of 2005. The project area was found to contain no potential for the wildlife species listed in Table 1. No occurrences of threatened, endangered or otherwise sensitive wildlife species are listed in the CNDDDB for the project site.

Threatened or Endangered Species: Table 1 shows no potential habitat for threatened or endangered species within the project area. The project area had been historically logged and no suitable habitat for later seral species remains. The parcel is located in a residential area with homes built on three sides of the property. This project, therefore, would have no potential impacts upon any threatened or endangered species.

Amphibians: This property has no potential for sensitive amphibian species. There are no watercourses or wetland areas on or near the property, and there is no potential habitat for the Del Norte salamander.

Table 1 . Sensitive Wildlife Species Occurring or with the Potential to Occur Within the Region of the Project Area

(From NDDB Quad search, USFWS Del Norte County list, and GWC sources)

Common Name	Scientific Name	Federal Status	State Status	Breeding Habitat in Project Area?	Forage Habitat in Project Area?
BIRDS					
Northern spotted owl	<i>Strix occidentalis caurina</i>	FT	CSC	No	No
Bald eagle	<i>Haliaeetus leucocephalus</i>	FT	CE/CFP	No	No
Bank Swallow	<i>Riparia riparia</i>	None	CT	No	No
Western Snowy Plover	<i>Charadrius Alexandrinus Nivosus</i>	FT	CSC	No	No
FISH					
Coastal cutthroat trout	<i>Oncorhynchus clarki clarki</i>	SC	None	No	No
S. OR./N. CA Coho salmon	<i>Oncorhynchus kisutch</i>	SC	T	No	No
Tidewater goby	<i>Eucyclogobius newberryi</i>	SC	E	No	No
AMPHIBIANS					
Del Norte salamander	<i>Plethodon elongatus</i>	SC	Yes	No	No
Southern torrent (=seep) salamander	<i>Rhyacotriton variegatus</i>	SC	Yes	No	No
Tailed frog	<i>Ascaphus trueii</i>	SC	Yes	No	No
Foothill yellow-legged frog	<i>Rana boylei</i>	None	CSC	No	No
Northern red-legged frog	<i>Rana aurora aurora</i>	None	CSC	No	No
INVERTEBRATES					
Oregon silverspot butterfly	<i>Speyeria zarene hippolyta</i>	FT	SC	No	No

Codes:

Federal Status

FE Federally endangered
 FT Federally threatened
 FC Federal candidate for listing
 FSC Federal species of concern
 FPE Federally proposed for endangered listing
 FPT Federally proposed for threatened listing

State Status

CE California endangered
 CT California threatened
 CCE California candidate for endangered listing
 CSC California species of concern (CDFG)
 CFP California fully protected

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Fish: There is no potential for impacts to fish from this project. No fish-bearing small streams or tributaries are located on or near the property.

Wetlands: The property and habitats within 200 yards were surveyed for wetland habitats by Certified Wildlife Biologist Frank Galea. No wetlands were detected within or near (within 200 yards) of the project area.

SUMMARY OF POTENTIAL IMPACTS

The property is located in a flat area in the midst of a residential area. There are no sensitive wildlife species habitats associated with, or adjacent to, the property. No wetlands are located on or near the project area. This project would therefore have no significant impacts upon any sensitive or rare wildlife species.

STAFF QUALIFICATIONS

Habitat assessment and report writing for this project was conducted by Principal Biologist, Frank Galea. Frank is the primary Biological Consultant and owner of Galea Wildlife Consulting, established in 1989. Frank is Certified as a Wildlife Biologist through the Wildlife Society. Frank's qualifications include a Master of Science Degree in Wildlife Management from Humboldt State University and a Bachelor of Science in Zoology from San Diego State University. Frank has been assessing habitat and conducting field surveys for Threatened and Endangered species for over 12 years. Frank has taken an accredited class on wetland delineation through the Wetland Training Institute, and has successfully completed a Watershed Assessment and Erosion Treatment course through the Salmonid Restoration Federation.

APPENDIX A - HABITAT ANALYSIS FOR POTENTIAL RARE, THREATENED OR ENDANGERED WILDLIFE SPECIES OF CONCERN

The following is an analysis of the potential for any of the protected wildlife species listed in Table 1 to occur within the project area, or the potential by which they may be affected by this project.

