

**HUMBOLDT COUNTY GENERAL PLAN**

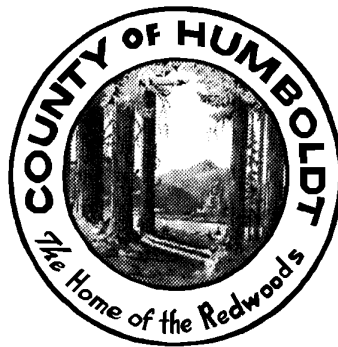
Volume II

**HUMBOLDT BAY AREA PLAN**

of the

Humboldt County

Local Coastal Program



March 2022

**HUMBOLDT BAY AREA PLAN**  
**OF THE**  
**HUMBOLDT COUNTY**  
**LOCAL COASTAL PROGRAM**

Approved by the  
Board of Supervisors  
March 9, 1982  
Resolution No. 82-39

Partially Adopted  
March 8, 1983  
Resolution No. 83-55

Amended and Fully Adopted  
November 29, 1983  
Resolution No. 83-144<sup>1</sup>

Initially Certified by the State Coastal Commission  
October 14, 1982

Date of This Printing: March 2022

This document was prepared by the Humboldt County Planning Department's Local Coastal Program with financial assistance from the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, under the provisions of the Federal Coastal Zone Management Act of 1972, administered by the California Coastal Commission.

As required by the Coastal Act Section 30519.5, this plan will be reviewed at least once every five years by the State Coastal Commission to determine the effectiveness of this land use plan to implement the Coastal Act.

The Board of Supervisors may review the effectiveness and adequacy of this plan at any time and commensurate with State Planning Law, Chapter 3, Article 6, Section 65361, may amend the land use plan up to three (3) times a year. All plan amendments must be approved by the State Coastal Commission.

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<sup>1</sup>See next page for complete revisions history.

## REVISION HISTORY

### HUMBOLDT BAY AREA PLAN (Mad River to Table Bluff & Hookton Roads)

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#### Board of Supervisors Action

Approved: March 9, 1982  
Resolution # 82-39

Amended: May 25, 1982  
Resolution # 82-82

Amended: September 21, 1982  
Resolution # 82-120

Amended: October 5, 1982  
Resolution # 82-128  
Text change

Amended: December 14, 1982  
Resolution # 82-161  
Text and Map changes

Amended: February 1, 1983  
Resolution # 83-28  
Text and Map changes

Partially Adopted: March 8, 1983  
Resolution # 83-55

Amended: October 18, 1983  
Resolution # 83-130

Amended, Fully Adopted:  
November 29, 1983  
Resolution # 83-144

Amended: May-June 1985  
Resolution # 85-55, 5/7/85  
Resolution # 85-65, 6/18/85  
Map changes (Urban Residential Designations)

Amended: May-June 1985  
Resolution # 85-55, 5/7/85  
Resolution # 85-65, 6/18/85  
Text and Map changes (Urban Residential Designations)

#### Coastal Commission Action

Disapproved: June 3, 1982

CERTIFIED: October 14, 1982

Major Amendment: 1-83 (all but  
North Spit)  
Certified May 11, 1983

Major Amendment: 1-83 (North  
Spit)  
Approved August 10, 1993  
Certified June 11, 1986  
Major Amendment: 1-83  
(portion)  
Approved May 11, 1983

Minor Amendment: 1-85  
10 Map changes  
Approved July 23, 1985

Major Amendment: 1-85  
Balance of changes  
Amendment C7: Denied  
Approved August 16, 1985

**Board of Supervisors Action**

Amended: August 20, 1985  
Resolution # 85-81  
Map changes

Amended: December 15, 1987  
Resolution # 87-150  
Text and Map changes

Amended March, 1988  
Resolution # 88-85  
Map change

Amended July – December 1988  
Resolution #88-96, 7/26/88, Resolution #88-116, 9/13/88  
Resolution #88-152, 12/10/88  
Corrections to maps and typos

Amended (between May – November 1988)  
Resolution

Amended September 26, 1989  
Resolution 89-144  
Map change

Amended September 26, 1989  
Resolution 89-144  
Map change

Amended February 4, 1992  
Resolution 92-15  
Text and map changes

Amended July 7, 1994  
Resolution 94-47  
Text and Map changes (Dunes & Management Plan)

Amended  
Resolution 93-94, 10/5/93  
Resolution 94-12, 1/25/93  
Map changes

Amended February 11, 1997  
Resolution 97-21  
Map changes (Dune and Management Plan)

Amended  
Resolution  
Map changes (Redwood Care Homes)

**Coastal Commission Action**

Minor Amendment: 2-85  
Major Amendment: 2-85

Approved December 19, 1985  
Major Amendment: 2-87  
Approved January 12, 1988

Major Amendment: 1-88  
Approved June 7, 1988

Minor Amendment: 2-88  
Approved October 3, 1988

Major Amendment: 3-88  
Approved November 15, 1988

Major Amendment: 1-89  
Approved January 10, 1990

Major Amendment: 2-89  
Approved December 15, 1989

Major Amendment: 1-92  
Approved April 7, 1992

Major Amendment: 1-93  
Approved July 14, 1994

Major Amendment: 2-93  
Approved February 15, 1994

De Minimis Amendment: 1-97  
Approved June 13, 1997

Major Amendment: 1-98B  
Approved October 16, 1998

**Board of Supervisors Action**

Amended  
Resolution  
Map changes (Eureka Floor Company)

Amended Aug. 27, 2002  
Res. No. 02-77  
Text changes (Public Access Trails)

Amended 1998-2007  
Housing Element updates  
Resolution 114c 2/9/98  
Resolution 06-73a, 7/25/06,  
Resolution 07-17. 2/27/07  
Text changes (Housing Element)

Amended 2011-2012  
Resolution 11-94 and 11-95 12/6/11  
Resolution 12-62 and 12-63, 7/17/12  
Text and map changes (Samoa)

Amended May 11, 2010  
Resolution #10-39  
Map changes (Race Investments)

Amended October 3, 2017  
Resolution #17-78  
Text changes (Interim Use LCP)  
Previous Resolution 16-87 7/19/2016

Amended January 25, 2022  
Resolution #22-08  
Text changes (Samoa Peninsula Wastewater Project)  
Previous Resolution 21-19 2/9/2021

**Coastal Commission Action**

Major Amendment: 2-02  
Approved June 13, 2003

Major Amendment: 1-03  
Approved December 10, 2004

Major Amendment: 2-06  
Approved November 15, 2006

Major Amendment: 1-08  
Commission hearings: 9/30/10,  
2/24/11, 3/9/11, 8/19/11  
Final Approval 8/10/12

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Certified September 16, 2010

Minor Amendment  
Certified November 8, 2018

Major Amendment  
Certified February 11, 2022

**ACKNOWLEDGEMENTS**

**HUMBOLDT COUNTY BOARD OF SUPERVISORS<sup>1</sup>**

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Robert J. London	LCP Project Director
Cliff Kraft	Coastal Planner
Patty Dunn	Coastal Planner
Tom Hofweber	Coastal Planner
Sharon Lyons	Secretary

<sup>1</sup> as of 1982

## PREFACE

This is the Humboldt Bay Area Plan (HBAP) for the Humboldt County Local Coastal Program. The recommendations, policies, and standards contained in this document are based on the Coastal Land Use Policies and Standards (CLUPS) text approved as a “directive guide” for preparing coastal area plans by the Board of Supervisors, September 18, 1979.

The policies contained in Chapter 3 of this plan<sup>1</sup> are based on almost two years work by the Humboldt County Local Coastal Program’s Citizen Advisory Committee (CAC). During this time almost a dozen public workshops were held on various topics from commercial beach use to timber. The CAC has also met over 70 times, volunteering their time with no compensation, to develop policies and standards that best represent local interests while complying with State Coastal Law.

A series of eight workshops were held in the planning area in December, January and February of 1980 and 1981. Attendance was over 50 people at each of the workshops and extensive comments were recorded and utilized in the preparation of this document<sup>1</sup>.

The maps included herein are reduced scale and for illustrative purposes only. The proposed official maps at full scale (1" = 600' and USGS 7.5 quad) are available for review at the Humboldt County Planning Department at the Clark Complex, 3015 “H” Street, Eureka, California. Request for additional copies of this document should be sent to the same address.

**NOTE:** Some references have been changed to correctly reflect the current section numbering system.

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<sup>1</sup>Text change to reflect current status.

**HUMBOLDT BAY AREA PLAN**

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**MAPS ARE FOR GENERAL REFERENCE ONLY AND NOT GUARANTEED BE CURRENT.  
FOR LEGAL MAPS PLEASE CONTACT THE HUMBOLDT COUNTY PLANNING DEPARTMENT.**

## CHAPTER 1

### OVERVIEW

#### **1.10 INTRODUCTION**

This area plan, representing one of six county coastal planning areas (see map, Section 1.40) identifies land uses and standards by which development will be evaluated within the Coastal Zone. The indicated uses and standards adopted by the County of Humboldt, and certified by the California Coastal Commission are in conformance and satisfy the policies and requirements for coastal land use contained in the California Coastal Act of 1976 (Public Resource, Code 30000 et seq.) and other related legislation. Local policies and standards developed in the area planning workshops specific to the Coastal Act also affect the review of projects and are reflected in Chapters 3 and 4. All current County adopted planning documents, County ordinances, and State law regulating planning and land use, unless superseded by policies of this document, also govern the evaluation of any proposed development. (Appendix B provides a general description of the relation of the coastal plan to applicable, currently adopted County Plan documents.)

Post certification development not in conformance with this plan shall not be approved by the County. This plan may be amended, in conformance with the policies of the California Coastal Act, only with the approval of the California Coastal Commission.

As required by the Coastal Act Section 30519.5, this plan will be reviewed at least once every five years by the State Coastal Commission to determine the effectiveness of this land use plan to implement the Coastal Act.

The Board of Supervisors may review the effectiveness and adequacy of this plan at any time and commensurate with State Planning Law, Chapter 3, Article 6, Section 65361, may amend the land use plan up to three (3) times a year. All plan amendments must be approved by the State Coastal Commission.

#### **1.20 ORGANIZATION**

The Area Plan consists of six chapters and appendixes according to the following format:

- Chapter 1 Introduction to the Local Coastal Program.
- Chapter 2 The Coastal Act and Humboldt Bay Planning Area concerns, including: concerns, including: an explanation of the Acts requirement and intent, and types of development and/or geographical areas exempt from Coastal Development Permits.
- Chapter 3 The Land Use Plan proposal and development and Resource Protection Policies and Standards. These govern zoning plan amendments, public work extensions, land divisions, and other development activities. The generalized Plan Maps, including Land Use and Resource protection.
- Chapter 4 Land Use Designations including an explanation of permitted uses and densities.
- Chapter 5 Definitions.
- Appendix
  - A. Bibliography, indicating the information used in arriving at development standards and the plan map. (The technical studies are adopted as an informational appendix to this area plan, but are bound separately because of their bulk.)
  - B. Relationships between the Coastal Plan and other adopted County General Plan Documents.
  - C. Hazards/Land Use Risk Rating Matrix

- D. Seismic Safety Maps - Plate III
- E. Shoreline Protection - DNOD Maps
- F. Service Providers Information
- G. Scenic Route Study Contents
- H. Letter from U.S. Fish and Wildlife Service RE: Humboldt Bay Wetlands
- I. Elk River and King Salmon/Spruce Point Wetland Restoration Sites
- J. Dune Restoration Study Area
- K. North Spit Land Use Designations

### **1.30 USE OF THIS DOCUMENT**

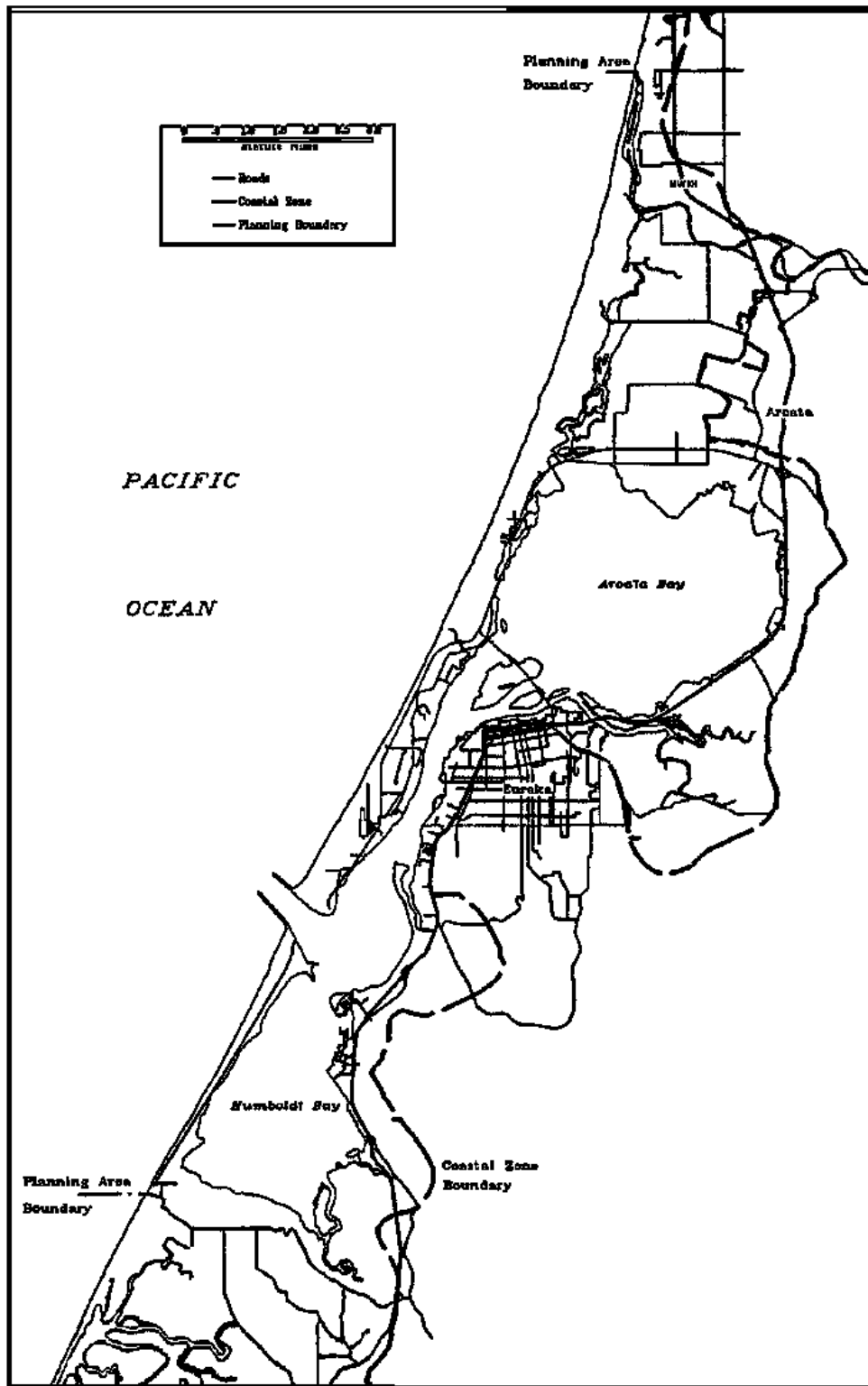
The California Coastal Act requires that all development within the Coastal Zone have a Coastal Development Permit in addition to any other permit required for development by a local or State agency. In most cases, the Coastal Development Permit is issued by Humboldt County. In some cases, specified types of development are exempt from the requirement for a Coastal Development Permit. **EXEMPT DEVELOPMENTS MUST STILL BE IN CONFORMANCE WITH THIS AREA PLAN AND APPLICABLE ZONING, AND ALL NECESSARY COUNTY PERMITS MUST BE SECURED.** In a few cases, the Coastal Development Permit must still be obtained from the California Coastal Commission. Chapter 2 of the Area Plan indicates which areas or types of development are under local jurisdiction and which require Commission approval.

While all development in the Coastal Zone must conform to this Area Plan, the zoning of a parcel sets more specific limits on allowable uses and densities. The land use designations and zoning approved by the Commission with suggested modifications in its action on Humboldt County LCPA HUM-MAJ-01-08 shall not become effective unless and until the entirety of the legal parcel(s) containing APN 401-031-36, APN 401-031-38, APN 401-031-46, APN 401-031-55, APN 401-031-059, APN 401-031-65, and APN 401-031-44, generally depicted on Exhibit 25 and described as the Samoa Town Master Plan Land Use Plan (“STMP-LUP”) Overlay Area, excluding APN 401-031-67 which contains the Samoa Processing Center (recycling facility) owned by the Arcata Community Recycling Center (Master Parcel 1), are merged into one master parcel generally depicted on Exhibit 25 as Master Parcel 2. If all such property is not merged into Master Parcel 2 generally depicted on Exhibit 25, the entirety of the area generally depicted on Exhibit 25 and described as the Samoa Town Master Plan Land Use Plan (“STMP-LUP”) Overlay Area will remain designated as General Industrial, Coastal Dependent Industrial and Natural Resources. If all such property is merged into Master Parcel 2 generally depicted on Exhibit 25, the land use designations and zoning approved by the Commission with suggested modifications in its action on Humboldt County LCPA HUM-MAJ-01-08 shall become effective upon both: (a) issuance of the coastal development permit for the merger consistent with the certified LCP and (b) recordation of a notice of merger consistent with the coastal development permit. If a legal lot containing any APN generally depicted on Exhibit 25 straddles the STMP-LUP boundaries generally depicted on Exhibit 25, the portion of the legal lot containing the APN outside the STMP Overlay Area boundary shall be included within the merger and become part of the immediately adjacent master parcel generally depicted on Exhibit 25. If the land use designations and zoning approved by the Commission with suggested modification in its action on Humboldt County LCPA HUM-MAJ-01-08 become effective, the Principal Permitted Use of any area subject to the STMP-LUP shall be determined in accordance with the designated Land Uses and in the patterns and locations generally shown on the certified STMP Land Use Map. No minimum or maximum number of lots shall be determined or authorized until or unless a coastal development permit for the comprehensive division of Master Parcel 2 has been approved and issued consistent with all applicable provisions of the certified LCP, including the STMP-LUP. Anyone considering available uses of a property

should first consult the Coastal Planning Ordinance and applicable zoning map, available at the office of the Humboldt County Planning Department. Where a conditional use (as indicated by the zoning), or a variance from specific zoning standards, or a zone change is necessary, in areas affected by the STMP-LUP overlay designation, such as conditional use or variance may only be permitted if consistent with all policies of the STMP-LUP overlay designation. Plan designation for the property should ordinarily be determinable from the maps attached to the Area Plan. In cases where this determination is difficult, the official map may be consulted at the office of the Humboldt County Planning Department. (Amended by Res. 12-62 and Res. 12-63, 7/17/2012)

Section .40 of Chapter 2 of the Area Plan details the administrative procedures for Coastal Development Permits, and identifies those areas or types of development where appeals from a county decision can be made to the County Coastal Commission.

**1.40 HUMBOLDT BAY PLANNING AREA MAP**



## CHAPTER 2

### THE COASTAL ACT AND HUMBOLDT BAY CONCERNS

#### **2.10 BACKGROUND**

Prior to 1972, land uses in the Humboldt County coastal zone was regulated by local governments under the provisions of State Planning and Zoning Law. This enabling legislation requires the preparation of a comprehensive general plan and zoning to ensure orderly growth and development within their jurisdiction.

Two significant pieces of legislation in 1972 began the process of coastal planning: the Federal Coastal Zone Management Act, and the passage of Proposition 20 on the California ballot, which created the original Coastal Commission.

The Coastal Zone Management Act established broad national policies for land use in coastal areas, provided funds for states to prepare coastal zone management plans, and established the Office of Coastal Zone Management (OCZM) within the National Oceanic and Atmospheric Administration (NOAA) of the Department of Commerce. A significant portion of funds for preparing Humboldt County's coastal program comes from OCZM.

Proposition 20 established some priorities and guidelines for coastal development and conservation, and created the California Coastal Commission whose job was to prepare a coastal zone management program for approval by the legislature. The result was the Coastal Act of 1976, which established more detailed policies for land use and charged local governments with the responsibility for incorporating these policies into their planning and zoning regulations. Development within the coastal zone required approval by the Coastal Commission prior to certification of a local government's coastal plan. After certification, the Commission will review permits and hear appeals for only certain types of development (see section 2.30) and may initiate review of coastal plans every five years. The Commission has the power to approve or deny any changes or amendments in coastal plans and zoning. Until July 1981, the Coastal Commission was assisted in its responsibilities by six regional Commissions. The Northcoast Regional Commission, which included Del Norte, Humboldt and Mendocino Counties was housed in Eureka.<sup>1</sup>

#### **2.20 COASTAL ACT GOALS AND POLICIES**

The state legislature, by enacting the Coastal Act of 1976, adopted the following basic goals for the Coastal Zone<sup>2</sup>:

- (a) Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources, taking into account the social and economic needs of the people of the state.
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent development over other development on the coast.

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<sup>1</sup> Text changed to reflect current status of the local coastal plan. The Northcoast Region is now served by the North Coast District, located in San Francisco

<sup>2</sup>Public Resources Code, Division 20, California Coastal Act, Chapter 1, Section 30001.5.

- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

To achieve the above listed goals, Chapter 3 of the Act provides specific direction to local governments for preparing a coastal plan in the Planning and Management Policies. These policies address coastal development and resources, identify priorities for resolving conflicts between competing uses, and ultimately will be used by the State Commission as a yardstick for evaluating the adequacy of all coastal plans. The fourteen ‘policy groups’ which form the Planning and Management Policies include:

- Shoreline Access
- Recreation and Visitor Serving Facilities
- Housing
- Water and Marine Resources
- Diking, Dredging, Filling and Shoreline Structures
- Commercial Fishing and Recreational Boating
- Environmentally Sensitive Habitats
- Agriculture
- Hazards
- Forestry and Soils Resources
- Locating and Planning New Development
- Coastal Visual Resources and Special Communities
- Public Works
- Industrial and Energy Development

**2.30 POST CERTIFICATION ADMINISTRATION OF THE HUMBOLDT BAY PLAN**

A. Local administration of the plan may be further implemented jointly by the Coastal Commission and Humboldt County and added to this plan at a later date. Further implementation measures include, but are not limited to:

1. Where the State Coastal Commission retains primary permit authority consistent with Coastal Act Section 30519 and 14 CCR 13576-13577;
2. What areas in which the State Commission will hear appeals consistent with Coastal Act Section 30603 and 14 CCR 13576-13577;
3. Procedures for local notice and approval consistent with 14 CCR 13560-13574; and
4. Procedures for how coastal zone boundary determinations will be made consistent with 14 CCR 13255-13259.

B. In those areas where the California Coastal Commission retains coastal development permit authority on submerged lands, tidelands, and public trust lands (Public Resources Code Section 30519), the standard of review for proposed development is the Chapter 3 policies of the California Coastal Act. The provisions of this plan do not govern the review and approval of coastal development permits within the Commission’s retained jurisdiction. The Local Coastal Plan may be used as guidance.

**2.40 EXEMPTIONS**

A. There are currently several exemption programs adopted by both Humboldt County and the Coastal Commission. The specific exemptions are included below.

Order #:	Categorical Exclusion #-86-4
Effective Date:	June 11, 1986
Affected Development:	Single family dwellings, Lot line adjustments, Agriculturally related development

Geographic Area:

Single family dwellings - Myrtle town, Manila, Pine Hill and Fields Landing areas; Lot Line Adjustments and Agriculturally Related Developments: as shown on categorical exclusion maps.

## CHAPTER 3

### HUMBOLDT BAY AREA DEVELOPMENT AND RESOURCE POLICIES

#### INTRODUCTION

This chapter examines current and planned land uses within the Humboldt Bay Planning Area. Included within the planning area are unincorporated lands between the Mad River and Table Bluff, excluding the cities of Eureka and Arcata, west of the coastal zone boundary. The land use plan maps and accompanying policies are based upon the Citizens Advisory Committee's recommendations resulting from public input, both oral and written, submitted during seven public workshops, as well as the County-approved Coastal Land Use and Policies document.

The Coastal Act requires sharply different development policies for urban and rural areas. The organization of this chapter reflects that distinction: Section 3.10 deals with urban development, Section 3.20 with rural development. The basis for considering a parcel under one of these categories is the parcel's location in relation to the Urban Limit Line as indicated on the Area Plan Maps. In addition, the Coastal Act requires that all development be subject to standards designed to protect natural and cultural resources, as well as to protect public safety. Standards to satisfy these requirements are presented in Sections 3.30; they apply where relevant, to both rural and urban development. Finally, Section 3.40 presents the policies and uniform standards for coastal access, including a methodology for reviewing improvements to potential accessways, access limitations, prescriptive rights, and offers of dedication for access. The implementation of these policies in the Humboldt Bay Planning Area is reflected in the Access Plan, Section 3.50. Each of the above sections marked \*\*\* contains relevant Coastal Act policies that have also been enacted as County policy.

At the end of this section, two reduced scale Plan maps are presented. These maps are necessarily generalized because of size limitations, and do not officially represent a parcel-by-parcel designation. They are provided here to present a generalized perspective of the land use plan. The first set of maps identify land uses and densities based on land use designations found in Chapter 4. The second map delineates constraints on development, including natural and cultural resource protection. The proposed official maps at full scale (1' = 600' and 7.5' USGS quad) are available for review at the Humboldt County Planning Department located at the Clark Complex, 3015 H Street, Eureka, California.

#### GENERAL DESCRIPTION

Humboldt Bay is by far the largest and most important estuary on the Northern California coast. It is also the only harbor of commercial importance for major shipping between San Francisco and Coos Bay, Oregon. The Humboldt Bay Planning Area extends from the Mad River to Table Bluff/Hookton Road, excluding the cities of Eureka and Arcata. The coastal zone runs inland to include flood prone bottomlands south of the Mad River, important drainages at Freshwater Creek and Elk River, and Hookton Slough which drains into South Bay.

Humboldt Bay: The Bay itself is 14 miles long and 4.5 miles wide at its broadest point. The Bay system is protected from the ocean by two sand spits, separated by the Bay entrance which is maintained by two rubble-mound jetties. Dredged channels extend two miles into South Bay and four miles north from the Bay entrance. Numerous natural tidal channels are also present.

Excluding its tributary sloughs, the Bay is about 16,000 acres in area. Historically the Bay was much larger, perhaps 27,000 acres, but land reclamation of salt marshes and mud flats has reduced it to its present size.

The North (Arcata) Bay covers an area of approximately 8,000 acres. Most of this area, excluding a number of channels formed by tributaries and tidal erosion, is relatively shallow. At low tide 4,500 acres of mud flats are

exposed. The areas immediately north and east of North Bay were once marshlands, much of which now serve as pasture.

To the west the North Bay is separated from the Pacific Ocean by a vegetated expanse of forest and dunes that extends north to the Mad River. This dune forest habitat is one of the few stands of its type between Crescent City and Fort Bragg.

The Middle Bay forms a channel which connects the North and South Bays. This channel is nearly six miles long and ranges between ½ and one mile in width. Woodley and Indian Islands are located at the north end of the Middle Bay.

The South Bay is fairly similar in character to the North Bay with a total area of about 4,670 acres, 57% of which are exposed mudflats at low tide. The Hookton Channel, with an average depth of 26 feet, provides deepwater access to King Salmon and Fields Landing. Most of the agricultural area east and south of South Bay is comprised of diked former tidelands.

The Spit separating the South Bay from the ocean is typically more narrow and sparsely vegetated than the North Spit. It is also subject to inundation from the ocean during periods of high tides and seas.

### **3.10 URBAN DEVELOPMENT**

#### **A. EXISTING USES**

Development at urban densities and intensities is largely concentrated adjacent to the City of Eureka in Myrtle town and Pine Hill, in the community of Manila, at Spruce Point, King Salmon and Fields Landing.

The Myrtle town area is an urban area that is virtually indistinguishable from the City of Eureka. Parcels in this area are already divided to urban densities, with a commercial strip located along Myrtle Avenue. The Pine Hill area is slightly more rural in character, but most of the lots are already divided to an urban density. No commercial development is located in this area.

The community of Manila is comprised of a wide mixture of lot sizes, ranging from 5,000 sq. ft. lots to parcels of over one acre in size. There is a small commercial core located along new navy Base Road, and the community is serviced with both sewer and water. Community residents cherish the rural nature of this area, due largely to the open space surrounding the community. Calling it an “urban” area is somewhat inappropriate, but best fits the definitions used in the planning process.

The urban areas of Fields Landing and King Salmon are long established communities, closely dependent on the Bay waters. Fields landing has a commercial area along the highway and an industrial area between the railroad and waterfront. King Salmon is more recreationally oriented, with several boat-related establishments, restaurants, and other commercial facilities. Spruce Point is another largely commercial area that is developed to an urban scale, with a mobile home park being the primary non-commercial land use. Several urban portions of the residential areas along Humboldt Hill also spill over into the planning area. It is the intent of this land use plan that residential development within the five-year scope of this land use plan continue to be encouraged in the Myrtle town, Pine Hill and Humboldt Hill areas, with an eventual spillover of urban levels of development into the Upper Mitchell Heights area if sewer services can be economically extended and residential demand warrants additional urbanized area. Concentrating additional urban residential development in uplands adjacent to existing urban centers will preserve the productive bottomlands along Humboldt Bay, without significantly impacting the amount of productive timberland.

### **3.11 URBAN LIMIT**

\*\*\* 30250. (A) New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or,

where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

\*\*\* 30253. New development shall:

- Be consistent with requirements imposed by an air pollution, control district or the State Resources Control Board as to each particular development.
- Minimize energy consumption and vehicle miles traveled.

### A. PLANNED USES

The Humboldt Bay planning area encompasses two incorporated cities, numerous service districts and several private providers of water service. As the focus of Humboldt County's population, the business center for its resource-dependent industries, and an important recreation center, the planning area has many sub-areas with their own characteristics. In order to provide a sense of the components that make up the Humboldt Bay planning area, the following sub-areas have been identified:

1. **ARCATA WEST:** An urban limit line has been identified around the City of Arcata (see Section 3.60) as indicated in the Arcata Coastal Plan. The area within the urban limit includes those areas currently serviced by the City and expected to be serviced within the five-year lifespan of this plan. Only two parcels are located within the urban limit that are currently under the County's jurisdiction: one parcel is designated as "urban reserve." This parcel is expected to be developed for residential low-density use when services are extended, at which time the property will be annexed by the City of Arcata. One-half of the other parcel is designated for "industrial general" use, and the western half is designated "natural resources" due to the wetland situated on this portion. Only the industrial section is within the urban limit line.
2. **NORTH SPIT AND WEST OF MAD RIVER SLOUGH:** An urban limit line has been drawn around the community of Manila as shown on the area plan map (Section 3.60). This boundary has been drawn according to the location of that area currently serviced by the Manila Community Service District (water and sewer). The district has no plans for expansion of its service capacity within the five- year time frame of this plan. The following land use designations and densities are planned within the urban limit:
  - a. **Residential/Low Density (RL):** including most of the existing residential area within the community of Manila, consistent with the expressed desire of community residents who wish to retain the low- density character of the community.  
Planned Density: 3-7 units per acre.
  - b. **Residential Estates (RE):** along the west side of Peninsula Drive, south of Redwoods United Workshop.  
Planned Density: 0-2 units per acre.
  - c. **Commercial General (CG):** a commercial center for the community is planned between new navy Base Road and Peninsula Drive, across from the community park, another commercial area is recognized further to the north; these plan designations are not intended to preclude existing residential use of these areas, rather they are designed to provide a focus for further commercial development in this community.
  - d. **Industrial/General (MG):** two sites at the north end of town are reserved for this use, both sites have railroad and highway access and are currently in industrial use.

- e. Public Facility (PF): Redwoods United Workshop currently occupies this site which is in public ownership.
  - f. Public Recreation (PR): the Manila Community Park currently occupies this site which is in public ownership.
3. EUREKA TO ARCATA: An urban limit line shall be drawn around the Myrtle town area as shown on the Area Plan map. This boundary has been drawn according to the location of the area currently serviced with water and sewer by the Humboldt Community Services District. Since it is unlikely that current financial constraints will permit extension of sewer service to the Upper Mitchell Heights area within the next five years, the urban limit extends no further than the uplands above Freshwater and Ryan Sloughs. Should such an extension become economically feasible, the urban limit line shall be extended by amendment to this plan. Within the urban limit, plan designations follow the existing zoning for the Myrtle town area, except where the residential area meets the farmed wetland or wetland areas. The following land use designations and densities are planned within the urban limit:
- a. Residential/Low Density (RL): including most of the Myrtle town area away from the commercial corridor.  
Planned Density: 3-7 units per acre.
  - b. Residential/Medium Density (RM): generally, an area bordered by Quaker Street, Park Street, 18th Street and Nedra Avenue (see also-Land Use Plan Map amendments). (Certified by the State Coastal Commission May 11, 1983) (Amended by Res. No. 83-28, 2/1/83)  
Planned Density: 8-30 units per acre.
  - c. Commercial General (CG): a commercial area borders Myrtle Avenue through most of the area, terminating before Hall Street.
4. SOUTH OF EUREKA TO FIELDS LANDING: Several urban areas have been identified within this area. Their fragmented nature reflects the fact that the coastal zone boundary bends in and out of residential areas, as well as the fact that these urban pockets are separated by wetlands, highways and agriculture lands.
- a. Pine Hill: an urban limit shall be designated around the Pine Hill area as shown on the area plan map. This boundary has been designated according to that area serviced with sewer and water by the Humboldt Community Services District. Within the urban limit, plan designations follow the existing zoning, except where the residential area meets farmed wetlands, which are designated for agricultural use. The following land use designations and densities are planned within the urban limit:
    - (1) Residential/Low density (RL): the majority of the Pine Hill area is in this designation which permits a minimum parcel size of 5,000 square feet. Because of topographical and wetland constraints, the minimum parcel size on three parcels in this area (assessor's parcel) numbers 301-141-10, 301-171-02, and 301-181-01) is increased to two (2) acres. (Amended by Res. No. 85-81)
    - (2) Residential/Medium Density (RM): generally, the Herrick Mobile Home Court area.  
Planned Density: 8-30 units per acre.
    - (3) Public Facility (PF): Pine Hill School.

- b. South of Bucksport: This area has been proposed for annexation by the City of Eureka. The land use designations follow existing land uses and proposed land uses associated with the Eureka Wastewater Treatment Facility. The following land use designations are proposed within the urban limit:
  - (1) Commercial General (CG): several areas south of the City Limit along Highway 101.
  - (2) Industrial General (MG): an area along Hilfiker Lane.
  - (3) Industrial/Coastal-Dependent (MC): an area at the end of Hilfiker Lane.
  - (4) Public Facility (PF): the proposed site of the wastewater treatment plant.
- c. Spruce Point: The urban limit line shown on the area plan map encompasses the upland portions of this area, serviced with sewer and water, and excludes low wetland areas. The following land use designation is proposed within the urban limit:
  - (1) Commercial General (CG): all of the Spruce Point area.
- d. Humboldt Hill: Several small pockets of the Humboldt Hill residential community are included within the coastal zone, and the urban limit includes them as shown on the plan map. The following land use designation is proposed within the urban limit:
  - (1) Residential/Low Density (RL): all three of these areas.
- e. King Salmon: An urban limit has been designated around the community as shown on the area plan map. This area is currently serviced with sewer and water. The following land use designations are proposed within the urban limit:
  - (1) Residential/Low Density (RL): This includes most of that area between Herring and Crab streets.
  - (2) Commercial Recreational (CR): a small strip at the entrance to the community, and that area between Perch Street south.
- f. Fields Landing: An urban limit has been designated around the community of Fields Landing, extending across Highway 101 to the base of Humboldt Hill. The proposed land use designations in this area are consistent with current zoning. However, the community of Fields Landing is an area of special concern that should be reviewed with the purpose of developing a community plan that better reflects the needs of the community, a task that is beyond the scope of the coastal planning program.

The following land use designations are proposed within the urban limit:

- (1) Residential/Low Density (RL): east of Highway 101 and most of that area between Highway 101 and the railroad tracks.
- (2) Commercial General (CG): an area along the railroad, and two areas on either side of the highway.
- (3) Commercial/Recreational (CR): the current location of Volpi's Restaurant.
- (4) Industrial/Coastal-Dependent (MC): that area between the railroad and the waterfront.
- (5) Urban Reserve (RV): an area located to the east of the residential area at the base of Humboldt Hill. This area is not currently serviced with sewer and water, but is suitable for low-density residential development due to its level nature. Upon completion of an extension to currently unserviced parcels within the urban limit

the newly serviced area will be designated as part of the serviceable area (as described in Section 3.22 A).

Planned Density: with serviced water, 3-7 units per acre.

5. TOWN OF SAMOA: HBAP urban limit line shall include the residential, commercial, commercial (including visitor serving) recreation, public facilities, and business park areas of the town of Samoa. (Amended by Res. 12-62 and Res. 12-63, 7/17/2012)

**B. DEVELOPMENT POLICIES**

1. Identification of the Urban Limit Line

- a. An Urban Limit Line is identified and mapped at a suitable scale for all existing developed areas in the Coastal Zone of Humboldt County. The establishment of this line is based on findings that lands included within the urban limit would be generally suitable for development at a density greater than one unit per acre or as shown in chapter 4 of the Area Plan, were public sewerage, water, and road improvement services provided, according to the following criteria:
  - (1) That sufficient water to serve the development of all permitted uses is available to the area at a cost affordable within the reasonable economic expectation of existing or potential suppliers, and that adopted water quality control plans would not be exceeded by such development;
  - (2) That carrying capacity of major roads and of coastal access corridors is sufficient for the development of all permitted uses, or that Improvements to an adequate level can be provided at a cost affordable within the reasonable economic expectation of the County, or of an incorporated City where the Urban Limit surrounds a city;
  - (3) That permitted uses would be within the constraints of all standards related to the protection of public safety;
  - (4) That the permitted uses do not reduce the viability of agricultural or timber production on lands outside the urban Limit, or constitute conversion from agricultural or timber production uses except as specifically permitted by provision of this chapter.
- b. Wherever possible, Urban Limit Lines established pursuant to section a) – (see above) shall follow significant natural and man-made features that will increase the effectiveness of the urban-rural boundary.
- c. Any lands lying outside the Urban Limit shall be deemed rural for development purposes, and subject to the Rural Development Policies and Standards in section 3.20 of this chapter.

2. General Development Policies Within The Urban Limit

- a. The establishment of an Urban Limit Line and designation of planned uses within that limit is not a commitment by the County of Humboldt to approve land divisions or other developments at urban densities within said limit. It establishes rather the maximum extension of such development for a five-year period, at which time the location of the Urban Limit Line shall be re-examined by the County and the California Coastal Commission and adjustment, if necessary or appropriate, made.

- b. No land division or development proposal shall be approved within the Urban Limit that would constitute a conversion from the use identified in the Area Plan Map; and no zoning shall be approved which would allow such conversion.
- c. The development of lands within the Urban Limit for the uses indicated in the Area Plan Map, and division of lands within the Urban Limit to the densities indicated in the Land Use Designations, are contingent on the ability of the area to accommodate that development or that density. More specifically, no lands within the Urban Limit shall be developed or divided as allowed by the Area Plan, unless the following findings are made in addition to any other findings required by this chapter or section 3.30.
  - (1) That water supply and adequate provision for sewage disposal, as required by the use at the density permitted in the Area Plan, is available to the development or division;
  - (2) That the carrying capacity of major roads and of coastal access corridors is sufficient for all permitted uses, or that improvements to an adequate level can be provided at a cost affordable within the reasonable expectation of the County, or of an incorporated city where the Urban Limit surrounds the city.
  - (3) That the proposed development or division meets all standards for the use designated in the Area Plan, as set forth in chapter 4 of this document.

Moreover, zoning of lands within the Urban Limit shall not allow such developments or divisions until such time as these findings can be made.

- d. The dedication or offer of dedication of an easement for coastal access or view shall not be considered to lower the area of a parcel on which such easement is dedicated or offered for dedication, for purposes of determining conformance with approved minimum lot sizes.

**C. NONCONFORMING USES AND STRUCTURES**

It is the intent of this plan that nonconforming uses and structures may be substituted, or replaced with more conforming uses and structures. Such substitution, replacement or alteration will be consistent with the Plan only when the following findings are made:

- 1. The nonconforming use and/or structure is not a public nuisance; and
- 2. The nonconforming use and/or structure will not conflict with surrounding land uses. (Amended by Res. No. 88-152, 12-20-88)

**3.12 PUBLIC WORKS**

\*\*\* 30254 New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Rout 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or

nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

### **A. PLANNED USES**

As described in the preceding section concerning urban limit lines, the designated serviceable areas generally include those areas currently serviced. While water and sewer service are not currently available to the urban reserve areas designated on Humboldt hill and along Samoa Blvd. near Arcata, it is projected that within the next five years it will be economically feasible for such services to be extended to these areas.

Section 3.12 B requires that each year water and/or sewer service providers, i.e. the Humboldt Bay Municipal Water District, Humboldt Community Services District, Humboldt Hill Water Company, Humboldt County Service Area #3, Jacoby Creek County Water District, Manila Community Service District, submit to the County for approval a five-year projection of service plans. The criteria for County approval of the plan (and thus, future extensions,) shall be based on findings that the proposed extensions of services are compatible with the County land use plan, that this extension of service would not remove capacity necessary for future development on parcels currently within the serviceable area, and finally, that the cost of such extension be borne solely by the users and not encumber lands not receiving services, particularly agriculture or timber lands.

A water service extension to the Three-Corners area of Freshwater (outside the coastal zone) has been requested. This extension is consistent with this plan, provided that no further water service shall be provided to areas between Old Arcata Road and the Eureka City limit designated for agricultural use, except service necessary for agricultural purposes.