Bald Eagle (*Haliaeetus leucocephalus*)

Distribution. The bald eagle is listed as federally threatened and a California endangered and fully protected species, although they were recently proposed for federal delisting. They are found throughout California, and the population is expanding westward toward historic range. Bald eagles are typically seen during the winter at Lake Earl, located two miles southwest of the town of Smith River, however there have been no observations of bald eagles nesting near Lake Earl or the bay near Crescent City.

Habitat Requirements. Bald eagles prefer to nest close (within one mile, usually in view) to large, fish-rich waters such as lakes and rivers. They typically utilize large conifers to build nests in, which can be standing alone or in the midst of a dense timber stand.

Occurrence within the Assessment Area. No nesting habitat for bald eagles was observed within 0.5 miles of the project area. There have been no known observations of bald eagles nesting near the town of Crescent City.

Management Considerations. As the potential for this species occurring in the assessment area is very low, there is no need for management consideration.

Northern Spotted Owl (*Strix occidentalis caurina*)

Distribution. This species is listed as federally threatened and a California species of concern. The spotted owl is not uncommon over most of its range, which in northern California includes most conifer forests and mixed-conifer woodlands of the coastal mountains. It occurs locally in second-growth forests.

Habitat Requirements. This species prefers large diameter trees within well-shaded stands for nest sites, where they will use old nests built by other species, cavities or shaded, broken-topped trees. They prefer an overhead canopy over nests and roost sites for thermal and predator protection and are intolerant to extreme heat, especially for nest sites. Spotted owls hunt in relatively closed canopy forests with open sub-canopies and moderate stem densities.

Occurrence within the Project Area. No potential habitat is available within or near the project area.

Management Considerations. As there is no potential for this species occurring in the project area, there is no need for management consideration.

Marbled Murrelet (*Brachyramphus marmoratus*)

Distribution. The marbled murrelet is listed as federally threatened and as California endangered. Their range is closely tied to large, intact tracts of old-growth redwood and Douglas-fir forests located within 20-40 miles of the California and Oregon coasts.

Habitat Requirements. Marbled murrelets nest in old-growth stands from April to July, and spend the remainder of the year on the open ocean. They only nest in very large, shaded old-growth trees, within intact stands, with big, mossy limbs, and are intolerant of high temperatures during the breeding season. They are semi-colonial nesters, preferring to nest in stands occupied by others of their species. They then can travel back and forth to marine forage areas in groups, assumably to deter attacks by predators such as the peregrine falcon.

Occurrence within the Project Area. No potential habitat exists within the assessment area.

Management Considerations. As there is no potential for this species occurring in the assessment area, there is no need for management consideration.

Western Snowy Plover (*Charadrius alexandrinus nivosus*)

Distribution. This species is listed as federally threatened and a California species of concern. The snowy plover is a rare bird along the California and Oregon coasts, inhabiting barren sand beaches and flats.

Habitat Requirements. The snowy plover preferably utilizes marine environments such as barren sand beaches. They will rarely utilize sandy gravel bars along major rivers, as was recently discovered in Humboldt county.

Occurrence within the Project Area. No potential nesting or foraging habitat was observed in the assessment area.

Management Considerations. As there is no potential for this species occurring in the assessment area, there is no need for management consideration.

White-tailed kite (*Elanus leucurus*)

Distribution. This species is found throughout northern California, gradually increasing it's range and is now breeding in Del Norte county.

Habitat Requirements. This species forages in open areas such as fields. It can nest in hedgerows and can nest in relatively small stands of conifer or deciduous trees.

Occurrence within or near the Project Area. No potential nesting or foraging habitat was observed in the assessment area.

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Management Considerations. Due to lack of habitat there is no need for further management consideration.

Osprey (*Pandion haliaetus*)

Distribution. This species is a California species of concern. The osprey is common over most of its range, which in northern California includes fish-bearing rivers and lakes, plus bays and other productive forage areas along the ocean.

Habitat Requirements. The osprey prefers large diameter snags within conifer stands for nest sites, where they will build their own nests. Osprey specialize on foraging on fish species, however they can utilize fresh or saltwater habitats for foraging.

Occurrence within the Project Area. No potential habitat is available within the project area, and no nests were observed during surveys. The California NDDDB shows no osprey nest sites within 0.50 miles of the project.

Management Considerations. As there are no known osprey nests located within 0.5 miles of the project, there is no need for management consideration.

Southern Torrent Salamander (*Rhyacotriton variegatus*)

Distribution. The southern torrent salamander inhabits the humid coastal forests of Washington, Oregon, and California. In California, southern torrent salamanders occur only in the extreme northwestern portion of the state in Del Norte, Humboldt, western Siskiyou, Trinity, and Mendocino Counties.