### **B. DEVELOPMENT POLICIES**

1. Serviceable Area
  - a. The serviceable area of a utility providing water or sewer service within an Urban Limit shall be construed as all parcels within 300 feet by the shortest feasible route of an existing service line with capacity to serve the permitted development of said parcels as indicated in the Area Plan; except that, where the total capacity of the water or sewer system cannot serve the aforesaid development of all such parcels, the serviceable area shall be that portion of such parcels on which permitted development can be served within the capacity of the system as designated in an approved Public Works Plan as provided by 3.12 B 2. However, no lands designated for agricultural use in the Area Plan shall be considered to be in the serviceable area of a water or sewer system, unless such lands are already serviced by such a system.
  - b. The serviceable area within the Humboldt Bay Planning Area is defined as follows and includes: Generally, three hundred (300) feet by the shortest feasible distance from the existing water and sewer system lines.
2. Public Works Plan
  - a. All special districts providing or authorized to provide sewer or water services, including all County Service Areas providing or authorized to provide these services, and all private providers of such services with 20 or more residential-equivalent connections, shall annually submit to the County Planning Commission a Public Works Plan consisting of: five-year projection of service growth and a specific plan, if any, for system expansion in the following year. The Commission, after public hearing, shall recommend approval or disapproval of the plan to the Board of Supervisors, based on criteria of section (c).

Where an approved expansion plan does not exist, no permit will be issued by the County for any work contributing to the extension of services outside the serviceable area, or to expansion of system capacity above the capacity needed to provide services in the serviceable area. Where a Public Works Plan has been approved, all permitted work on said utility shall conform to the Plan.

- b. A Public Works Plan may be amended by the Planning Commission, up to three times in a year; and any such amendment shall be based on the following criteria:
- c. Criteria for approval of a Public Works Plan shall be:
  - (1) That the public works plan will provide services consistent with the proposed scale and pattern of development shown in the Area Plan within the urban limit.
  - (2) That provision of service to all lots in the expanded portion of the serviceable area, for uses permitted in the Area Plan, will not remove capacity necessary to serve future development of undeveloped lots in the existing serviceable area to the uses permitted in the Area Plan.
  - (3) That no assessments, readiness to serve fees, or other costs or encumbrances, including bonded indebtedness, related to water or sewer expansion, will be assessed against lands designated Agriculture Exclusive or Commercial Timber, or against any lands outside of the Urban Limit.
  - (4) In 1992, two portions of parcels designated Agricultural Exclusive and Commercial Timber in the Mitchell Road area were included as party of an Assessment District. The assessment was part of a Humboldt Community Services water line extension project into the Mitchell Road/Freshwater area. These parcels will be users of the water service, as will be adjacent parcels. The provision of water service to these parcels will not reduce the viability of agricultural or timber production. In addition the extension of water services out to the Freshwater area has specifically been deemed consistent with this Plan per Section 3.12 (A). (amended by Res. 91-15, 2/4/92)

When service plans are available a brief account of their plans will be included in the appendix.

- 3. Service Extension
  - a. When a service extension is completed, the newly serviced area shall be formally designated as part of the Urban Service Area, as described in section 3.12B of this chapter.

### **3.13 COASTAL-DEPENDENT DEVELOPMENT**

- \*\*\* 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.
- \*\*\* 30234. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

- \*\*\* 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

### **A. PLANNED USES**

Exclusive of coastal-dependent industrial, recreational, commercial development located within the cities of Eureka and Arcata, such developments within the urban limit line are located just south of Eureka in King Salmon and Fields Landing. Coastal-dependent developments along the bayfront are essential to the economy of the Humboldt Bay area. The fishing facilities and timber export/import facilities in King Salmon and Fields Landing are located along the deepwater draft Hookton Channel. Recreational facilities in both King Salmon and Fields Landing offer local residents and visitors access to the Bay for passive recreation, and active recreation such as salmon fishing.

Outside of urban limit lines, coastal dependent developments are proposed in several rural areas. An extensive area of coastal dependent industrial development is located along the North Spit south of the Samoa Bridge and east of New Navy Base Road. Commercial Recreational Uses are planned near the intersection of New Navy Base Road and the Samoa Bridge, at several scattered locations in the King Salmon-Fields Landing area, and at Table Bluff. Expansion of the aquaculture industry presents a tremendous opportunity for the expansion of coastal- related industrial development within the upcoming five years. The North Bay already produces 70% of California's total oyster production, and expansion of this industry into other products could add to the local economy.

The recent construction of the Woodley Island Marina added a significant amount of berth capacity for the commercial fishing fleet. If, at some time in the near future, it becomes necessary to further expand the berth capacity within Humboldt Bay, expansion into the channel at Woodley Island would be the preferred choice for expansion, then the extension of the marina along the channel eastward to the Samoa Bridge. The Shipwreck area near King Salmon, although having substantial habitat value in its present condition, may qualify as a degraded wetland; it thus may receive study under Section 30411 for a restoration project in conjunction with the development of a boating facility.

Dredge spoils disposal sites are essential to the maintenance of the coastal dependent industry and recreational opportunities around the Bay. Dredge spoil disposal sites have been identified along the North Spit west of New Navy Base Road, in surf zone disposal areas along the North Spit, and as identified in the National Wildlife Refuge Plan for the construction of a nesting island at Sand Island in the North Bay.

### **B. DEVELOPMENT POLICIES**

1. Industrial:
  - a. within areas designated Coastal Dependent Industrial (MC), the principal uses shall be any coastal-dependent industrial use that requires access to a maintained navigable channel in order to function, including, but not limited to: public docks, water-borne carrier import and export operations, ship building and boat repair, commercial fishing facilities, including berthing and fish receiving, and fish processing when product is for human consumption (fish waste processing and fish processing of products for other than human consumption are considered coastal- related uses), marine oil terminals, OCS

service or supply bases, ocean intake, outfall or discharge pipelines serving offshore facilities, and aquaculture and aquaculture support facilities.

- b. as conditional uses within MC designations, visitor-serving recreational facilities that require channel access, including, but not limited to marinas serving other than solely commercial vessels, fishing piers, and boat-launching facilities; coastal-related industrial uses, including but not limited to fish-waste processing and fish processing of products for other than human consumption, gas and/or oil processing and treatment facilities, electrical generating facilities or other facilities which require an ocean intake, outfall, or pipeline. Such facilities shall not be sited on sites with channel access unless associated with a terminal. Alterations, improvements, and relocations of existing general industrial uses within the MC designation may also be permitted.
  - c. as interim conditional uses within MC designations to allow greater use of underutilized MC lands, certain uses allowed in the MG: Industrial/General land use designation and in the ML: Light Industrial zone district (Section 313-3.2 of the Coastal Zoning Regulations) subject to interim use performance standards to avoid impacts to coastal-dependent industrial uses and other priority uses including visitor-serving recreational facilities that require channel access and coastal-related industrial uses.
  - d. within areas designated Resource Dependent (MR), the principal use shall be resource-dependent activities, including but not limited to, aquaculture, wetland restoration projects carried out under Coastal Act Section 30233(a)(7), nature study facilities, and minor alterations or repairs to existing structures. Conditionally permitted uses in the MR designation are as described in the Land Use Designation Chapter 4, page 4-4.
  - e. permitting of developments included in this subsection shall be according to the policies of 3.14 et seq., or 3.26 et seq., as applicable.
2. Recreational: any active or passive recreational activity requiring use of open water, the water-beach interface, or other natural features which in Humboldt County exist only or predominantly at near-shore areas.
  3. Commercial: visitor-serving facilities which accommodate or facilitate public use of the shoreline for coastal-dependent recreational purposes, when provision of such services is best provided at shoreline areas and does not interfere with access to the coast.
  4. Where coastal-dependent uses conflict among themselves, priority shall be given to industrial over recreational or commercial uses, and to recreational over commercial uses; except that industrial, recreational, and visitor serving use of private lands shall not displace existing agricultural use where the Area Plan or zoning protect the use.
  5. In reviewing projects requiring channel access, it is recognized that the channel adjacent to the Samoa Spit is naturally scoured and generally provides the best opportunity for deeper draft uses.
  6. U.S. Coast Guard facilities shall be considered a priority among coastal-dependent uses.
  7. Dredge spoils disposal sites identified on the Resource Protection Maps shall be protected for spoils disposal.

Spoils disposal at Sand Island, if any, are encouraged for restoration of elevations sufficient to reestablish tern nesting on the islands. Any dredge spoils disposal at King Salmon should be designed to minimize erosion and include mitigation measures to protect water quality and existing uses.

It is the policy of the County to encourage island building as a dredge spoils disposal alternative that may be used to create or restore elevations beneficial to the overall productivity of Humboldt Bay. Past disposal projects have created elevations suitable for the establishment of salt marsh and upland habitat. The County encourages the consideration of island building as a reasonable alternative in each application reviewed by agencies with jurisdiction for dredge spoils disposal projects.

### **3.14 INDUSTRIAL**

#### **A. PLANNED USES**

According to the “Industrial Siting Study” prepared as a background study for the local planning process, the forest products industry is not expected to exert any significant additional land use demand on the County’s coastal zone for industrial facilities, even though such facilities constitute a large number of industrial facilities in the Humboldt Bay area. Planned uses at sites along maintained dredged channels are designed to accommodate port-related activities that can take advantage of the Bay’s transportation resources such as dry cargo facilities, aquaculture facilities, OCS facilities, commercial fishing facilities, and electrical power plants.

Within the various urban limit areas there are several areas planned for industrial use. Sites at the north end of Manila currently occupied by the Emerson Sawmill and GAR Trucking are designated for “Industrial General” use. Southwest of Arcata there is a vacant area designated “Industrial General,” located just west of McDaniel Slough. These areas are designated for general industrial use because of limited access to Bay channels.

The Fields Landing/King Salmon area has approximately 110 acres in industrial use, with 45 additional acres planned for “Coastal-Dependent Industrial” use. The Humboldt Bay Harbor District is constructing a boat building and repair facility at Fields Landing that borders 18 available industrial acres. Two other developable industrial waterfront parcels at Fields Landing are: (1) a 4-acre parcel immediately north of the County boat ramp, and (2) the old Palladini dock between South Bay Marina and Olson Terminals. “Resource Dependent” designations on several wetland sites or transitional agriculture sites in the King Salmon/Fields Landing area permit continued agriculture, wetland restoration, or aquaculture or, if found to be the least environmentally damaging alternative (and mitigation was provided), could permit coastal-dependent industrial uses and Agricultural Exclusive uses.

Outside of the various urban limits there are several areas planned for industrial use. Sites along Highway 101 between Eureka and Arcata include the Arcata Redwood and Bracut milling operations.

The North Spit south of the Samoa Bridge is the site of the County’s heaviest industrial uses, specifically the two pulp mills of Louisiana-Pacific and Crown-Simpson. These areas are planned Coastal Dependent Industrial because of the water-borne traffic which constitutes an integral part of these operations. North of Fairhaven, contiguous inland parcels west to New Navy Base Road are planned General Industrial (MH) to provide siting opportunities for industries not requiring channel access. Lands designated south of Fairhaven for Coastal Dependent Industrial uses are reserved for new coastal dependent development requiring large acreages (50 acres or larger).

One key vacant parcel with channel access to the deepwater channel is planned Coastal Dependent Industrial, and should be reserved for a use requiring channel access, with continued woodchip storage in the interim. Immediately to the west of this parcel is a potential site of a 40 megawatt wood-waste power plant, planned General Industrial.

In regard to amendments pursuant to Section 30515 of the Coastal Act, it should be noted that the public needs of the nation were considered in developing the land use designations of this plan which could accommodate oil and gas development; and, that the public needs within the area of the Humboldt Division of P.G. & E. were considered in developing the land use designations and recommendations with respect to power plant siting.

**B. DEVELOPMENT POLICIES**

1. General

\*\*\* (modified 30250(a)): New industrial development, except as may be otherwise provided in this plan, shall be located within, contiguous with, or in close proximity to, existing developed industrial areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

\*\*\* 13142.5 Coastal Marine Environment

In addition to any other policies established pursuant to this division, the policies of the state with respect to water quality as it relates to the coastal marine environment are that:

- a. Waste water discharges shall be treated to protect present and future beneficial uses, and, where feasible, to restore past beneficial uses of the receiving waters. Highest priority shall be given to improving or eliminating discharges that adversely affect any of the following:
  - (1) Wetlands, estuaries, and other biologically sensitive sites.
  - (2) Areas important for water contact sports.
  - (3) Areas that produce shellfish for human consumption.
  - (4) Ocean areas subject to massive waste discharge.

Ocean chemistry and mixing processes, marine life conditions, other present or proposed outfalls in the vicinity, and relevant aspects of area-wide waste treatment management plans and programs, but not of convenience to the discharger, shall for the purposes of this section, be considered in determining the effects of such discharges. Toxic and hard-to-treat substances should be pretreated at the source if such substances would be incompatible with effective and economical treatment in municipal treatment plants.

- b. For each new or expanded coastal power plant or other industrial installation using seawater for cooling, heating, or industrial processing, the best available site, design, technology, and mitigation measures feasible shall be used to minimize the intake and mortality of all forms of marine life.
- c. Where otherwise permitted, new warmed or cooled water discharges into coastal wetlands or into areas of special biological importance, including marine reserves and kelp beds, shall not significantly alter the overall ecological balance of the receiving area.
- d. Independent baseline studies of the existing marine system should be conducted in the area that could be affected by a new or expanded industrial facility using seawater in advance of the carrying out of the development.
- e. Adequately treated reclaimed water should, where feasible, be made available to supplement existing surface and underground supplies and to assist in meeting future water requirements of the coastal zone, and that consideration, in statewide programs of financial assistance for water pollution or water quality control, shall be given to providing optimum water reclamation and use of reclaimed water.

\*\*\* 30232. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective

containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

- a. Industrial uses shall include mitigation and design features for compatibility with adjacent land uses; in particular, screening and/or landscaping to buffer adjacent residential and recreational uses.  
  
New industrial development adjacent to areas planned for public recreation, natural resources, or residential use on the North Spit shall include mitigation measures, including at a minimum, setbacks, landscaping, and design controls to minimize significant conflicts with adjacent land uses.
- b. The Planning Department shall maintain a list of vacant industrial parcels. When notice has been given that an industrial facility is permanently closing down, the Planning Department shall solicit recommendation, including from the owner or operator and the Humboldt Bay Harbor Recreation and Conservation District, for appropriate future uses of the site. An LCP amendment shall be applied for where the Planning Department's recommendation is to change the land use designation.
- c. New or expanded power plants or other industrial installations on the North Spit using seawater for cooling, heating, or processing shall, where feasible, utilize oceanside intakes rather than bayside systems.
- d. Continued airport operation and improvement at the Samoa Spit Airport shall be consistent with the MC (Coastal Dependent Industrial) land use designation at the site.

2. HAZARDOUS INDUSTRIAL DEVELOPMENT

Hazardous industrial development as defined in Chapter 6 shall be permitted when either:

- a. It includes mitigation measures sufficient to offset increased risks to adjacent human populations; or,
- b. Increased risks to adjacent human populations have been adequately mitigated by approved disaster response plans, as provided in Section III B 7.0 of the General Plan Seismic and Public Safety Elements.

3. COASTAL DEPENDENT INDUSTRIAL

\*\*\* Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 31262 if (1) alternative locations are unfeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

- a. The initial study and subsequent environmental review of a proposed coastal dependent or coastal related facility shall include consideration of alternative sites within appropriate land use designations for the proposed project, and shall rate the sites according to the following priority:

Priority 1 Sites:

sites with existing facilities suitable, with minor alteration, to accommodate the proposed use, or that could accommodate the proposed use through expansion.

Priority 2 Sites:

sites requiring the construction of new facilities which do not convert wetlands. Preferred sites within this category are those requiring the least site alteration (e.g. dredging, grading, habitat modification).

Priority 3 Sites:

sites where the proposed use would require conversion of wetlands.

Priority 4 Sites:

sites requiring dredging of a new deep water channel.

- b. Alternative sites included in the review shall include at a minimum those sites received from soliciting the California Coastal Commission, the Humboldt Bay Harbor Recreation and Conservation District, the Army Corps of Engineers, and the Humboldt County Planning Department.
- c. The proposed use shall be located on a site with the lowest priority rating (i.e. Priority 1 is the lowest), provided that in each case the new or expanded activities conform with the policies of this land use plan. The Humboldt Bay Harbor Recreation and Conservation District shall be petitioned to consider exercising its right of eminent domain to secure and manage the site if necessary.
- d. A Priority 3 or 4 site shall be used only if the following findings can be made: That the proposed use cannot feasibly be accommodated in a Priority 1 or 2 site or use of Priority 1 or 2 sites would be more environmentally damaging; and to do otherwise would adversely affect the public welfare; and adverse environmental effects are mitigated to the maximum extent feasible, at a minimum in conformance with the Resource Protection policies and standards of Section 3.30 et seq.
- e. The Coastal Dependent Industrial (MC) area, designated adjacent to the Eureka Airport and south of Fairhaven, shall be reserved for large (i.e. uses requiring sites of 50 acres or larger) port or coastal dependent energy facilities for which alternate locations are either unfeasible or more environmentally damaging.
  - (1) Relocation of New Navy Base Road to accommodate large coastal dependent industrial uses shall be permitted consistent with 3.22B and within the Coastal Dependent Industrial (MC) designation. Uses within the MC area located south and west of the new road alignment shall be consistent with the natural Resources (NR) designation as defined in Chapter 4 of this plan.
  - (2) When feasible, permitted development should be located on existing developed areas within the site to avoid unnecessary impacts to coastal dune resources.
  - (3) Where proposed industrial development would affect wetland or dune habitat, or areas of public access or recreation, it is subject to the policies of Section 3.27, 3.30, and 3.50 of this plan.
- f. Coastal permits shall not be issued for site preparation, including but not limited to rough grading, unless and until a coastal permit has been issued for all functionally related developments for which the site preparation is required. (Amended per Res. No. 82-161)

4. MARINE PETROLEUM TRANSFER AND STORAGE FACILITIES

For new or expansions to existing marine petroleum transfer facilities, or for new or expanded marine transfer facilities, or for other hazardous liquids, in addition to the other sections applying to coastal-dependent facilities, the following shall apply:

- a. multi-company use of existing and new tanker facilities shall be encouraged to the maximum extent feasible and legally permissible, except where to do so would result in increased tanker operations and associated onshore development incompatible with the land use and environmental goals for the area. New tanker terminals outside of existing terminal areas shall be situated as to avoid risk to environmentally sensitive areas and shall use a monobuoy system, unless an alternative type of system can be shown to be environmentally preferable for a specific site. Tanker facilities shall be designed to (1) minimize the total volume of oil spilled, (2) minimize the risk of collision from movement of other vessels, (3) have ready access to the most effective feasible containment and recovery equipment for oil spills, and (4) have onshore deballasting facilities to receive any fouled ballast water from tankers where operationally or legally required. (30261 of the Coastal Act)
- b. The following findings shall be required for project approval:
  - (1) that increased tanker operations and associated onshore development will not be incompatible with the land use, safety and environmental policies for the area;
  - (2) that existing facilities will be expanded or that it would not be feasible or legally permissible to do so;
  - (3) that the facility will be designed and operated to a) provide maximum feasible and legally permissible multi-company use; b) minimize the total volume of oil spilled; c) minimize the risk of collision from movement of other vessels; d) have ready access to the most effective feasible containment and recovery equipment for spills; and, 3) have onshore deballasting facilities to receive fouled ballast water from tankers where operationally or legally required.
- c. New development shall not increase the risk of an oil spill to Humboldt Bay. Mitigation through alteration of existing operations shall be provided for in developments which might have an increased risk of spill associated with them.
- d. The County encourages actions to provide for necessary reconsolidation and redevelopment of coastal-dependent and coastal related industrial sites. The County will, to the maximum extent feasible, cooperate with other local, State, and federal agencies and private property owners to facilitate necessary reconsolidation and redevelopment of these sites. (Amended by Res. No. 82-161)

## 5. OIL AND GAS PIPELINES

For pipelines serving oil and gas facilities, the following shall apply:

- a. Pipelines should, where feasible, avoid sensitive habitat areas and archaeological sites and follow existing utility corridors where they are present. Active faults or other geologically unstable areas should be avoided where feasible, or be designed to mitigate against such hazards.
- b. When avoidance of a sensitive habitat area is not feasible, effective mitigation measures shall be employed to minimize adverse impacts. Directional drilling shall be employed to avoid wetlands and riparian habitats unless an independent engineering contractor selected by the County determines that to do so would not be feasible.

- c. All right-of-ways shall be regraded and revegetated to their original state. Where a responsible agency identifies a degraded habitat along the proposed right-of-way where it might be preferable to restore it to a condition other than its present state, said agency shall recommend to the lead agency plans for restoration of the habitat. The lead agency shall require restoration of the habitat as a condition of approval, unless a review of the public record indicates it would be more appropriate to do otherwise.
- d. All compressor, metering, or odorizing stations shall be visually and acoustically buffered with vegetation and other means as necessary.
- e. Above-ground pipelines should be sited to minimize visual impacts when feasible. When an above-ground pipeline must be sited in a highly scenic area, it shall be visually buffered with vegetation and other means as necessary.
- f. For liquid-carrying pipelines passing through important coastal resource areas, including recreation, habitat, and archaeological areas, and geologically unstable areas, segments shall be isolated by automatic shutoff valves. The County may determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the Department of Transportation is required to protect sensitive coastal resources.

## 6. ELECTRICAL TRANSMISSION LINES

The California Public Utilities Commission (PUC) and the California Energy Commission are the agencies responsible for review and approval of transmission lines which includes technical and safety performance and environmental concerns. The CPUC has the authority to regulate all service, design, construction, and related activities of electrical utilities including the location and method of construction of transmission and distribution facilities. All transmission lines proposed for the coastal zone are considered developments under the Coastal Act, thus the County will have permit review authority based on the following policies.

- a. Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in highly scenic areas, and to avoid locations which are on or near habitat, recreational, or archaeological resources, whenever feasible. Scarring, grading, or other vegetative removal shall be minimized and revegetated with plants similar to those in the area.
- b. Where above-ground transmission line placement would unavoidably affect views, undergrounding shall be required where it is technically and economically feasible unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.
- c. Above-ground transmission lines should be sited so as to minimize visual impacts.
- d. Siting of transmission lines should avoid the crests of roadways to minimize their visibility on distant views. Where visual impacts would be minimized, lines should cross the roadway at a downhill low elevation site or a curve in the road.
- e. New major steel tower electrical transmission facilities should be consolidated with existing electrical steel-tower transmission facilities unless there are social, aesthetic or significant economic concerns.
- f. Existing rights-of-way should be utilized for other related utilities to provide consolidated corridors wherever such uses are compatible or feasible.

- g. Access and construction roads should be located to minimize landform alterations. Road grades and alignments should follow the contour of the land with smooth, gradual curves where possible.

7. OIL AND GAS WELLS

- a. Prior to project approval, findings in conformance with Section 30262 will be required.
- b. Development associated with onshore oil and gas wells shall be permitted by conditional use permit in agricultural, timber commercial, general industrial and coastal-dependent industrial land use classifications.
- c. A permit will be required for each drillsite and a separate permit will be required for production facilities. Additional wells proposed for an approved drillsite may be administratively approved provided that they can be accomplished within the limitations and conditions of the original use permit for the drillsite.
  - (1) In submitting information for the initial study, the applicant shall include information sufficient to determine that the project will be so sited and designed to mitigate to the maximum extent feasible adverse environmental effects. Specifically, the following shall be provided for:
    - (a) A plot plan of the entire area under lease or ownership, showing the relationship of the proposed facilities to ultimate potential development, and a map showing the relationship of contours, buildings, structures, and/or natural features,
    - (b) the relationship of proposed facilities to existing facilities,
    - (c) procedures for the transport and disposal of all solid and liquid wastes to meet discharge requirements of the Regional Water Quality Control Board,
    - (d) grading plans and procedures for minimizing erosion,
    - (e) where public views are affected, landscaping plans and measures for minimizing visual impacts,
    - (f) fire prevention procedures,
    - (g) air emission control measures, and
    - (h) oil spill contingency procedures.
    - (i) For production facilities, a phasing plan for the staging of development which indicates the approximate anticipated timetable and production levels for the project.
    - (j) Procedures for the abandonment and restoration of the site which provide for removal of all equipment, disposal of wastes, and recontouring, reseeding and planting to conform with surrounding topography and vegetation.
- d. In general, drill sites shall not be established at a density greater than one per eighty (80) acres.
- e. All solid and liquid wastes shall meet the discharge requirements of the Regional Water Quality Control Board.
- f. Project shall meet all applicable air quality regulations.

- g. All earthen sumps or other depressions shall be regraded to restore the area to its original condition.

8. POWER PLANT-SITING

- a. Notwithstanding the fact that the authority for siting power plants greater than 50 (fifty) megawatts has been delegated to the California Energy Commission, and that the California Coastal Commission has designated certain areas where siting such a power plant would prevent the achievement of the objectives of the Coastal Act, and that certain undesignated areas occur within this plan area; it is the opinion of the County that the siting of such a facility in the undesignated areas listed below within this plan area would constitute development that would be incompatible with this plan, and that further, the County recommends that the California Coastal Commission in its biennial review include the undesignated areas listed below within this area plan as designated areas where siting of a power plant would prevent achievement of the objectives of the Coastal Act (Amended 3/9/95 to correct typographical errors):

- (1) the undesignated areas in the Myrtle town – Freshwater Slough area;
- (2) the undesignated areas immediately north of Elk River; and,
- (3) the undesignated area from Fields Landing south to McBride’s Ranch.

Coastal resources that would be damaged by the siting of a power plant in these areas include:

- (1) wetlands and estuaries
- (2) environmentally sensitive habitat areas
- (3) agricultural land
- (4) scenic and visual quality areas
- (5) areas with inadequate public services. The above listed areas were evaluated by the California Energy Commission report: Opportunities for New Coastal Power Plants in California, January 1981, and were eliminated from the areas where opportunities for siting new power plants might exist.

- b. Upon expansion or major modification of existing power plant facilities, once-through cooling systems shall be upgraded to meet the policy objectives above and the discharge policies of the Regional Water Quality Control Board. Use of municipal wastewater for cooling shall be considered.

c. Wind Generating Facilities

Wind generating facilities shall be a conditionally permitted use in all land use designations except Resource Dependent (MR).

The following shall be considered in reviewing proposed wind generating facilities: parcel size, relationship to other structures, effect on potential down-wind sites, compliance with Uniform Building Code and national Electrical Code, rotor and tower safety, noise, electromagnetic interference, utility notification, height, liability insurance, and appearance and design.

Findings necessary for project approval shall be:

- (1) The proposed use is not detrimental to the public health, convenience, safety and welfare.

- (2) That the use of the property for such purposes will not result in material damage or prejudice to other property in the vicinity.
- (3) The project will not have a significant adverse effect on coastal resources including wildlife qualities.

9. SOLID WASTE DISPOSAL PROJECTS

- a. Prior to approval of a solid waste disposal project, the applicant shall submit a solid waste disposal initial study plan which includes:
  - (1) estimations of the quantity of waste to be disposed of and the area and volume required for disposal, on an annual basis, including 5 and 10 year projections;
  - (2) description of toxicity and harmful effects on people, plants, and animals of material to be disposed of;
  - (3) site alternatives and description of impacts associated with each;
  - (4) relationship of this disposal project to other disposal projects in the area;
  - (5) a monitoring and mitigation program to insure the prevention of damage to soil, plant and animal life, and surface and subsurface water supplies;
  - (6) a reclamation and restoration plan, including descriptions of recontouring, revegetation, visual buffering during and after the project, and a list of possible future uses for each of the sites considered, and a list of uses which would not be possible after project completion; and
  - (7) assessment of conformity with County Solid Waste Management Plan.
- b. Any solid waste disposal project shall conform to the County Solid Waste Management Plan.
- c. Such projects should take place at existing approved disposal sites. New projects may, however, be allowed by conditional use permit in any land use designation, except NR and MR, if the least environmentally damaging alternative is selected. Projects in agricultural and timberland designations shall be limited to non-toxic ash, muds and sludges that would be compatible with continued agriculture or timberland use.
- d. Projects shall meet the requirements of the Solid Waste Management Board regulations, (Division 7, Title 14, California Administrative Code) as applicable.

10. SURFACE MINING PROJECTS

- a. For surface mining projects within the Coastal Zone, the following conditions apply to all operations whether or not they are covered by the County Surface Mining and Reclamation Ordinance No. 1373 or not:
  - (1) Removal shall be from unvegetated dunes which pose a safety hazard or threaten existing development or agricultural, and shall be consistent with Section 3.30B(10) (Beach and Dunes); or shall be from unvegetated river bars, or from industrially designated areas.
  - (2) Disturbance of banks shall be avoided or minimized.
  - (3) Excavations shall not leave holes or pits which could adversely affect aquatic life.

- (4) Sediment settling ponds shall be used for fine silt trapment when a crusher is used at the gravel site.
  - (5) In order to minimize adverse impacts to migrating anadromous fish, the Department of Fish and Game guideline for removal of gravel only from May to November each year, except for emergency purposes, shall apply.
  - (6) River crossings, or drainage crossing on the gravel bar, should use temporary culverts or removable bridges to minimize impacts on water quality.
  - (7) Sand and gravel projects emphasizing flood control or bank protection shall be encouraged.
  - (8) Sand and gravel operations shall not remove sediments essential to the maintenance of areas used for public recreation or which protect uplands planned for commercial, residential or industrial use from erosion.
- b. Sand and gravel projects which do not include stationary facilities may be allowed by conditional use permit in MC, MG, AG, and AE designations, and in NR and RL designations as per the policies of 3.30B(10) (Beach and Dunes). Sand and gravel projects which include stationary crushers, separators, kilns, transfer stations or similar fixed facilities may be allowed in MG designations, or in MC designations when associated with waterborne transport, by conditional use permit.

### **3.15 RECREATIONAL AND VISITOR SERVING AREAS**

- \*\*\* 30213. (Part) Lower cost visitor and recreation facilities ... shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.
- \*\*\* 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.
- \*\*\* 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
- \*\*\* 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.
- \*\*\* 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.
- \*\*\* 30252. The location and amount of new development should maintain and enhance public access to the coast by assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and

development plans with the provision of onsite recreational facilities to serve the new development.

#### **A. PLANNED USES**

A number of recreational and visitor-serving facilities are planned for and are located within the King Salmon-Spruce Point-Fields Landing area. While this area is already largely developed, the Commercial Recreation designations will preserve existing facilities, as well as provide for further provision of additional facilities. This area is ideal for the provision of such recreational opportunities because of the availability of urban services to serve large numbers of recreationists, the ready access to the Bay at Fields Landing boat ramp and at King Salmon, the existing support facilities for sport fishing and the easy access provided by Highway 101. Restaurants, RV parks, further sport fishing facilities, and other coastal recreational activities are land uses to be encouraged by this plan.

#### **B. DEVELOPMENT POLICIES**

1. It is the policy of this County to prefer the private sector as the provider of visitor-serving facilities. To this end land has been reserved in each planning area for visitor-serving uses; and the County discourages public agencies from establishing visitor-serving facilities, beyond the level of overnight campgrounds and picnic areas and other noncommercial day use facilities such as interpretive centers, boat launching facilities, etc.

Within an Urban Limit Line, the development of non-coastal dependent recreational facilities shall be deemed to serve the overall goal of improving coastal recreational opportunities; except that where lands suitable for water-oriented recreational activity along the ocean or along major rivers are planned for recreation, only recreational development dependent on these sites shall be approved.

2. Recreational opportunities and planned unit development: The County encourages the provision of onsite recreational opportunities in major new development.
3. Residential use of Recreational Facilities: In an approved recreational vehicle park the residential occupancy of recreationalists by mobile homes shall be allowed up to 20% but not to exceed a total of 10 such existing sites from June through August and up to 80% but not to exceed 40 from September through May.

### **3.16 HOUSING**

- \*\*\* 30213. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and where feasible, provided ... New housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

#### **A. PLANNED USES**

Because only a moderate increase in residential development is planned within the coastal zone, the direct provision of housing for low and moderate-income households is not possible. The development policies, however, support actions of the Humboldt Housing Authority to protect, if feasible, existing low and moderate income housing. Within the urban limit a large portion of the housing - notably in the Manila and Fields

Landing areas – is low and moderate-income housing. These policies will protect existing units from demolition, therefore will protect the existing housing stock.

## **B. DEVELOPMENT POLICIES**

1. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be developed in conformity with the goals, policies, standards, and programs of the Humboldt County Housing Element.
2. Planned Unit Development. It is the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and the County, such as: dedication of open space and public access, protection of visual resources and sensitive habitats, and provision of low and/or moderate income units, housing incentive may include increases of up to a total of 25% over planned densities if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than 35% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. (Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07)

### **3.17 HAZARDS**

\*\*\* 30253. New Development shall:

1. Minimize risks to life and property in areas of high geologic, flood and fire hazard.
2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

## **A. PLANNED USES**

The hazard policies apply to all new development within the planning area. For the most part these policies have been extracted from Humboldt County’s adopted Seismic Safety Element.

The only area with any significant instability problem planned for more intense development is on Humboldt Hill, east of Highway 101, which is classified as an area of “moderate instability” according to County seismic safety maps. Another significant hazard to development within most of the agricultural lands and along both the North and South Spits is liquefaction. Much of this same area is also within the limit of the 100-year floodplain, and is in an area of potential tsunami runup. Maps of slope stability hazards are included in Appendix D, and are referenced in policies from the Seismic Safety element of the General Plan which are reiterated below. The numerical index on these maps indicate relative slope stability and are to be used with the risk rating matrix in Appendix C. This information indicates where a site investigation would be required prior to the issuance of a development permit (see policy section 2 below).

**B. DEVELOPMENT POLICIES**

1. New development shall be consistent with the adopted Humboldt County Safety and Seismic Safety element of the General Plan. Of particular interest, when siting new development, the Natural Hazards/Land Use Risk Rating Matrix on Figure 3-5, Section 3300 of Vol. 1 should be used in conjunction with Plate III. Plate III is a map delineating seismic zones relating to earthquake shaking as well as land stability and other natural hazard conformation.
2. The County shall amend Chapter 70, Section 7006, of the Uniform Building Code to require soil engineering and geological engineering investigations, prepared by a registered geologist or by a professional civil engineer with experience in soil mechanics or foundation engineering, or by a certified engineering geologist, for classes of development and hazard areas as shown in Table 1 and Plate III and DNOD maps as attached (See Appendices C, D & E).
  - a. The report should consider, describe and analyze the following.
    - (1) Cliff geometry and site topography, extending the surveying work beyond the site as needed to depict unusual geomorphic conditions that might affect the site;
    - (2) Historic, current and foreseeable cliff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs where available and possible changes in shore configuration and sand transport;
    - (3) Geologic conditions, including soil, sediment and rock types and characteristics in addition to structural features, such as bedding, joint and faults;
    - (4) Evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development on landslide activity;
    - (5) Impact of construction activity on the stability of the site and adjacent area;
    - (6) Ground and surface water conditions and variations, including hydrologic changes caused by the development (i.e. introduction of sewage effluent and irrigation water to the ground water system; alterations in surface drainage);
    - (7) Potential erodibility of site and mitigating measures to be used to ensure minimized erosion problems during and after construction (i.e. landscaping and drainage design);
    - (8) Effects of marine erosion on seacliffs;
    - (9) Potential effects of seismic forces resulting from a maximum credible earthquake;
    - (10) Any other factors that might affect slope stability.
  - b. The report should evaluate the off-site impacts of development (e.g. development contributing to geological instability on access roads) and the additional impacts that might occur due to the proposed development (e.g. increased soil moisture from a septic system). The report should also detail mitigation measures for any potential impacts and should outline alternative solutions. The report should express a professional opinion as to whether the project can be designed so that it will neither be subject to nor contribute to significant geologic instability throughout the lifespan of the project. The report should use a currently acceptable engineering stability analysis method and should also describe the degree of uncertainty of analytical results due to assumptions and unknowns. The

degree of analysis required should be appropriate to the degree of potential risk presented by the site and the proposed project.

- c. The developments permitted in the hazard areas shall be sited and designed to assure stability and structural integrity for their expected economic life spans while minimizing alteration of natural landforms. Bluff and cliff developments (including related storm runoff, foot traffic, site preparation, construction activity, irrigation, waste water disposal and other activities and facilities accompanying such development) shall not create or contribute significantly to problems of erosion or geologic instability on the site or on surrounding geologically hazardous areas.
  - d. Alteration of cliffs and bluff tops, faces, or bases by excavation or other means shall be minimized. Cliff retaining walls shall be allowed only to stabilize slopes.
3. Tsunamis—New development below the level of the 100 year tsunami run-up elevation described in Tsunami Predictions for the West Coast of the Continental United States (Technical Report H-78-26 by the Corps of Engineers) shall be limited to public access, boating, public recreation facilities, agriculture, wildlife management, habitat restoration, and ocean intakes, outfalls, and pipelines, and dredge spoils disposal. New subdivisions or development projects which could result in one or more additional dwelling units within a potential tsunami run-up area shall require submission of a tsunami vulnerability report which provides a site-specific prediction of tsunami-run-up elevation resultant from a local Cascadia subduction zone major earthquake. Such developments shall be subject to the following standards or requirements:
1. New residential development shall not have habitable living space below the predicted tsunami run-up elevation calculated at maximum tide plus a minimum of three (3) feet to account for future sea level rise plus one foot of freeboard space.
  2. New residential development shall be required to meet the requirements of a Tsunami Safety Plan (TSP) based on the Tsunami-Ready Guidelines of NATIONAL WEATHER SERVICE INSTRUCTION 10-1802, October 6, 2004, Appendix D.
  3. The Approving Authority shall only authorize residential development proposed on legal lots in areas located within a tsunami run-up inundation area if the pertinent decision-makers adopt specific findings at the time of approval of such development stating that the guidelines set forth in the Tsunami-Ready Guidelines of the NATIONAL WEATHER SERVICE INSTRUCTION 10-1802, dated October 6, 2004, Appendix D, have been reviewed and have been fully met or implemented as applied to the specific location of the proposed development.
  4. The County shall only authorize residential development if proposed on a legal lot and where located within a tsunami run-up inundation area, if a Tsunami Safety Plan (TSP) for the subject site has been prepared by a California licensed professional civil engineer with substantial coastal hazard analysis experience specifically including evaluating tsunami hazards stating that if the reviewing engineer's recommendations are met, the site will be safe for the subject development from catastrophic failure or inundation caused by a local great Cascadia Subduction Zone earthquake event and accompanying tsunami. The final plans and designs shall be reviewed and stamped by the reviewing California licensed professional engineer to confirm that all pertinent recommendations set forth in the subject final TSP have been incorporated into the final plans and designs. (Amended by Res. 12-62 and Res. 12-63, 7/17/2012)
4. Flood Plains—No critical facilities should be permitted to locate within the 100 year flood plain. Utility lines may cross hazard zones if there is no reasonable alternative and provisions are

made to mitigate the hazard. Non-critical facilities should be permitted in the 100 year flood plain only if adequate flood control measures, such as control works, compact fill, etc., that would result in a site being beyond or above the 100 year flood extend, are provided. Further, the County will continue to review development in light of and impose conditions consistent with the National Flood Insurance Program.

5. Firehazard–The County shall request that the fire service agencies recommend to the planning staff new ordinances or amendments to existing ordinances that will promote the orderly implementation of recognized fire protection practices. These recommendations shall be evaluated by the Board of Supervisors for inclusion in Phase III of the Local Coastal Plan for the Area.

### **3.18 ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES**

\*\*\* Where new development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

#### **A. PLANNED USES**

The Native American Wiyot tribe, part of the Algonkian family, once occupied the Humboldt Bay area. The Humboldt County Department of Public Works has identified 117 known archaeological sites in this planning area. The Wiyots depended heavily upon the resources of Humboldt Bay, and their heritage is an important resource within the Humboldt Bay area. Areas with great archaeological and paleontological values have been identified within the planning area, as identified with the Humboldt County Public Works, Natural Resource Division.

#### **B. DEVELOPMENT POLICIES**

1. Reasonable mitigation measures may include but are not limited to:
  - a. Changing building and construction sites and/or road locations to avoid sensitive areas.
  - b. Providing protective cover for sites that cannot be avoided.
  - c. Where appropriate and with the approval of all parties concerned, provide for the removal or transfer of culturally significant material by a professional archaeologist or geologist.

### **3.20 RURAL DEVELOPMENT**

#### **A. EXISTING USES**

Agricultural uses, primarily for dairy production, predominates on bottomlands north and south of the Bay. Other grazing and related uses, such as hay/alfalfa production are located on the bottomlands between Eureka and Arcata. Limited timberland, mostly on smaller parcels, exists in upland portions of the coastal zone along the Elk River and Ryan Slough watersheds.

Residential uses are located in the Mitchell Heights/Pigeon Point area, Indianola and Fairhaven. Industry is concentrated along the North Spit directly across from the City of Eureka because of the confluence of rail, highway and port facilities. The same holds true for the Arcata Redwood mill along Highway 101 between

Arcata and Eureka. The Arcata bottoms have been subject to some gas and oil exploration, although no successful reserves have been reported to date.

Commercial uses are found primarily within the cities of Eureka and Arcata, and scattered along nearly the whole length of Highway 101 as it crosses the planning area. A few RV parks are situated in the planning area (e.g. near King Salmon) but no camping facilities are found in the area except for the KOA campground along Indianola Road. Facilities on the Eureka waterfront and at Fields Landing serve the commercial fishing fleet, which accounts for an important fraction of the California catch, especially salmon, flatfish and Dungeness crab. Future trends within the commercial fishing industry are uncertain at this time. Commercial fishing within the Bay includes the oyster beds located in the North Bay, which provide 70% of California's total oyster production. Other aquaculture products are expected from Humboldt Bay in coming years (e.g. mussels). Maintenance of Bay water quality suitable to aquaculture and marine organisms is a major local concern.

## **B. NONCONFORMING USES AND STRUCTURES**

It is the intent of this plan that nonconforming uses and structures may be substituted, or replaced with more conforming uses and structures. Such substitution, replacement or alteration will be consistent with the Plan only when the following findings are made:

1. The nonconforming use and/or structure is not a public nuisance; and
2. The nonconforming use and/or structure will not conflict with surrounding land uses. (Amended by Res. No. 87-150).