Habitat Requirements. The southern torrent salamander is found most often in the cool, moist microclimate of late seral-stage forests (Bury and Corn 1988, Welsh 1990). Transformed and larval salamanders are usually found in shallow, cool streams, or beneath rocks and organic debris. Transformed individuals are also found under surface objects, wet moss, or leaf litter adjacent to streams and seeps, usually in the splash zone and within 1 meter of free-running water (Nussbaum and Tait 1977). They are always found in or near water, have an extremely low range of temperature tolerance (Brattstrom 1963), and are the most sensitive salamander to loss of water (Ray 1958).

Occurrence within the Project Area. There was no potential habitat for southern torrent salamanders found within the Project Area.

Management Considerations. Because southern torrent salamanders require habitat that does not occur within the assessment area, there is no need for management consideration.

Tailed Frog (*Ascaphus truei*)

Distribution. The range of the tailed frog extends from southwestern British Columbia south through western Washington and Oregon and into northwestern California. Disjunct populations also exist in Montana and Idaho. In California, the tailed frog is found in the northwestern corner of the state from Del Norte County south to central Sonoma County and east as far as southwest Shasta County (Bury 1968, Stebbins 1985).

Habitat Requirements. The tailed frog requires cold, perennial, swift-flowing streams, and cool, moist micro-habitat conditions (Welsh 1990). They are typically associated with redwood, Douglas-fir, and yellow pine forests (Bury 1968). Highly specialized larvae are found attached to rocky substrates in fast-flowing water. In northern California, tailed frogs are most often found in small, moderate to high gradient fish bearing and non-fish bearing watercourses. Larval tailed frogs mature for a period of one to two years before metamorphosis occurs. Tailed frogs are vulnerable to extreme habitat changes and predation from resident trout and Pacific giant salamanders. Although the tailed frog is known to occupy cool, small headwater streams it can sometimes be located in lower gradient reaches of larger streams.

Occurrence within the Project Area. No tailed frog habitat was located within the assessment area.

Management Considerations. Habitat conditions within the assessment area were unsuitable for the tailed frog. No management considerations for this species are necessary.

Del Norte Salamander (*Plethodon elongatus*)

Distribution. The Del Norte salamander is found in coastal forests of Del Norte, Humboldt, Siskiyou and western Trinity counties. Unlike the other amphibian species listed, which prefer riparian or wetland habitats, the Del Norte salamander is an upland species, relatively common in preferred habitats of moist, rocky soils and rubble, slides, or under dead and down woody material. This species is designated as a Species of Special Concern by the California Department of Fish and Game.

Habitat Requirements. Del Norte salamanders are found in a variety of forest types, including redwood, valley - foothill riparian, Douglas-fir, montane riparian and montane hardwood-conifer forests to 2,500 feet. However, regardless of the forest type, this species requires rocky ground with interstitial spacing which allows for vertical movement to sub-surface refugia. They feed on a variety of invertebrates including springtails, beetles, annelid worms, spiders, flies and millipedes. Breeding occurs in moist soils, as they do not require standing water.

Occurrence within the Project Area. No potential Del Norte salamander habitat was noted within the project area.

Management Considerations. This species is very common in the area, though restricted to talus or rocky substrates which do not occur on or near the project area. Therefore, there is no need for additional management considerations for this species.

Northern Red-legged frog (*Rana aurora*)

Distribution. The northern red legged frog was relatively common in riparian areas and ponds over most of non-desert areas of California. Loss of habitat and predation by non-native frogs has reduced or eliminated populations in southern and central California, but not the in northwest. In Del Norte county this is a very common species in a wide range of habitats. It is designated as a Species of Special Concern by the California Department of Fish and Game.

Habitat Requirements. This species breeds in moist areas, requiring standing water. It feeds on a variety of invertebrates, and can forage in wet fields, backyards, and in woodlots.

Occurrence within the Project Area. No Potential red legged frog habitat was found noted during review.

Management Considerations. No Red-legged frog habitat was located on or near the project area. Red-legged frogs are relatively abundant in the area but are not protected. Therefore, there is no need for additional management considerations for this species.