### **3.21 RURAL SUBDIVISION REQUIREMENTS**

\*\*\* 30250(a). Land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

## **A. PLANNED USES**

Outside of the urban limit lines, planned uses generally include agriculture, rural residential development, public and commercial recreation, natural resources, industrial and a few timberlands on the fringe of the planning area.

A primary objective of the Coastal Act is to concentrate new development and associated services (water, sewer, roads, fire protection, etc.). The urban policies of Sections 3.10 - 3.18 implement this goal by encouraging new development in areas where urban services are currently available, and by requiring that certain findings be made prior to the extension of services. These policies not only encourage fiscal responsibility in the provision of County services to areas of new development, but also limit unwarranted development of agriculture and timberlands. The issue of preserving agricultural uses is particularly important on lands between Eureka and Arcata, as well as the lands west of Arcata, both being agricultural areas directly adjacent to areas of intense development.

## **B. DEVELOPMENT POLICIES**

1. No division of land planned for rural exurban, rural residential, agricultural general, or commercial timberlands shall be approved unless at least fifty percent of the parcels in similar use in the planning area of the subject parcel, outside the urban limit line, have been developed. The average density of new development created by such divisions shall not exceed that

established by the policies of Chapter 4 and the designations of the land use maps, which area based on:

- a. The average size of parcels planned for the same use within the neighborhood of the subject parcel. Average usually means the arithmetic mean, although the mode may be used when very many 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.
- b. A size adequate to prevent individual or cumulative significant adverse effects to coastal resources, including water resources, environmentally sensitive habitats, agricultural and timberlands, and coastal views.

2. Planned densities for rural areas designated for residential use shall be as follows:

a. Tyee City – RURAL EXURBAN

This area is currently comprised of small lots with water supply limitations and septic problems. Creation of new parcels shall not be permitted.

b. Fairhaven – RURAL EXURBAN

This area, although divided into urban size parcels, has high groundwater and has severe septic system constraints. It is currently serviced with water provided by the Humboldt Municipal Water District. Creation of new parcels shall not be permitted.

c. Indianola – RURAL RESIDENTIAL

This area is currently comprised of approximately 80 residential parcels and includes approximately 210 acres. These parcels are located in an upland area where soils are suitable for septic systems. The average parcel size is 2.6 acres, which is reflective of the existing development pattern in this area. The area is planned for an average density of one unit per 2.5 acres.

At the north end of this area several existing parcels contain both upland and lowland sites. New Parcels in this location shall be created in a radiating fashion such that each lot shall contain an upland building site, and agriculture easements shall be maintained over the bottomland portion of each new parcel.

d. Walker Point – RURAL RESIDENTIAL

This area was previously part of a large ranch commonly known as the Belcher property or Mid-City Ranch. With the support of Humboldt County, the ranch's approximately 350 acres of grazed wetlands identified as having high agricultural and habitat value have been conveyed to the State of California, leaving a 62-acre upland area extending to the southern tip of Walker Point, and a 15-acre area fronting on Myrtle Avenue/Old Arcata Road.

The 62-acre upland area has soils suitable for septic systems. The planned maximum density shall be one unit per three acres, or a maximum total of 20 dwelling units and 20 parcels. No parcel shall be smaller than 2.5 acres.

Subdivision of the 62-acre area shall be subject to an easement creating a 100' habitat buffer measured upland from the wetland/riparian corridor around the area's perimeter (as mapped by Newton & Associates in June, 1987). In addition, an overall plan for tree removal within the coniferous forest, mapped and identified as an important wildlife habitat area by Newton & Associates in June, 1987 shall be prepared for and approved by the County of Humboldt as part of any subdivision of the 62-acre area. The plan shall be

prepared under the direction of a qualified biologist and registered professional forester and shall address wildlife habitat protection, windbreak and windthrow issues.

Subdivision of the area shall be subject to an offer to dedicate a public access easement from the terminus of Walker Point to the toe of Walker Point and around the western perimeter of the property adjacent to the lands now owned by the Wildlife Conservation Board.

Subdivision of the area shall be subject to an offer to dedicate a public access easement from the terminus of Walker Point Road to the toe of Walker Point and around the western perimeter of the property adjacent to the lands now owned by the Wildlife Conservation Board.

Subdivision of the area shall also be subject to all other applicable LCP policies and the County's subdivision requirements including preparation of a detailed drainage analysis and construction of necessary drainage improvements prior to recordation of the Final Map. The 15-acre remainder parcel fronting Myrtle Avenue/Old Arcata Road is presently developed with a single-family residence, well, septic system, and support structures. No further subdivision of this 15-acre area shall be permitted.

All new subdivision development along Walker Point Road shall be required to upgrade the public road from the end of the City limits through the subdivision to a minimum of 24-foot wide asphalt concrete surface traveled as per the Standard outlined in the Appendix to Title III. Division 2 of the Humboldt County Code and within the City limits to standards determined appropriate by the City of Eureka (Amended by Res. No. 88-85).

e. Upper Mitchell Heights – RURAL EXURBAN

This approximately 100-acre area is currently comprised of 54 parcels. The planned maximum density in this area is one unit per one acre, at least until sewer service is provided to this area at which time it shall be included within the Urban Limit. Nearly half (26 of 54) of the existing parcels in this area are one acre or less in size.

f. Pigeon Point/Mitchell Heights – RURAL RESIDENTIAL

This 530-acre area is currently comprised of 194 parcels. The planned maximum densities in this area are one unit per five acres and one unit per 2.5 acres. The median parcel size for that area planned for a 5-acre density is five acres. The average existing parcel size in that area planned for a 2.5-acre density is 1.9 acres. The planned maximum densities are consistent with existing zoning for this area.

g. Humboldt Hill – RURAL RESIDENTIAL

The planned maximum density in this area is one unit per five acres. This is an area of steep slopes with several extremely large parcels, and a cluster of parcels in the 4-5 acre range. The median parcel size in this area is four acres.

h. South Bay – RURAL RESIDENTIAL

This is an area subdivided during the 19th century with a number of substandard lots that are located along several steep slopes. Creation of new parcels shall not be permitted.

i. South of Eureka/Pine Hill Area – RURAL RESIDENTIAL

This area is located east of Highway 101, just south of the Eureka City limit line, and along the hilltop located there. New residential parcels may be created provided that any subdivision include an open space or conservation easement over the bottom lands planned AE. Planned residential density is one unit/one acre.

### **3.22 PUBLIC SERVICES-RURAL**

\*\*\* 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal- dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor- serving land uses shall not be precluded by other development.

#### **A. PLANNED USES**

The only major service extensions foreseen in the Bay planning area during the next five years are:

1. a number of system improvements to the Humboldt Bay Municipal Water District System, including a possible extension of a water line from College of the Redwoods to the Beatrice area (outside the coastal zone); and
2. extension of water service to the Three-Corners area (outside the coastal zone) by the Humboldt Community Services District.

These extensions are consistent with this plan as long as no lands outside of the urban limit line are encumbered to finance these extensions. Extension of these services are to be paid for only by the user of the service.

Although there has been discussion of providing sewer service to the Upper Mitchell Heights area, it is doubtful that current financial considerations will permit such expansion within the next five years. Should such expansion become likely, the process outlined in Section 3.22 B.2 will be undertaken in order to expand the urban limit line to include the Upper Mitchell Heights area.

#### **B. DEVELOPMENT POLICIES**

1. Extension of Services

It is the intent of this chapter that extensive rural public service systems, such as water and sewer, not be developed. This is exclusive of public service systems such as roads, electric, gas, telephone, and fire protection systems appropriate to planned levels of development. No permit shall be issued by any agency of the County to a special district or private utility or mutual system proposing to provide such services outside an urban limit line, except for the following:

- a. Sewer service extensions outside the urban limit line may be provided to industrial uses, including to Interim Conditionally Permitted Uses in the MC - Industrial/Coastal-Dependent zone.
- b. To protect health and water quality from septic systems that are failing or may fail in the foreseeable future due to sea level rise or coastal hazards in a manner that does not induce more development in areas subject to coastal hazards, sewer service may be extended outside the Urban Limit Line established by the Samoa Town Master Plan and within the boundaries of the Peninsula Community Services District (as configured in 2020)

hereafter referred to as the Samoa Peninsula Wastewater Project (SPWP), (as described in the Final Environmental Impact Report adopted for the SPWP by the County on October 6, 2020) in compliance with the following:

- (1) Design and Construction of the Public Sewer System. The SPWP shall be designed and constructed in conformance with specific recommendations contained in a geotechnical report that considers high groundwater levels, projected sea level rise, the effects of seismic events including strong ground shaking, liquefaction, other ground failure and tsunami inundation, to prevent damage to, or flotation of, pipelines, pump stations, and other wastewater facilities subject to these hazards, and to prevent sanitary sewer overflows.
- (2) Eligible Connections. In addition to uses identified in section 3.22-B-1-a, and in compliance with below subsections (3) through (5), sewer service may only be provided to (i) structures and uses that were legally existing as of October 6, 2020 and (ii) to new single-family residences on legal lots in the portion of Fairhaven planned Residential/Exurban located within 300 feet of a SPWP sewer main (excluding Accessory Dwelling Units, which shall be prohibited to minimize risks to life and property from tsunami and sea-level rise hazards).
- (3) Public Sewer Service to Existing Development. The immediate provision of public sewer service by the SPWP to structures and uses that were legally existing as of October 6, 2020 that are served by onsite septic systems shall be allowed, and shall not be deemed to encourage or facilitate development nor constitute or be construed to be an amendment or extension of any mapped Urban Limit Line. As a condition of approval for a coastal development permit to construct the SPWP, the Peninsula Community Services District shall be required to disclose to each property within the portion of Fairhaven planned Residential/Exurban receiving a sewer connection and containing existing development all of the requirements of subsection 5 below and that the connection to sewer service does not convey or imply any entitlement or commitment for coastal development permit authorization to be granted for any expansion or replacement of the existing development on the subject property. In addition, the District shall be required to provide a plan for providing such notice to any successors and assigns of such existing development.
- (4) No Further Extension of Sewer Mains. Further extensions of the public sewer mains beyond the project boundary as mapped in Figures 1-3, 3-3, 3-7, and 3-9 of the Draft Environmental Impact Report for the SPWP dated January 2019 (SCH #2018042083) shall not be allowed without an amendment to the Humboldt Bay Area Plan, except as allowed under section 3.22-B-1(a).
- (5) Public Sewer Service to New Residential Development. Upon the extension of sewer service to the portion of Fairhaven planned Residential/Exurban as part of the SPWP, permits for new residential in the Fairhaven area that is located within 300 feet of a SPWP sewer main and no further, may only be approved subject to the following:
  - (i) conformance with all performance standards, adopted by ordinance, that will ensure that such development will be protective of public health, safety and welfare, and coastal resources relative to hazards from waves, erosion, storm conditions, liquefaction, flooding, sea level rise, tsunami inundation, and other geologic and flood hazards, and will be protective of Environmentally Sensitive Habitats, based on site-specific investigations prepared by qualified experts; and
  - (ii) the requirement that property owners execute and record a deed restriction in form and content acceptable to the County/decision-making authority that acknowledges

and agrees, on behalf of themselves and all successors and assigns: (a) the current and future projected geologic and flood hazards to which their development is exposed and will be exposed over the economic life of the development, (b) assume the risks of developing in hazardous locations subject to geologic and flood hazards from waves, erosion, storm conditions, liquefaction, flooding, sea level rise, tsunami inundation, and other geologic and flood hazards, (c), acknowledge that, as new development, the property owners do not have any right to shoreline protection to protect the proposed development from such flood hazards under the LCP or the Coastal Act, and (d) further acknowledge that shoreline protection is unlikely to be authorized for the development due to inconsistencies with LCP and Coastal Act policies protecting public access, recreation, beach and water quality, among others.

- c. Extension of water service outside of the urban limit line as defined in this Plan shall be permitted provided that:
  - (1) service along the extension will not remove capacity necessary to serve future development on undeveloped lots within the existing serviced areas, whether within the urban limit line or not, to the uses permitted in the plan;
  - (2) developments to be serviced are compatible with the plan;
  - (3) the extension of water service will be paid for only by the users of that service;
  - (4) the existing system is in no way degraded; and
  - (5) the water service extension is found to be in conformance with the resource protection policies of this plan; or
  - (6) it is necessary for agricultural or timber operations.

(Resolution 22-88, January 25, 2022)

2. Extension of the Urban Limit Line

Where an area not zoned for agricultural or forestry uses is contiguous to an Urban Limit Line; and where 50% of the existing parcels in the subject area have been developed; and where the Urban Service Area is served by a special district or private utility, and water services have been extended to the Urban Limit Line adjacent to the subject area; then the County shall set a public hearing before the Planning Commission, based on which the Commission shall recommend to the Board of Supervisors whether the urban Limit Line be amended to include the subject area. The Commissions shall recommend amending the Urban Limit (as provided in Section 30514 of the Coastal Act), if the following findings are made:

- a. Service systems within the Urban Limit are adequate to serve the proposed addition under Urban Development standards;
- b. Development allowable in the addition under Urban Development Standards would not adversely impact agricultural or timberlands bordering the addition.
- c. Expansion of the Urban Limit and the development permitted under such expansion shall be consistent with the Resource Protection Policies and Standards in section 3.30.

3. Public Roadway Projects

Public roadway improvement projects shall not, either individually or cumulatively, degrade environmentally sensitive habitats or coastal scenic areas. Improvements (beyond repair and maintenance) shall be consistent with Sections 3.30 et seq and shall be limited to the following:

- a. Reconstruction and restoration of existing roadways, including bridge restoration and replacement, highway planting, construction of protective works such as rock slope protection and slope corrections, reconstruction of roadways following damage by storms or other disasters, and improvement of roadside rests.
- b. Operational improvements, such as traffic signals, guardrails and curve corrections, and intersection modifications such as the Elk River interchange improvements.
- c. Roadside enhancements, such as construction or improvement of roadside rests and vista points consistent with Section 3.40 and removal of roadside signs consistent with Section 3.40.
- d. Minor improvement projects, such as modifying encroachments or ramps, construction turnouts, and channelized intersections.
- e. Except in coastal scenic areas, climbing and passing lanes.
- f. Expansion of substandard roadway shoulders.
- g. Construction of bikeways.
- h. The Elk River Interchange.
- i. Relocation of New navy Base Road to accommodate major coastal dependent industrial development on and adjacent to Samoa Airport site.

### **3.23 TIMBERLANDS**

\*\*\* The long-term productivity of soils and timberlands shall be protected and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

#### **A. PLANNED USES**

There are approximately 250 acres planned for commercial timberland, all on the fringe of the planning area. Presently, all of these lands are enrolled in the County's timberland protection program have been zoned TPZ (Timberland Preserve Zone)<sup>1</sup>. The development policies below generally reflect the current program.

#### **B. DEVELOPMENT POLICIES**

1. Identification of Timberlands
  - a. Coastal Commercial Timberland shall be all lands zoned for Timberland Preserve, and all other lands 40 acres and larger on the A and B lists for proposed Timber Preserve Zones, as completed by the Office of the Assessor of Humboldt County where existing uses on the property are consistent with Section 3.23B1e.
  - b. Owners of timberland with parcels of 20 acres or more of "good site III" or 160 acres or more of Site IV or better shall be permitted to apply to have the land rezoned as Timberland Preserve in the Coastal Zone. Any such applicant must demonstrate the management of said parcel for timber harvesting purposes, and submit a management

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<sup>1</sup> As of 1982, State legislature has changed the definition of TPZ from Timber Preserve Zone to Timber Production Zone.

- plan that includes a projected date of harvest for timber on the site, as required by County Ordinance 314, section 12b (1-3).
- c. All Coastal Commercial Timberland, whether or not it is in a Timberland Preserve Zone, shall be protected for timber harvesting and production; and no division of such land shall be approved where parcels of less than 40 acres would be created except for timber processing and related facilities where the remainder parcel stays in TPZ. In any division of such land which creates parcels less than 160 acres size, a joint timber management plan is required pursuant to County Ordinance 314 which shall also provide:
    - (1) For restocking of understocked timber sites prior to recordation of the final subdivision map.
    - (2) Protection of uses integrally related to the growing of timber such as roads, log landings, and log storage areas, from development, such as home construction, which may be incompatible with continued commercial use.
    - (3) Joint use by all persons with interests in the parcels subject to the management plan of roads, log landings, and similar facilities.
  - d. Those timberlands currently in TPZ shall have no additional regulations placed on timber harvesting or management by any portion of this section.
  - e. No use shall be permitted for Coastal Commercial Timberlands that detracts from or inhibits the growing and harvesting of timber; and compatible uses other than the direct growing and harvesting of timber shall be restricted to:
    - (1) Management for watershed.
    - (2) Management for fish and wildlife habitat.
    - (3) Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings and log storage areas, portable chippers and portable sawmills.
    - (4) The erection, construction, alteration or maintenance of gas, electric, water, or communication transmission facilities.
    - (5) Grazing and other agricultural uses.
    - (6) No more than two single-family dwelling units and normal accessory uses and structure for owner and caretaker. The second dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an area of 5% of the total parcel, to a maximum area of two acres for a homesite and appurtenant uses. The total area need not be a contiguous unit.
    - (7) Temporary labor camps of less than one-year duration, accessory to timber harvesting or processing operations.
    - (8) Recreational uses of the land by the public, with or without charge, for any of the following: walking, hiking, equestrian, picnicking, boating fishing, hunting, and skiing.
    - (9) Reforestation activities including site preparation under the authority of the California Department of Forestry and Fire Protection (CDF) and other State Agencies having regulatory jurisdiction.

**3.24 AGRICULTURE**

- \*\*\* 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy and conflicts shall be minimized between agricultural and urban land uses through all of the following:
- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.
  - (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.
  - (c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
  - (d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
  - (e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.
- \*\*\* 30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

**A. PLANNED USES**

Approximately 10,600 acres within the planning area are planned for agricultural use, which includes all land currently in agricultural production except for the following:

- 1. Arcata fringe (north of Samoa Blvd.): This area is surrounded on three sides by development, and due to its small size and interference from adjacent land uses is no longer feasible for agricultural production.
- 2. Indianola: Several parcels at the north end of the area planned for rural residential development also contain agricultural bottomland that will be protected by conservation easements. Concentration of development on the upland areas of these easements will serve to protect agricultural uses on the bottomlands.
- 3. Spruce Point: Several small parcels in this area are currently in agricultural use, although these uses are severely restricted by the wet nature of these parcels. This area has been proposed for a Resource-Dependent designation so that a unified wetland restoration plan can be prepared that would consolidate upland areas for development purposes.

**B. DEVELOPMENT POLICIES**

- 1. Identification of Agricultural Lands - Prime/Non-Prime

- a. Lands outside Urban Limit Lines that are prime agricultural lands based on the adopted definition of prime lands of the State of California shall be planned for continued agricultural use, and no division or development of such lands shall be approved which would lower the economic viability of continued agricultural operations on them.
- b. Lands outside Urban Limit Lines that are not prime agricultural land, but are in agricultural use, have present or future potential for significant agricultural production, and/or are contiguous or intermixed smaller parcels on which non-compatible uses could jeopardize the agricultural use of adjacent agricultural lands shall be planned for continued agriculture.
- c. Non-prime agricultural land may be converted to other types of land use only when the long-term economic unfeasibility of continued agricultural operation is shown to exist; and no division of or development of such lands shall be permitted which would lower the viability of continued agricultural operations on adjacent agricultural lands.
- d. Within areas planned for long-term productive agricultural use, no agricultural land division will be approved where any parcel created thereby is less than 60 acres. However, divisions of these agricultural lands to a minimum size of 20 acres otherwise consistent with this Chapter may be approved pursuant to rezoning and parcel map procedures, subject to the below conditions, if the County or Commission on appeal, finds that the division is necessary for a specific agricultural purpose (e.g. to provide for a separate starter farm for a family member), the division will not adversely affect the area's agricultural economy or habitat resources. The rezoning and parcel map may be approved only upon satisfaction of all the following conditions:
  - (1) Execution of an Agricultural Preserve Contract (Williamson Act Contract) with the County.
  - (2) Acknowledgment either on the parcel map or in a covenant within the chain of title that although the new parcel is of a size below that considered a viable economic agricultural unit, its creation was approved for a specific agricultural purpose, and no further division or other conversion from agricultural use, except to other open space or habitat restoration use, will be allowed in the future even if agricultural use of such separate parcel does not provide adequate economic return.
- e. Rezoning conforming to this section of the land use plan shall be reviewed and considered as minor amendments to the certified local coastal program.
- f. These policies and requirements regarding new divisions of lands planned Agriculture Exclusive, apply only as long as they are required by this plan.

2. Compatible Uses

- a. The zoning of all agricultural lands shall not permit any use that would impair the economic viability of agricultural operations on such lands; and a conditional use permit shall be required of any proposed use not directly a part of agricultural production of food or fiber on the parcel; except that on parcels 60 acres or larger, a second house for parents or children of the owner-operator shall be considered a direct part of agricultural production.

Other uses considered compatible with agricultural operations include:

- (1) Management for watershed
- (2) Management for fish and wildlife habitat.

- (3) Recreational uses not requiring non-agricultural development under the control of the owner.
- (4) The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities. (Radio or television transmitting antennae shall require a conditional use permit; but such a development shall not in concept be considered incompatible with agricultural use per se.)
- (5) Farm labor housing and temporary labor camps of less than one-year duration shall require a conditional use permit.
- b. Where land zoned for agricultural use is adjacent to land in residential use, the establishment of hog production involving more than three adult animals (over 6 months old) shall require a conditional use permit.
- c. No greenhouse shall be approved for use on prime agricultural land, where the greenhouse has a slab foundation that would cover the underlying soil.

3. Grazing Lands - Table Bluff

- a. Grazing lands on Table Bluff shall be designated for agricultural use to insure availability of upland grazing sites and minimize conflicts with agriculture from conversion of these lands to other uses.

Division of these lands may be permitted into parcels of less than 160 acres only when consistent with this plan's agriculture policies and other policies of Chapter 3 and when approved pursuant to rezoning and parcel map procedures provided:

- (1) The total number of building sites shall not exceed a density of 1 unit for each 20 acres of the original parcel.
- (2) New lots or parcels shall be no less than 1 acre and no larger than 2½ acres, and shall be clustered adjacent to existing developed areas of the ranch or on portions of the site least suited for agricultural use and with the least adverse effects on coastal resources.
- (3) The surplus land area resulting from the division shall be committed to agricultural use through two or more of the following devices:
  - (a) Execution of an agricultural preserve contract with the County.
  - (b) Acknowledgment either on the parcel map or in a covenant within the chain of title that the new parcel is of a size considered a viable or economic agricultural unit its creation was approved for a specific agricultural purpose, and no further division or other conversion from agricultural use will be allowed in the future even if agricultural use of such separate parcel does not provide adequate economic return.
  - (c) Conveyance of an open space easement to the County of Humboldt or other public entity or private non- profit corporation having as its chief goal the preservation of agricultural or open space lands.
  - (d) Conveyance of development rights.
- (4) Rezonings conforming to this section of the land use plan shall be reviewed and considered as minor amendments to the certified local coastal program.

**3.25 COASTAL-DEPENDENT DEVELOPMENT**

See Section 3.13

**3.26 INDUSTRIAL**

See Section 3.14

**3.27 RECREATION**

- \*\*\* 30213. (Part) Lower cost visitor and recreational facilities ... shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.
  
- \*\*\* 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.
  
- \*\*\* 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.
  
- \*\*\* 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.
  
- \*\*\* 30233. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
  
- \*\*\* 30250. (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction of visitors.
  
- \*\*\* 30253. (4) New development shall minimize energy consumption and vehicle miles traveled.

**A. PLANNED USES**

Public recreational land use designations have been applied to publicly-owned property at Mad River Beach County Park, Manila Community Park, Samoa Boat Launch, the airport and Coast Guard sites at the tip of the North Spit, the tip of the South Spit, Table Bluff County Park and the Fields Landing Boat Launch.

Public recreation is one of the activities for which Humboldt County is famous, and Humboldt Bay is a unique recreational resource for both local residents and visitors. Existing public recreation areas provide sufficient access to the Bay and ocean for recreational use, and no purchase of additional land has been recommended.

However, any change in use of the public property at the end of the North Spit shall provide for further public recreational opportunities.

Commercial recreational facilities are planned:

1. Table Bluff lighthouse ranch.
2. at the intersection of New Navy Base Road and the Samoa Bridge, and
3. at the Highway 101 entrance to Fields Landing, because of the proximity of these locations to other coastal recreational opportunities and easy highway access.

**B. FINDINGS FOR PERMITTING OF RECREATIONAL FACILITIES**

Public or private recreational facilities and visitor-serving facilities shall be permitted pursuant to criteria of Section 3.13 of this chapter only where the following findings are made by the Planning Commission:

1. The proposed development includes adequate on-site services for water, waste disposal, parking and other facilities necessary to serve the proposed use.
2. The proposed development would not create traffic flows detrimental to agricultural or forestry uses in the Planning Area; except that where the proposal includes a showing that such adverse impacts will be mitigated through road improvements or other means within two years of project approval, the development shall be approved;
3. No location within an Urban Limit Area is more feasible.
4. The development does not constitute conversion of agricultural or timber lands inconsistent with the requirements of this chapter.
5. In the case of visitor serving facilities, that an established recreational use exists in the immediate area, or will be provided by the development, for which the visitor-serving facility is appropriate commercial service.

**C. RESIDENTIAL USE OF RECREATIONAL FACILITIES**

In an approved recreational vehicle park the residential occupancy of recreational sites by mobile homes shall be allowed up to 20%, but not to exceed a total of 10 such existing sites from June through August, and up to 80%, but not to exceed 40 from September through May.

**D. PUBLIC RECREATION**

It is the policy of this County to prefer the private sector as the provider of visitor-serving facilities. To this end, land has been reserved, as shown on the Plan Map, for private commercial visitor-serving uses; and the County discourages public agencies from establishing visitor-serving facilities, beyond the level of overnight campgrounds and picnic areas in public parks.

1. The County shall, if feasible, transfer title of the Manila Community Park to an appropriate community agency or non-profit organization for perpetual management as a community recreation center.

2. Existing uses of the Coast Guard’s dune area on the North Spit, including exercises conducted by the National Guard, shall continue. Any change in use, management, or ownership of this property shall provide for increased public recreational opportunities.

**3.28 HOUSING-RURAL**

**A. PLANNED USES**

Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be consistent with the goals, policies, standards, and programs of the Humboldt County Housing Element.

**B. MULTIPLE UNIT AND MOBILE HOME PARKS**

1. With the exception of temporary housing for agricultural or timber workers as permitted by this chapter, multiple-unit residential development and mobile home parks shall not be permitted outside an Urban Limit Line. This section is not intended to preclude single-family residential development.

**C. NEIGHBORHOOD COMMERCIAL**

1. Lands planned for Rural Residential use and Rural Exurban are subject to the land division requirement of Section 3.21 of this chapter except that where 50% or more of the existing lots in such a contiguously zoned area have been developed, and no neighborhood commercial service is available within a three-mile driving distance of a site in the area where it is prepared to provide such a service, the proposal may be approved subject to the approval of a Conditional Use Permit and the Resource Protection constraints of Section 3.40 of this document, and the normal standards for a neighborhood Commercial Zone, and the subject parcel shall either be zoned Neighborhood Commercial, or a division into two parcels may be permitted if the non-commercial parcel meets requirements of Section 3.30B(10) for nonserviced lot size, and only the proposed site is zoned Neighborhood Commercial.

**D. PLANNED UNIT DEVELOPMENT**

1. It shall be the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and to the County, such as: dedications of open space and public access, protection of visual resources and sensitive habitats beyond that already required in Sections 3.30, 3.40 and 3.50. Incentives to participate in such a development program may include increases of up to 20% over planned densities.
2. For residential uses, the dedication or offer of dedication of an easement for coastal access or view shall not be considered to lower the area of a parcel on which such easement is dedicated or offered for dedication for purposes of determining conformance with approved minimum parcel size.

**3.29 HAZARDS**

See Section 3.17

**3.29.1 ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES**

See Section 3.18

**3.30 NATURAL RESOURCES PROTECTION POLICIES AND STANDARDS**

\*\*\* 30240. (a) 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.

(b) 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 such areas, and shall be compatible with the continuance of such habitat areas.

\*\*\* 30233. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities.

(5) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource-dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge soils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetlands or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game,

including, but not limited to, the 19 coastal wetlands identified in its report entitled, “Acquisition Priorities for the Coastal Wetlands of California”, shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

- \*\*\* 30607.1 Where any dike and fill development is permitted in wetlands in conformity with this division, mitigation measures shall include, at a minimum, either acquisition of equivalent areas of equal or greater biological productivity or opening up equivalent areas to tidal action; provided, however, that if no appropriate restoration site is available, an in-lieu fee sufficient to provide an area of equivalent productive value or surface areas shall be dedicated to an appropriate public agency, or such replacement site shall be purchased before the dike or fill development may proceed. Such mitigation measures shall not be required for temporary or short-term fill or diking; provided that a bond or other evidence of financial responsibility is provided to assure that restoration will be accomplished in the shortest feasible time.

### **A. PLANNED USES**

Humboldt Bay is the largest wetland and estuarine habitat in the coastal zone, containing approximately 23% of the coastal wetlands in California. Its waters hold a diverse fish fauna with 106 species, including anchovies, Coho and Silver salmon, steelhead, Cutthroat trout, smelts, surfperch, rockfishes, sandab, flounder and sole. Thirty-six species of fish utilize the Bay as a spawning area or nursery ground. The invertebrate biota of the Bay include species in sixteen major invertebrate groups, including gaper, Washington, littleneck and softshell clams, and Dungeness crabs. Approximately 750 acres of the Bay’s bottom and channels are utilized for commercial oyster production, providing approximately 70% of California’s total oyster production. Its rich channels, mudflats and marshes annually support over 5.8 million days of use by waterfowl and 7.7 million days of use by shorebirds. Peregrine falcon hunt over its marshes and farmlands, and rare plants grow in brackish and saltwater marshes.

These fish and wildlife resources support more than 30,000 days of recreational angling and approximately 18,000 days of waterfowl hunting annually. For these reasons, the Bay is one of the prime marine resource, wetland and estuarine areas in the entire coastal zone.

Within this planning area it is estimated that there are approximately 970 acres of salt marsh, 250 acres of brackish marsh, 180 acres of freshwater marsh, 185 acres of swamp, 300 acres of intertidal mudflat, 760 acres of beaches, 3,460 acres of dunes, and approximately 6,500 acres of “farmed wetland”. While the sheer extent of these habitats provides important natural resource values, the mix of these habitats is a significant feature of the Humboldt Bay area. Many wildlife and fish species use a variety of habitats during their lifetime, or even during the course of a single day. The availability of different habitats is essential to the survival of these organisms.

At the present time the North Bay is the heart of the local aquaculture industry, and the resource protection policies in this section and elsewhere in this plan are designed to foster the expected growth of this industry. A major constraint upon this industry is contamination of the Bay during periods of high rainfall. Improved sewer treatment facilities, limited residential expansion into areas with soils unsuitable for septic systems, and the retention of broad wetlands that serve to “filter” runoff should all help reduce contamination of the Bay. The South Bay, in addition to the North Bay, is the heart of the proposed national Wildlife Refuge, which could add to the recreational opportunities within the Bay area if hunting, fishing, and public access are provided for. The resource protection policies are designed to maintain land and water areas that are necessary for waterfowl, wildlife and fish production in the Bay.

All of the wetlands identified within the Humboldt Bay Planning Area (see Section 3.30B below for wetland identification policies) have been designated Agriculture Exclusive, Coastal Dependent Industrial, Natural Resources, or Resource Dependent land use. The areas designated “Resource Dependent,” although most of

them are existing wetlands, are areas potentially suitable for development (see Section of Industrial policies) due to their proximity to existing industrial land uses. Such development shall only occur if it is the least environmentally damaging alternative, and in accordance with mitigation policies outlines in Section 30607.1 of the Coastal Act (see above \*\*\*). Such identified locations include: an area between the PG&E power plant and Highway 101, several areas in the Spruce Point/South Broadway area, two areas just north and south of Fields Landing. These areas are also suitable as potential wetland restoration sites because their fragmented nature and impacts from nearby land uses threaten their continued viability as wetlands. In particular, the Spruce Point/South Broadway wetlands deserve study as a degraded wetland area that can best be restored by consolidation of wetland areas and upland areas in separate locations, so orderly development of this area can proceed.

All of the transitional agricultural lands (farmed wetlands) within the planning area are designated Agriculture Exclusive, and are shown on the “Natural Resources” map. The policies regarding land use in these areas are described in Section 3.30B2 below. The transitional agricultural lands (farmed wetland) policies are designed to maintain existing agricultural land uses while preventing practices that would adversely affect existing wildlife habitats.

Vegetated dunes extend north and west of the Mad River Slough. This area is the least disturbed dune habitat in Humboldt County and has been the focus of much public comment regarding the necessity of protecting this area from further disturbance. At the north end of this area is the Mad River County Park which is designated “public recreation”. The remainder of the area is designated “natural resources.”

Sand-mining shall not be a permitted use within the area, except for removal of windblown sand that threatens agricultural operations or existing structures. It shall be county policy that all off-road vehicles (ORVs) are expressly forbidden from all areas above the waveslope of the beach in areas designated “natural resources.” (Amended by Res. No. 94-47, 6/7/94)

The County also encourages the purchase of privately owned parcels from willing sellers in this area by private or public agencies committed to preserving the area in its natural, undisturbed state. Any acquisition proposal should include provision for the maintenance of existing public service facilities and, as consistent with resource management, retention and improvements within the Manila Gun Club shooting range.

The dune area extending west of Manila and Samoa Bridge is composed of environmentally sensitive dune habitats, and therefore is designated “natural resources.” This area is subject to greater disturbance than the dunes to the north. Transmission and water line construction, as well as ORV use, have altered this area, yet it retains significant habitat values. Numerous comments from Manila residents have attested to the value of this area as a recreational and natural resource. Sand mining has been an ongoing activity where the dunes encroach on Samoa Blvd. at the north end of town and shall be a permitted use where sand removal protects existing structures and roads from windblown drifts. The erosion-generating potential of new development within this area is great; therefore no new roads or development shall be permitted except where necessary to service existing uses. All such construction shall be sited in the least environmentally damaging manner.

The dune area west of New Navy Base Road and south of the intersection that includes the Samoa Bridge is a greatly disturbed dune habitat. This area has both natural resource values and utility to the adjacent coastal-dependent industrial area on the east side of New Navy Base Road. In order to accommodate these seemingly opposite values, as well as preserve the recreational and visual resources of this area, a natural resources designation has been proposed with the following industrial-related uses permitted. The applicant shall demonstrate that there is no less environmentally damaging alternative in the immediate area.

1. transmission and water line construction
2. dredge spoils disposal
3. pipeline construction for surf zone disposal of dredge spoils

4. parking lot construction for coastal-dependent industrial facilities located directly adjacent to the proposed parking area on the east side of New Navy Base Road; parking shall be made available for public access to the ocean on the subject parcel
5. ocean outfall, intakes and pipelines
6. underground utilities

During preparation of this land use plan it has become evident that agricultural and wetland land uses are severely constrained by the fact that most land surrounding the Bay is in one or the other such productive use. As industrial uses compete for available land (e.g. the King Salmon and Fields Landing areas), it is likely that certain isolated wetlands will be filled, leading to state and federal requirements for wetland restoration at other sites.

The County has identified several broad areas that qualify as potential wetland restoration areas. These are shown on the “Natural Resources” maps. Their designation as “wetland restoration study areas” is not intended to indicate that agriculture is an undesirable use in these locations, but use as a restoration site is feasible. It is not the County’s intent to designate the highest and best use of these areas as being wetlands, rather, wetland restoration at these sites would be allowed to expedite industrial development in other areas. If and when this need for industrial development arises, any wetland restoration project should only take place where there is a willing seller, and the project will not interfere with adjacent agricultural operations. Within areas identified as “wetland restoration study areas” existing uses shall be maintained as long as they are needed for their present purposes. New development in these areas shall be limited to uses consistent with Section 30233(a) of the Coastal Act. Development integral to existing uses adjacent to these areas shall be excluded from the requirements of the Section 3.30B5 (wetland buffer areas). Restoration of these areas for fish and wildlife habitat shall be encouraged, where feasible, when they are no longer needed for their present purpose.

## **B. DEVELOPMENT POLICIES**

Wetlands and farmed wetlands in the Humboldt Bay Planning Area have been mapped according to information presented from four different sources: (1) U.S. Fish and Wildlife Service Wetland Maps, (2) habitat maps prepared for the U.S. Army Corps “Humboldt Bay Wetlands Review and Baylands analysis,” (3) the California Department of Fish and Game’s “The Natural Resources of Humboldt Bay”, (4) farmed wetland maps as prepared by the California Coastal Commission, and (5) field checking by Local Coastal Program staff.

Dune habitats in the Humboldt Bay Planning Area have been mapped according to information presented by: (1) habitat maps prepared for the U.S. Army Corps “Humboldt Bay Wetlands and Baylands Analysis,” (2) “The Natural Resources of Humboldt Bay,” (3) “A Vascular Plant Inventory and Vegetation Map of the Lanphere-Christensen Dunes” by L.M. Barker, and (4) field checking.

1. Identification of Environmentally Sensitive Habitats
  - a. Environmentally sensitive habitats within the Humboldt Bay Planning Area include:
    - (1) Wetlands and estuaries, including Humboldt Bay and the mouth of the Mad River.
    - (2) Vegetated dunes along the North Spit to the Mad River and along the South Spit.
    - (3) Rivers, creeks, gulches, sloughs and associated riparian habitats, including Mad River Slough, Ryan Slough, Eureka Slough, Freshwater Slough, Liscom Slough, Fay Slough, Elk River, Salmon Creek, and other streams.
    - (4) Critical habitats for rare and endangered species listed on state or federal lists.

- b. Proposed development occurring within areas containing these sensitive habitats shall be subject to conditions and requirements of this chapter. Should an area proposed for development appear, upon examination of the maps to be within or contain the indicated habitat, but upon field inspection is found not to contain the indicated habitat, then the development is exempt from requirements of the section. As an interim measure for habitat areas not currently identified on the maps, information obtained during the CEQA review process will be used by the County in reviewing applications for coastal development permits. The review of these sensitive habitat areas and the identification of appropriate land uses and/or mitigation measures shall be in cooperation with the Department of Fish and Game. The County shall review requests to amend the Environmentally Sensitive Habitat Maps in terms of the entire plan proposal and supporting policies. Accommodation of new resource information on the Environmentally Sensitive Habitat Maps may also require amendments to the certified land use plan and zoning.
  - (1) Wetland areas shall be identified according to the Coastal Act's definitions of wetlands (see Chapter 5 definitions). Transitional agricultural lands shall be identified as diked former tidal marshes and clearly defined tidal sloughs now farmed.
- c. Where there is dispute over the boundary or location of an environmentally sensitive habitat, the following information may be requested of the applicant:
  - (1) A base map delineating topographic lines, adjacent roads, location of dikes, levees, flood control channels and tide gates.
  - (2) Vegetation map.
  - (3) Soils map.

Review of this information shall be in cooperation with the Department of Fish and Game and the County's determination shall be based upon specific factual findings as to whether an area is or is not an environmentally sensitive habitat area based on the criteria and definitions above.

## 2. Allowable Uses in Transitional Agricultural Lands

Within transitional agriculture lands planned for Agriculture Exclusive, agriculture is the principal use in these areas, but shall maintain long term habitat values and minimize short term habitat degradation by ensuring new development is consistent with the provisions of this policy. Close cooperation among the county, Coastal Commission Agricultural Stabilization and Soil Conservation Service, Agricultural Extension, farm organizations, and fish and wildlife agencies will be necessary in order to ensure that new agricultural development will be permitted consistent with these objectives. Changing agricultural practices may require periodic review and modification of this policy.

- a. Notwithstanding the exception in Section 3.24, no division of Transitional Agricultural lands shall be allowed to create new parcels of less than 60 acres which are entirely transitional ag-lands and any new parcel which consists entirely of transitional ag-lands shall be created only if the limitations of this section applicable to such parcel are recorded in a covenant within the chain of title for the parcel.
- b. Diking and filling for new development within transitional agricultural lands shall be limited to the principal uses in the Agriculture Exclusive (AE) land use designation, including construction of spillways and modification or repair of existing dikes threatened

by erosion; oil and gas wells (consistent with Section 3.27 of this plan and 30607.1 of the Coastal Act); and incidental public service purposes. (Adopted by the Board of Supervisors 10/5/82 - Resolution No. 82-128)

- (1) Where new fill is permitted for farm houses, the following findings must be made for approval (Adopted by the Board of Supervisors 10/5/82 – Resolution No. 82-128):
    - (a) operation of the agricultural use requires location of a residence on or near the site.
    - (b) no upland sites on the parcel are available or upland sites are not feasible for operation of the agricultural use, and
    - (c) the house is sited in the least environmentally damaging location having in mind economic feasibility of all locations.
  - (2) Any structure permitted by this section shall be sited in the least environmentally damaging manner possible. Where feasible, new structures shall be sited 100 feet from tidal or non-tidal sloughs, or clustered adjacent to existing structures. Any dikes or fill constructed as a part of an oil and gas development shall be removed upon completion of the activity and the site revegetated to its former condition (Amended by Res. No. 82-128).
- c. Dredging in transitional agricultural lands shall be limited to incidental public service purposes and to maintenance and repair of existing tidegates, floodgates, dikes, levees, and other drainage works, including replacement of drainage works damaged by flood or tidal surges and, for wetland restoration.
  - d. Mitigation for these uses by restoration of tidal action or removal of fill is not feasible and shall not be required.
  - e. Road crossings of sloughs, channels, and ditches shall be by culvert or bridge and all crossings may require a Stream Alteration Agreement with the California Department of Fish and Game.
  - f. Divisions of less than sixty (60) acres may be permitted where the division would be necessary for a wetland restoration project.