Coastal Cutthroat Trout (*Oncorhynchus clarki clarki*)

Distribution. Coastal cutthroat trout are one of three subspecies of cutthroat trout (*Oncorhynchus clarki*) found in California; Lahontan cutthroat trout (*O.c. henshawi*) and Paiute cutthroat trout (*O.c. seleniris*) are the other two subspecies and both inhabit inland waters. Coastal cutthroat trout are found in small coastal streams from the Eel River in California North to Seward, Alaska (Moyle 1976). In California, they are limited to drainages along the western slope of the Coast Range. Coastal cutthroat trout have both anadromous and resident forms.

Habitat Requirements. Coastal cutthroat require small, low gradient coastal streams that are cool (<18o C) and well shaded. Small gravel, which can vary in size from 10 to 40 millimeters, is essential for spawning (Wydoski and Whitney 1979). When steelhead trout are found in the same stream, coastal cutthroat tend to utilize smaller tributaries and higher portions of the watershed.

During the first year of rearing, coastal cutthroat primarily inhabit the smaller tributaries and headwater streams in the system where they feed primarily on insects (Moyle et al. 1989). After the first year, coastal cutthroat may migrate out to sea or downstream into the larger river system where smaller fish may become a more important part of their diet (Wydoski and Whitney 1979). Once they reach the ocean, most will remain within their natal stream's estuary. They may spend one or several years at sea but will migrate upstream to spawn.

Occurrence within the Project Area. No potential habitat was seen on or near the project area.

Management Considerations. There is no potential habitat for this species within the project area. No management considerations for this species are necessary.

Tidewater Goby (*Eucyclogobius newberryi*)

Distribution. The tidewater goby is a California endemic species that is distributed in brackish-water habitats along the California coast (Moyle et al. 1995). In California, the goby is located from San Diego County to Del Norte County at the mouth of the Smith River. Recent surveys for the tidewater goby in Lakes Earl and Tolowa in Del Norte county found thousands within the muddy bottoms of the lakes.

Habitat Requirements. The tidewater goby is found in shallow lagoons and lower stream reaches where water is brackish to fresh and slow moving, but not still (Moyle et al. 1995). They avoid areas of strong current and wave action. They are most often found in areas of mud and fine sediment accumulations. They are most common in the coastal block to the ocean for most of the year and not subject to tidal fluctuations.

Occurrence within the Project Area. The tidewater goby does not occur near the project area. This species is located in the sloughs and estuaries of the Smith River drainage and in Lakes Earl and Tolowa only.

Management Considerations. Habitat conditions within the assessment area are unsuitable for the tidewater goby. No management considerations for this species are necessary.

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REFERENCES

- Brattstrom, B. H. 1963. A preliminary review of the thermal requirements of amphibians. *Ecology* 44:238-255.
- Bury, R. B. 1968. The distribution of *Ascaphus truei* in California. *Herpetologica* 24:39-46.
- Bury, R.B. and P.S. Corn. 1988. Douglas-fir forests in the Oregon and Washington Cascades: relation of the herpetofauna to stand age and moisture. Pages 11-22 in R.C. Szaro, K.E. Severson, and D.R. Patton (eds.), *Management of amphibians, reptiles and small mammals in North America*. (General Tech. Report RM-166.) U.S. Department of Agriculture, Forest Service, Rocky Mountain Range and Experiment Station. Fort Collins, Co.
- Molye, P.B., R.M. Yoshiyama, J.E. Williams, and E.D. Wikramanayake. 1995. Fish species of special concern in California. IFD, CDFG, Sacramento, California. 272. pp.
- Moyle, P.B., R.M. Yoshiyama, and E.D. Wikramanayake. 1989. Fish species of special concern in California, second edition. University of California Davis, Prepared for California Department of Fish and Game. Rancho Cordova, California.
- Nussbaum R. A., and C. K. Tait. 1977. Aspects of the life history and ecology of the Olympic salamander, *Rhyacotriton olympicus*. *American Midland Naturalist* 98:176-199.
- Ray, C. 1958. Vital limits and rates of desiccation in salamanders. *Ecology* 39:75-83.
- State of California Department of Fish and Game. 2001. Natural Diversity Data Base, Rarefind Printout, Dated June 1, 2000
- Stebbins, R. C. 1985. A field guide to western reptiles and amphibians. Houghton Mifflin Company. Boston, MA.
- Welsh, H. H., Jr. 1990. Relictual amphibians and old-growth forests. *Consv. Biology* 4:309-319.
- Wydoski, R. S., and R. R. Whitney. 1979. Inland fishes of Washington. University of Washington Press. Seattle, WA.