### 3. Permitted Use Within Wetlands Planned Resource Dependent (MR)

- a. New development within areas planned Resource Dependent (MR) shall be consistent with the policies and permitted uses of Section 30233 (see Section 3.30 of this plan).
- b. Conditionally permitted agricultural uses and development shall be consistent with the transitional agriculture lands policy, Section 3.30B2.

### 4. Permitted Uses Within Wetlands Planned Natural Resources (NR)

- a. Permitted development within wetlands planned Natural Resources (NR) shall be limited to:
  - (1) Fish and Wildlife Management
  - (2) Nature Study
  - (3) Wetland Restoration

- (4) Hunting and fishing including development of hunting blinds and similar minor facilities
- (5) Incidental Public Facilities
- (6) Access facilities consistent with development recommendations of Sections 3.50C.
- (7) Aquaculture, however, upland support facilities may not be located within the area designated Natural Resources (NR).

## 5. Wetland Restoration

- a. Wetland Restoration Study Areas – The County has identified several areas that qualify as potential wetland restoration areas; these areas are shown on the Resource Protection Maps (pages 3-138 through 3-147). Their designations as “wetland restoration study areas” are not intended to indicate that agriculture is an undesirable use in these locations, but that use as a restoration site is feasible. For the South Bay areas so designated, restoration is anticipated, consistent with the Humboldt Bay National Wildlife Management Plan. For the Mad River Slough and Freshwater Creek/Eureka Slough areas, the designation is used to indicate opportunities for wetland restoration, particularly as mitigation sites. For the Spruce Point/South Broadway area, the designation is used to indicate that the site merits investigation as a degraded wetland as discussed in Subsection b. “Degraded Wetlands,” below.

It should be noted that wetland restoration opportunities are not limited to the identified Wetland Restoration Study Areas; under Section 3.30B(2), wetland restoration is allowed in any farmed wetland. There are about 6,000 acres of farmed wetland in the planning area, so opportunities for restoration are quite extensive.

Wetland restoration projects should take place only when there is a willing seller, and where the project will not interfere with adjacent agricultural operations.

In wetland restoration projects not specifically required by Section 30607.1 of the Coastal Act, it is the policy of the County to encourage “mitigation banking” to facilitate projects permitted under Section 30233 of the Coastal Act.

- b. Degraded Wetlands – The County considers the wetlands along Spruce Point/South Broadway and at King Salmon near the Shipwreck site as providing significantly less than their potential maximum fish and wildlife habitat values, and believes that their current habitat values are substantially reduced by the existence of dikes and roads, placement of fill, and past development patterns. The County therefore requests the Department of Fish and Game to investigate these wetlands, as provided in Coastal Act Section 30411, to determine whether they are degraded wetlands and need major restoration. Any such investigation should consider construction of boating facilities at the Shipwreck area. Other feasible alternatives to improve these wetlands, listed in order of priority, include: 1) restoration projects, 2) visitor serving commercial recreational facilities and other public recreational development which would enhance coastal recreational use, or 3) private residential, general industrial or general commercial development.

The County may permit these activities in degraded wetlands identified by the Department of Fish and Game if they are part of an overall restoration program for these wetlands approved by the Coastal Commission and, at a minimum, the resulting wetland will provide equal or greater biological productivity and at least equal acreage to the existing wetland.

- c. Pocket Marsh – Consistent with the Coastal Commission Interpretive Guidelines for Wetlands and Other Wet Environmentally Sensitive Habitats and Sections 30233 and 30607.1, restoration projects may include fill for development not specifically listed in Section 30233 if the wetland is:
  - (1) small (generally less than one acre)
  - (2) extremely isolated
  - (3) incapable of being restored
  - (4) it is located within an urban limit line.

The County shall require mitigation by restoring an equivalent or larger area to greater or equal biological productivity.
- d. North Spit Dune Hollow Wetlands
  - (1) Wetland restoration projects which may include fill of wetlands east of New Navy Base Road between Samoa and Fairhaven for uses other than those explicitly permitted in Coastal Act Section 30233 may be allowed when:
    - (a) the development is a necessary improvement of existing industrial facilities for which an alternative location is not feasible.
    - (b) any such fill is part of an overall wetland restoration program approved by the County and the Coastal Commission to relocate and restore these wetlands to an area of at least equivalent size, and equal or greater biological productivity; and
    - (c) the wetland restoration (or creation) shall take place on either:
      - (i) wetland restoration study area designated west of Samoa Bridge;
      - (ii) the Elk River Spit;
      - (iii) fenced and protected areas at the BLM off-road vehicle park (sensitive areas are proposed to be fenced but no restoration measures are planned); or
      - (iv) King Salmon-Spruce Point wetland restoration study area and the Elk River wetland restoration study area, as shown in Appendix I.
  - (2) Mitigation of dune hollows outside of dune habitats (at the King Salmon - Spruce Point and Elk River wetland restoration areas) shall provide for restoration of at least equal or greater biological productivity and, at a minimum, shall provide for two acres of restored wetlands for every acre of dune hollow filled.
  - (3) Fill of dune hollows for development permitted by Coastal Act Section 30233 shall be mitigated as outlined above.

## 6. Wetland Buffer

- a. No land use or development shall be permitted in areas adjacent to coastal wetlands, called Wetland Buffer Areas, which degrade the wetland or detract from the natural resource value. Wetland Buffer Areas shall be defined as:

- (1) The area between a wetland and the nearest paved road, or the 40 foot contour line (as determined from the 7.5' USGS contour maps), whichever is the shortest distance, or,
  - (2) 250 feet from the wetland, where the nearest paved road or 40 foot contour exceed this distance, or
  - (3) Transitional Agricultural lands designated Agriculture Exclusive shall be excluded from the wetland buffer.
- b. New development; except for:
- (1) development permitted in 3.30B2,3, and 4
  - (2) wells in rural areas; and
  - (3) new fencing, so long as it would not impede the natural drainage shall be sited to retain a setback from the boundary of the wetland sufficient to prevent adverse effects to the wetland's habitat values.
- c. within an urban limit line, the setback shall be either 100 feet or the average setback of existing development immediately adjacent as determined by the "string line method." That method shall be used which provides development setbacks similar to those occurring on adjacent parcels and adequately protects the wetland.
- d. Outside an urban limit line, the setback shall be between 100 and 200 feet, depending upon the size and sensitivity of the wetland, drainage boundaries, vegetation, adjacent uses, and the potential impacts of the project on the wet habitat values. The precise width of the setback shall be sufficient to prevent significant effects to the wetland.
- e. In both urban and rural areas, setbacks of less than the distance specified above may be permitted only when the prescribed buffer would prohibit development of the site for principle use for which it is designated. Any such reduction in setback shall still retain the maximum setback feasible, and may require mitigation measures, in addition to those specified below, to ensure new development does not adversely affect the wetland's habitat values.
- f. All new development within the wetland buffer shall include the following mitigation measures:
- (1) Not more than 25% of the lot surface shall be effectively impervious.
  - (2) The release rate of storm runoff to adjacent wetlands shall not exceed the natural rate of storm runoff for a 50 year storm of 10 minute duration.
  - (3) Storm water outfalls, culverts, gutters, and the like shall be dissipated.
  - (4) Septic systems or alternative waste disposal systems must meet standards of the Humboldt-Del Norte Health Department and the Regional Water Quality Control Board.
  - (5) Areas disturbed during construction, grading, etc., within 100 feet of the mean high water line, shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area.
  - (6) Development and construction shall minimize cut and fill operations and erosion and sedimentation potentials through construction of temporary and permanent sediment basins, sediment basins, seeding or planting bare soil, diversion of runoff

away from graded areas and areas heavily used during construction, and, when feasible, avoidance of grading during the rainy season (November through April).

- g. The County shall request the Department of Fish and Game to review plans for development within 200 feet of the boundary of the wetland.

7. Road Construction Within Watersheds Containing Wetlands

Road construction within watersheds containing wetlands, as identified on the sensitive habitat maps, other than for timber harvest purposes (road construction controls for this activity are currently regulated by the California Department of Forestry in Timber Harvest Plans), shall employ suitable techniques and measures necessary to prevent erosion and minimize surface runoff. This shall include, but is not limited to:

- a. Limiting soil exposure time and disturbed area;
- b. Minimizing uninterrupted slope length through surface roughening and serrated slopes;
- c. Temporary slope stabilization if grading operations occur during wet weather months (October through May) including, mulches, nettings, chemical and natural binders, rip-rap, etc.;
- d. Immediate vegetative plantings of disturbed slopes at finished grades;
- e. Control of runoff through controlled water and drainage systems with dissipated discharges and receiving stream bank protection;
- f. Diversion of runoff away from graded areas and areas traveled during project development;
- g. Temporary and permanent sediment control through use of dikes, filter berms, and sediment basins.

8. Coastal Streams, Riparian Vegetation And Marine Resources

\*\*\* Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Use of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

\*\*\* 30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

\*\*\* 30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

\*\*\* 30236. Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

a. Timber management and timber harvesting activities regulated by the California Department of Forestry and the Board of Forestry, and forest improvement activities under jurisdiction of the Department of Forestry shall be exempt from requirements of this section. Other new development within coastal streams, riparian area, and marine areas shall be consistent with policies and standards of this section (3.30B 7).

b. Within the Humboldt Bay Planning Area the following coastal streams (as mapped on USGS 7.5' Quads) have been identified:

- |                   |  |
|-------------------|--|
| Mad River Slough  | Liscom Slough                            |
| Ryan Slough       | Fay Slough                               |
| Eureka Slough     | Elk River                                |
| Freshwater Slough | Salmon Creek                             |
| McDaniel Slough   | Rocky Gulch and its tributaries          |
| Jacoby Creek      | Unnamed tributaries to Freshwater Slough |
| Swain Slough      | at Felt Road and Pigeon Point Road       |
| Martin Slough     | Unnamed tributary to Ryan Slough         |

c. New development within stream channels shall be permitted when there is no less environmentally damaging feasible alternative, where the best feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to:

- (1) Wetlands, fishery, and wildlife enhancement and restoration projects.
- (2) Road crossings, consistent with the provisions of Section 3.41E 5e and trail crossings consistent with the provisions of 3.41 B 8 (e)(8)..(amended Res. 02-77, 8/27/02)
- (3) Maintenance dredging for flood control and drainage purposes consistent with the Transitional Agricultural Lands policies.
- (4) Development consistent with the provisions of 3.41 E 5, below.  
New fencing, so long as it would not impede the natural drainage or would not adversely affect the stream environment or wildlife.

d. Riparian corridors on all perennial and intermittent streams shall be, at a minimum, the larger of the following:

- (1) 100 feet, measured as the horizontal distance from the stream transition line on both sides.
- (2) 50 feet plus four times the average percent of slope, measured as a slope distance from the stream transition line on both sides of intermittent and perennial streams.
- (3) Where necessary, the width of riparian corridors shall be expanded to include significant areas of riparian vegetation adjacent to the corridor, slides, and areas with

visible evidence of slope instability, not to exceed 200 feet measured as a horizontal distance.

- (4) Notwithstanding the above riparian corridor width requirements, the width of the riparian corridor may be reduced where such a reduction would not result in the removal of woody vegetation, and the County determines, based on specific factual findings, that a reduction will not result in a significant adverse impact to the habitat. New structures, including houses, barns, sheds, etc., shall be placed a minimum of 50 feet from the stream transition lines.
- e. New development within the riparian corridors shall be permitted when there is no less environmentally damaging feasible alternative, where the best mitigation measures feasible have been provided to minimize adverse environmental effects, and shall be limited to the following uses.
  - (1) Timber management activities, provided:
    - (a) In precommercial thinning and release activities, that at least 50 percent of the tree crown canopy and 50 percent of other vegetation present before management operations shall be left standing. If either the County or the landowner requests, they may agree, after an on the ground inspection, to increase these percentages to protect special habitat values.
    - (b) Follow-up treatments or other timber management activities which affect the tree canopy shall be permitted only when the canopy has been sufficiently reestablished to prevent substantial adverse effects on soil erosion, wildlife, aquatic life, or the beneficial uses of water, these activities shall maintain a tree canopy similar to that which existed upon the completion of the initial thinning or release.
    - (c) In all timber management activities, including pre-commercial thinning, release activities, and site preparation, that heavy equipment shall be excluded from any area within 50 feet, measured as a slope distance, from the stream transition line and shall not be permitted in other portions of the riparian corridor except where explained and justified as the least environmentally damaging feasible alternative.
    - (d) All activities shall be consistent with timber harvest rules of the Board of Forestry applicable to the protection of aquatic life and water quality.
  - (2) Timber harvests smaller than three acres of merchantable timber 18 inches DBH or greater provided that timber harvest practices shall be consistent with those permitted under the forest practices rules for stream protection zones in Coastal Commission special treatment areas. Unmerchantable hardwoods or shrubs shall be protected from unreasonable damage.
  - (3) Maintenance and replacement of flood control and drainage channels, fences, levees, dikes, floodgate, and tidegates.
  - (4) Wells in rural areas.
  - (5) Road and bridge replacement or construction, provided that the length of the road within the riparian corridor shall be minimized where feasible, by rights of way which cross streams at right angles and do not parallel streams within the riparian corridor.
  - (6) Removal of trees for disease control or public safety purposes.

- (7) Removal of firewood for personal use on property consistent with the applicable forest practice rules for stream protection zones in Coastal Commission special treatment areas.
  - (8) Public access trails provided that the length of the trail within the riparian corridor shall be minimized, where feasible, by rights of way which cross streams at right angles, which are kept as far up slope from the stream as possible, which involve a minimum of slope disturbance and vegetative clearing, and are the minimum width necessary. (amended Res. 02-77, 8/27/02)
- f. Mitigation measures for development with riparian corridors shall, at a minimum, include retaining snags within the riparian corridor unless felling is required by CAL-OSHA or permitted by California Department of Forestry forest and fire protection regulations, and retaining live trees with visible evidence of current use as nesting sites by hawks, owls, eagles, osprey, herons, or egrets.
- (1) The County shall request the Department of Fish and Game to review plans for development within riparian corridors, the Department may recommend measures to mitigate disruptions to habitats.
- g. Natural drainage courses, including ephemeral streams, shall be retained and protected from development which would impede the natural drainage pattern or have a significant adverse effect on water quality or wildlife habitat. Stormwater outfalls, culverts, gutters and the like, shall be dissipated, and, where feasible, screened. Natural vegetation within and immediately adjacent to the bankfull channel shall be maintained except for removal consistent with the provisions of this section.

9. Mad River Bank Protection

- a. Sand and gravel extraction shall be permitted consistent with the policies of Section 3.14B(10) (Surface Mining)
- b. Bank protection shall be permitted to:
  - (1) maintain necessary public or private roads.
  - (2) protect principal structures in danger from erosion.
  - (3) protect lands designated Agricultural Exclusive Prime from erosion.
- c. It is the policy of the County to prefer:
  - (1) piling fence to rock hard points.
  - (2) rock hard points to continuous revetment.
- d. Mitigation for rock hard points or continuous revetment shall include as a minimum:
  - (1) bank protection projects, including design and materials, shall minimize adverse effects on fisheries, wildlife and recreation.
  - (2) where feasible, planting of riparian vegetation shall be included within the revetment itself.
  - (3) planting and maintaining riparian vegetation within the riparian corridor 200 feet landward of the bank protection project throughout its length.

At the scheduled five (5) year review of this plan or sooner, this policy shall be reviewed with all affected agencies prior to amendment through the public hearing process.

10. Permitting and Siting of Septic Systems

- a. Sewage disposal systems placed on existing and proposed lots must meet all of the requirements of the Humboldt-Del Norte Department of Public Health and the Regional Water Quality Control Board.

11. Beach and Dune Areas

- a. New development within the beach and dune areas designated “Natural Resources” is restricted to the following:
  - (1) nature study;
  - (2) resource restoration;
  - (3) hunting/fishing and development of minor facilities such as hunting blinds;
  - (4) as permitted in 3.50c of this plan, accessway improvements and vehicle use;
  - (5) sand removal from unvegetated dunes for safety purposes or to protect existing development and agricultural land;
  - (6) exclusive of the Lanphere-Christensen Dune Preserve; the siting of the following facilities when there is no less environmentally damaging alternative for corridor alignment or placement in the area and it is sited in the least environmentally damaging manner:
    - (a) transmission and water line construction
    - (b) dredge spoils disposal (consistent with 3.14)
    - (c) pipeline construction for surf zone disposal of dredge spoils
    - (d) parking lot construction for coastal-dependent industrial facilities between the north end of Fairhaven airstrip and Samoa and when located adjacent to New Navy Base Road and when parking is also available for public access to the ocean on the subject parcel.
  - (7) single-family residence to be occupied by either the property owner or caretaker where the County, following public hearing finds:
    - (a) that the development will, on balance, help to protect environmentally sensitive habitat areas (e.g. by providing an opportunity for the property owner, on a 24 hour basis, to exclude ORVs from their property),
    - (b) that it is located as close as is practicable to existing roads and rights of ways when it is the least environmentally damaging alternative,
    - (c) that clearing around the residence is minimized, that the development conforms to other applicable sections on this plan, and
    - (d) that an open space easement or similar easement has been offered for dedication over the undeveloped portion of the parcel.
- b. The County encourages the purchase of dune and beach areas designated Natural Resources by private or public agencies committed to preserving the area in its natural state as well as providing opportunities for increasing public understanding of coastal dune ecological processes. To the extent that access development in addition to those described in Section 3.50 C of this plan is compatible with protection and public education opportunities, it should be provided.

Acquisition shall be from willing sellers only.

- (1) The LP area north of the power poles has been identified in the LCP as a potential dune hollows restoration area. Carry out restoration/enhancement project that manages for rare plants in the foredunes, optimizes dune hollow habitat values in the deflation plain, and protects the forest complex, tying it in with the Rudd and Lundblade properties to the north. (Amended by Res. No. 94-47, 6/7/94)
  - (2) Assist the Manila Dunes program to restore degraded Menzies'/layia habitat and develop pedestrian access areas north of the Rudd/Celestre properties. (Amended by Res. No. 94-47, 6/7/94)
  - (3) Restore degraded Menzies'/layia habitat in cooperation with the Nature Conservancy on the BLM, and LP properties in protected areas. (Amended by Res. No. 94-47, 6/7/94)
  - (4) Protect and restore dunes north of the existing Lanphere-Christensen Dunes Preserve in cooperation with the Nature Conservancy that are currently degraded by bush lupine and European beachgrass. (Amended by Res. No. 94-47, 6/7/94)
  - (5) Protect and enhance dunes and estuary north, and east of Mad River County Park, and develop a pedestrian access area with interpretive signing associated with the County Park. (Amended by Res. No. 94-47, 6/7/94)
  - (6) Identify area north of Mad River Park as snowy plover reserve area and implement additional protection measures on a seasonal basis. Restrict access for pedestrians, and dogs on a seasonal basis by special permission only. Implement a leash law for the balance of the year for this area. (Amended by Res. No. 94-47, 6/7/94)
- c. The area designated "Public Recreation" along the foredune zone of the City of Eureka Airport property north of the BLM/Samoa Dunes Recreation Area contains dune habitat that has been severely degraded over time due to extensive previous use for recreational ORV riding and other human disturbance. (Amended by Res. No. 94-47, 6/7/94)
- (1) Although the dune vegetation in this area includes some native dune grass and populations of the endangered plant species Menzies Wallflower and Beach Layia, most of the vegetation consists largely of the non-native invasive species such as European beach grass and bush lupine. Section 3.30B(1)(a)(2) of this plan states that all vegetated dunes along the North Spit to the Mad River and along the South Spit are environmentally sensitive habitats. Because of the high percentage of invasive plant species and the degraded nature of this particular area, only those portions of the vegetated dunes in this area actually containing either rare and endangered plant species or native dune grass are considered to be environmentally sensitive vegetated dune habitat. Pursuant to Sections 3.30B(1)(a)(1) and 3.30B(1)(a)(4) of this plan, any wetlands or critical habitats for rare and endangered animal species that might exist in the area are also considered to be environmentally sensitive habitat areas. (Amended by Res. No. 94-47, 6/7/94)
  - (2) The area is proposed for development as an off highway vehicle riding area under the County's Beach and Dunes Management Plan. To protect the environmentally sensitive vegetated dune habitat within the area, any such

development shall be required to do the following: (Amended by Res. No. 94-47, 6/7/94)

- (a) Fence and prohibit use of all portions of the affected dunes containing rare and endangered plant species or native beach grass. (Amended by Res. No. 94-47, 6/7/94)
- (b) Conduct annual monitoring for rare plant species to determine the effects of activities on the relative viability of the population in any given year and perform necessary remediation measures. (Amended by Res. No. 94-47, 6/7/94)

12. Shoreline Protection Structures

Shoreline protection structures, including revetments, breakwater, bulkheads, graving yards, groins, seawalls, and other such construction, that alter natural shoreline processes may be permitted

- a. to protect existing principle structures or public facilities in areas subject to damage from wave action where relocation of the structures is not feasible,
- b. when required to serve coastal dependent uses,
- c. to reconstruct existing bulkheads and revetments,
- d. in areas planned Exclusive Agriculture to protect existing dikes, consistent with the policy on Modification and repair of dikes in transitional agricultural lands; and when:
  - (1) It is the least environmentally damaging feasible alternative.
  - (2) Adverse impacts on shoreline sand supply and public access have been eliminated or minimized by the projects design or through other mitigation measures.
  - (3) For projects other than placement of revetment on existing dikes, the project has been designed by a registered civil engineer with expertise in shoreline processes.
- e. Permanent shoreline structures, other than revetment of existing dikes, shall be permitted only when based on a comprehensive study of area-wide shoreline processes which assesses long term effects of the structures on sand transport, downdrift beaches, circulation patterns and flow rates, including effects such as erosion, shoaling, or reflection of wave energy on adjacent shorelines. It is the policy of the County to prefer beach nourishment and vegetative protection where feasible, to permanent structural shoreline stabilization. Temporary shoreline structures may be permitted in emergencies provided that any temporary structure is either 1) incorporated into a permanent structure, or 2) removed upon construction of a permanent structure.
- f. The County shall request the Department of Boating and Waterways to review plans for construction of shoreline protective structures. The Department may recommend measures to mitigate adverse effects on shoreline processes.
- g. The County encourages study of shoreline erosion in Humboldt Bay to develop long term solutions to existing erosion hazards at King Salmon (generally from King Salmon to Elk River Spit) and along the North Spit (from the entrance channel to Fairhaven).

13. Dune Habitats

Coastal dune restoration to mitigate for the destruction of dune habitats located south and west of the Eureka airport shall be accomplished on the 80-acre dune restoration study area (see Appendix J). Mitigation for impacts to dune hollows shall be accomplished at the 80 acre dune restoration study area, or if infeasible, at the identified wetland restoration areas on the North Spit, or on North Spit BLM property. If dune hollow restoration is infeasible at these sites, the County and the State Coastal Commission may, in consultation with the Department of Fish and Game, approve alternative sites.

14. Menzies Wallflower

Adverse impacts to Menzies Wallflowers shall be mitigated. If feasible, mitigation for adverse impacts to the Menzies Wallflower shall be accomplished within the dune restoration study area located south of the Coastal Dependent Industrial designation or within the proposed BLM native plant protection area. If mitigation within these areas is not feasible, an alternative mitigation program may be approved by the County and the State Coastal Commission in consultation with the Department of Fish and Game and the U.S Fish and Wildlife Service.

**3.40 VISUAL RESOURCE PROTECTION**

\*\*\* 30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

\*\*\* 30253. New development shall:

- (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

**A. PLANNED USES**

Within the Humboldt Bay Planning Area there are a number of outstanding views that are an asset to the region. At the south end of the planning area the drive along Table Bluff and Hookton Roads, ending at the scenic outlook at Table Bluff, offers a spectacular overview of Humboldt Bay. From this vantage point one can witness the natural resources areas, agriculture lands, urban areas and industry of the Bay – all of which are central to the wellbeing of area residents. Roads along the North and South Spits offer the most easily accessible ocean view to Eureka-area residents. Highway 101 provides many vantage points from which daily commuters as well as tourists can see flocks of shorebirds, waterfowl and other wildlife, including the magnificent egrets that to many people are a symbol of Humboldt County. Samoa Blvd., directly west of Arcata, also offers views of the Bay and surrounding agriculture lands that are unparalleled near most urban coastal areas. The maps delineate Coastal Scenic and Coastal View areas.

**B. DEVELOPMENT POLICIES**1. Physical Scale and Visual Compatibility

No development shall be approved that is not compatible with the physical scale of development as designated in the Area Plan and zoning for the subject parcel; and the following criteria shall be determinative in establishing the compatibility of the proposed development:

- a. For proposed development that is not the principle permitted use, or that is outside an urban limit and for other than detached residential, agricultural uses, or forestry activities regulated by CDF, that the proposed development compatible with the principle permitted use, and, in addition is either:
  - (1) No greater in height or bulk than is permitted for the principle use, and is otherwise compatible with the styles and visible material so existing development or land forms in the immediate neighborhood, where such development is visible from the nearest public road.
  - (2) Where the project cannot feasibly conform to paragraph 1, and no other more feasible location exists, that the exterior design, and landscaping be subject to a public hearing, and shall be approved only when:
    - (a) There is no less environmentally damaging feasible alternative location.
    - (b) The proposed exterior design, and landscaping are sufficient to assure compatibility with the physical scale established by surrounding development.

## 2. Protection of Natural Landforms and Features

Natural contours, including slope, visible contours of hilltops and treelines, bluffs and rock outcroppings, shall suffer the minimum feasible disturbance compatible with development of any permitted use, and the following standards shall at a minimum secure this objective:

- a. Under any permitted alteration of natural landforms during construction, mineral extraction or other approved development, the topography shall be restored to as close to natural contours as possible, and the area planted with attractive vegetation common to the region.
- b. In permitted development, land form alteration for access roads and public utilities shall be minimized by running hillside roads and utility corridors along natural contours where feasible, and the optional waiving on minimum street width requirements, where proposed development densities or use of one- way circulation patterns make this consistent with public safety, in order that necessary hillside roads may be as narrow as possible.

## 3. Coastal Scenic Area

In the Coastal Scenic Area designated in the Area Plan Map (Indianola area), it is the intent of these regulations that all developments visible from Highway 101 be subordinate to the character of the designated area, and the following uniform standards shall apply to all development within said area, in addition to other applicable policies of this plan:

- a. New industrial and public facility development shall be limited to:
  - (1) Temporary storage of materials and equipment for the purpose of road and utility repair or improvement provided that this is necessary to the repair or improvement, and no feasible site for storage of equipment of material is available outside such area.

- (2) Underground utilities, telephone lines, and above-ground lines consistent with Sections 3.14 and 3.26 (Industrial/Electrical Transmission Lines).
- b. All permitted development shall be subject to the following standards for siting and design except for structures integral to agricultural use and timberland management subject to CDF requirements for special treatment areas.
  - (1) Siding and roofing materials shall not be of reflective materials, excepting glass and corrugated roofing. Solar collectors for on-site use shall be permitted and exempt from this standard.
  - (2) The highest point of a structure shall not exceed 30' vertically measured from the highest point of the foundation, nor 40' from the lowest point of the foundation.
  - (3) Exterior lighting shall be shielded so that it is not directed beyond the boundaries of the property.
  - (4) Vegetation clearing for new development shall be minimized. New development on ridgelines shall be sited adjacent to existing major vegetation, prohibiting removal of tree masses which might destroy the ridgeline silhouette, and limiting the height of structures so that they maintain present ridgeline silhouettes.
  - (5) Timber harvests and activities related to timber management exempt from CDF regulations shall conform to timber harvesting visual standards for Special Treatment Areas.

#### 4. Coastal View Areas

In Coastal View Areas as designated in the Area Plan, it is the intent of these regulations that no development shall block coastal views to the detriment of the public; and the following uniform standards and conditions shall apply to all development other than agricultural development and timberland management subject to CDF regulations for special treatment areas in said areas, and to specified developments in Coastal Scenic Areas, in addition to standards identified in the Area Plans:

- a. No off-premise signs shall be permitted; and on-premise signs to a total area of 40 square feet shall be permitted.
- b. Where the principle permitted use is residential a development may be approved subject to the standards of this document only on the following conditions:
  - (1) The development is not visible from the road or would not block any part of the view; or
  - (2) Where the development cannot be sited to prevent blocking any part of the view, that its height does not exceed 20 feet nor its width, perpendicular to the line of view, exceed 40 feet, and that it is set back from the road at least 60 feet and from property lines vertical to the road at least 30 feet; and
- c. Where the principle permitted use is commercial or industrial, the proposal shall include a detailed plan for exterior design of all structures and signs, and this plan shall be the subject of public hearings at which the following findings shall be made:
  - (1) That the development does not block any part of the view to the coast or coastal waterways as viewed from public roads in a vehicle.

- (2) That the exterior design, lighting and landscaping combine to render the overall appearance compatible with the natural setting as seen from the road.
  - (3) That no development, other than landscaping, signs, utilities, wells, fences, and a driveway for access to the public road where required, be located within 50 feet of the public road.
  - (4) That all feasible steps have been taken to minimize the visibility of parking areas from the public road.
  - (5) Exterior lighting shall be shielded so that it is not directed beyond the boundaries of the parcel.
- d. Uses other than those defined in a through c of this section including those proposed by public agencies, shall be subject to the requirements of Section c in so far as these are relevant.
  - e. Where feasible, new and existing utilities should be underground.

5. Highway 101 Corridor

The Humboldt County Board of Supervisors shall initiate the preparation of a Scenic Route Study pursuant to the adopted Scenic Highways Element of the Humboldt County General Plan for the portion of Highway 101 between Eureka and Arcata and that portion south of Fields Landing, inclusively.

The Scenic Route Study shall be prepared by the County Planning Department in cooperation with the California Department of Transportation. The content of the Study is outlined in Appendix E. A special emphasis of the study shall include opportunities for Cal-Trans, the County, and the Humboldt Bay Harbor and Conservation District to eliminate billboardage between Eureka and Arcata, through acquisition and other means, and to identify suitable areas for clustered signing.

New off-site signs may be permitted in suitable areas identified in a County and State Coastal Commission approved Scenic Route Study.

6. New Off-Site Signs

No new off-site signs shall be permitted in rural areas except for directional signs that indicate directions to major recreational facilities, hospitals, and other emergency facilities.

7. Public Lands Resource Buffer

The intent of this policy is to guide public agencies through a step-by-step procedure in both the acquisition of land and in the generation of management or development plans for existing public lands. Where necessary, buffer areas around public lands to mitigate adjacent land uses, including buffers necessary for habitat and resources protection, shall be identified and implemented according to the following policy:

- a. Where feasible, buffer areas shall be internalized within the boundary of the public lands. This applies to both future proposed acquisitions and to existing public lands where the public agency involved sees the need for buffers from adjacent uses or activities.
- b. Where adequate buffers cannot be feasibly internalized during the acquisition process or, where applicable in the development of management plans for the public lands:
  - (1) activities requiring buffering are to be identified,
  - (2) the location, width, and nature of the buffer are to be determined, and

- (3) any proposed restrictions affecting adjacent privately owned properties shall be discussed with the affected property owner and Humboldt County.
- (4) Pursuant to this meeting a mutual agreement shall be made between the public agency and the affected property owner regarding the implementation of the identified buffer. Techniques to be considered for implementation of a buffer include, but are not limited to:
  - (a) alternatives to full acquisition
  - (b) purchase of easements
  - (c) purchase of development rights
  - (d) purchase of major vegetation
  - (e) full acquisition of buffer areas
- (5) Eminent domain proceedings shall be initiated by the public agency seeking a resource buffer only after the opportunity for mutual agreement, outlined above, has been exhausted.

8. Natural Features

Significant natural features within the Humboldt Bay Planning Area, and specific protection for retention of these resources are as follows:

Area	Scenic Protection
Arcata Bottoms	Designated Agriculture Exclusive
Bottomlands between Eureka & Arcata	Designated Public Recreation and Agriculture Exclusive, as well as Coastal View Area
South Spit	Designated Natural Resources and Coastal View Area
Table Bluff	Designated Public Recreation and Agriculture Exclusive, as well as Coastal View Area
Dune Forests along the North Spit	Designated natural Resources to Mad River
Bottomlands along South Bay	Designated Agriculture Exclusive
Ryan and Freshwater Slough	Designated Agricultural Exclusive Drainages

**3.50 ACCESS**

**A. PLANNED USES**

Formal coastal access exists at a number of locations within the planning area, such as Mad River Beach County Park, Table Bluff, Samoa Boat Ramp, Fields Landing Boat Ramp, and several other locations. Public

access provides for recreational opportunities around the Bay area that add to the local economy, and enhance the quality of life for local residents.

The following access inventory proposes increased public pedestrian access near Manila, an accessway for handicapped persons behind Redwoods United Workshop, ORV access to the beach across from the Fairhaven and Samoa industrial areas, increased access at the end of the North Spit, a trail from the Samoa Boat Ramp to Fairhaven, access to the Bracut Marsh Restoration Project, access to King Salmon Beach, access to the proposed Wildlife Refuge, access to the end of the South Spit, and several other proposals.

## **B. DEVELOPMENT POLICIES**

- \*\*\* 30210. In carrying out the requirement of Section 2 of Article XV of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.
- \*\*\* 30211. Development shall not interfere with the public's right of access to the sea where acquired through use, or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.
- \*\*\* 30212. Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.
- \*\*\* 30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.
  1. Accessway Improvements and Funding
    - a. Public agencies or other entities having or accepting responsibility for accessways shall provide support facilities compatible with the character of the land and adequate for the number of people using them prior to opening the access to public use.
      - (1) Minimal improvements should be scheduled for unimproved access points in character with the rural nature of the communities they serve, and accessways accepted by the responsible entity or agency should include but shall not be limited to, the following as they are found consistent with the identified uses, modes of access and limitations as identified in Section 3.50C.
        - (a) parking
        - (b) roads
        - (c) trails, stairs, and ramps
        - (d) sanitary facilities (including trash collection)
        - (e) facilities for the handicapped
        - (f) fencing and barriers to inappropriate uses
        - (g) signing of access points, trails and hazard areas
        - (h) maintenance and operation of the accessway and support facilities

- (2) In reviewing improvements to accessways, the approving authority shall consider:
- (a) the common use(s) of the shoreline;
  - (b) the proposed mode of access (pedestrian; equestrian, or vehicular) and adverse impacts on adjacent owners' use of their property, and the size of the development;
  - (c) the likelihood of trespass and vandalism on adjacent private property;
  - (d) the need to provide for public health and safety including the need for:
    - (i) parking
    - (ii) road capacity and traffic patterns
    - (iii) conflicts in uses (i.e. pedestrian, equestrian, vehicular)
    - (iv) use by the handicapped
    - (v) capacity of sanitary facilities, including trash disposal
    - (vi) topography of trails
    - (vii) beach hazards (tides, currents, undertows)
  - (e) Conflicts with agriculture and timber including:
    - (i) vandalism
    - (ii) theft of livestock, agricultural supplies and tools
    - (iii) damage to crops and livestock
    - (iv) trespass on areas not part of accessway
    - (v) damage to fencing and gates
    - (vi) dogs killing, maiming, or harassing livestock
    - (vii) fires
      - (viii) litter
    - (ix) interference with agricultural or timber operations

Improvement of accessways shall be permitted where the level of development is adequate to support common uses of the shoreline and the mode(s) of access proposed in the plan, and where the improvements are sited and designed to prevent significant hazards to public health and safety or to agriculture and minimize the likelihood of trespass and vandalism on adjacent private property.
- (3) When the approving authority finds adverse impacts associated with improving access in conjunction with the criteria within this section appropriate mitigation measures shall be provided.
- (4) Funding for acquisition, improvement, maintenance and operations, and coverage for associated liability on new accessways required as part of the Coastal Plan mandated by the State shall be from sources other than Humboldt County.

## 2. Prescriptive Rights

- a. An initial survey of accessways is included in this Area Plan. This plan does not determine whether implied dedication or prescriptive rights exist. The Plan is made without prejudice to the existence or absence of such rights.
- b. Where potential public prescriptive rights of access to be the shoreline are affected by new developments, the applicant shall either:
  - (1) Site and design the project to maintain the accessway, or
  - (2) Provide an equivalent accessway to the same designation including dedication of an access easement as described in Section 3.50B3 or
  - (3) Demonstrate that either the State of California has quitclaimed any interest it may have in the accessway or a court of competent jurisdiction has determined that prescriptive rights do not exist along the accessway.

### 3. Dedication

New development on parcels containing the accessways identified in Section 3.50 (access/inventory) shall include an irrevocable offer to dedicate an easement, as described in Section 3.50B4 for public use as provided in 3.50C. Such offers shall run for a period of 21 years and shall be to grant and convey to the people of the State of California an easement for access over and across the offerer's property.

### 4. Designation Guidelines

(lateral access guidelines were inadvertently omitted from the plan)

#### a. Lateral Access

- (1) where there is an existing accessway adjoining the proposed accessway, the location and size of the new accessway shall be the same as the adjoining accessways; or
- (2) where there is a fixed landward point from which to measure (e.g. bluffline) the accessway shall be no less than 25 feet in width seaward from the fixed landmark; or
- (3) to the first line of terrestrial vegetation, excepting dune areas; or
- (4) a minimum of 25 feet from the mean high tide line
- (5) where there is no vertical gradient differential between the development and the accessway, a privacy buffer shall be established with a minimum of 10 feet with only limited uses allowed from 10 to 20 feet and only passive recreational uses between 20 and 50 feet.

### 5. Coastal Trail

The coastal trail would follow the trail outlined in the Humboldt County Trails Plan, from the former railroad bridge over the Mad River, along mad River Road to Seidel Road, and then to the City of Arcata, where there is an existing hostel. The trail would exit Arcata and follow Old Arcata Road, which is planned for improvements that would include a shoulder for bike traffic. South of Eureka, there is no available hiking trail due to heavy highway traffic and conflicts with agricultural uses, and it is recommended that trail users take a bus to Fernbridge in order to continue their journey.

### 6. Unavoidable Loss of Public Access

New industrial development which impedes or interferes with public access to or along the bayshore between Park Street in Fairhaven and the County's Samoa boat ramp, as described in Section 3.50C 24 and 26, shall provide off-site improvements to open other equivalent bayshore areas where no public access exists, such as the Elk River Spit, or enhance comparable, existing bay access. Such improvements shall include, as necessary, dedication of access easements, fee title along the new accessway, access improvements, including parking areas and trails, and provisions for maintenance and operation of the new accessway.

If an applicant cannot provide these improvements or these improvements amount to only a portion of an overall preferred off-site access proposal, an in-lieu fee payment shall be made to an appropriate public agency for the purpose of providing the above comparable bay access or enhancement of existing comparable bay access. (Enhancement of existing, comparable bay access could include in-lieu fees for shoreline protection at the County Boat Ramp and adjacent beach, development of a public fishing pier at the Boat Ramp, or provision of access facilities at Buhne Point.)

### C. ACCESS INVENTORY

1. MAD RIVER BEACH COUNTY PARK – The Park lies at the north end of the Humboldt Bay Planning Area and offers access to a large expanse of sandy beach coastline. It previously offered access for licensed 4-wheel drive vehicles for ingress and egress only, as well as pedestrian and equestrian access. Vehicular access is currently limited to ingress and egress to the waveslope for licensed commercial beach fishermen, emergency search and rescue, seniors, handicapped, and others by special permit. (Amended by Res. No. 94-47, 6/7/94)
 

RECOMMENDATION: Development of an equestrian staging area at the park should be considered. Signing and other improvements should be utilized to insure separation of uses. Any action that would substantially increase lateral access should be conditioned to provide reasonable protection of agricultural lands and dune area from trespass. (Amended by Res. No. 94-47, 6/7/94)
- 1A. MAD RIVER FISHING ACCESS – This site provides fishing and boat access at the mouth of the Mad River.
 

RECOMMENDATION: Any action which substantially increases lateral access should be conditioned to provide reasonable protection of agricultural land and dune areas from trespass. (Amended by Res. No. 94-47, 6/7/94)

  - 1). COOPERATIVE MANAGMENT AREA – The Cooperative Management Area (CMA) encompasses 400 acres adjacent to the Mad River Slough Mouth. The property is jointly managed by The Nature Conservancy (TNC), Bureau of Land Management (BLM) and Louisiana Pacific (LP) to allow pedestrian access to the beach and dune area and to protect the vegetated dunes by fencing. ORV recreational riding is not allowed in the CMA. Access to the CMA is along Young Lane and the old railroad grade. (Amended by Res. No. 94-47, 6/7/94)
- 1B. REDWOOD GUN CLUB – The gun club owns this property, and has access along the old railroad right-of-way leading to the club. No public access is proposed due to use and resource conflicts. Road improvements now provide public access to pedestrians adjacent to this area through the CMA. (Amended by Res. No. 94-47, 6/7/94)
2. HUMBOLDT BUGGY CLUB – This property (APN 506-061-24) is currently leased by the local ORV organizations as a club campground and staging area. The property provides ORV

enthusiasts with exclusive access to the beach and dunes area immediately south of the BLM Manila dunes property. (Amended by Res. No. 94-47, 6/7/94)

RECOMMENDATION: Allow ORV use to continue at this site as an existing non-conforming use. (Amended by Res. No. 94-47, 6/7/94)

3. PRIVATE ROAD – No access is recommended because adequate access exists nearby.

3A. MANILA PARK STREET – In the past, this access trail provided vehicle and pedestrian access to the beach and dunes area north of Manila. Currently the trail is gated and locked by the resident landowner; however, it is still used for pedestrian and equestrian access. Parking opportunities are limited. An offer to dedicate a vertical access easement has been recorded for this location. (Amended by Res. No. 94-47, 6/7/94)

RECOMMENDATION: This accessway should be developed by an agency willing to accept responsibility for liability, maintenance and operation, and to provide the following improvements: (Amended by Res. No. 94-47, 6/7/94)

a. Improve the accessway to better facilitate pedestrian and equestrian use and continue to bar vehicle use. (Amended by Res. No. 94-47, 6/7/94)

4. LUPINE ROAD – This potential accessway would start at the end of Lupine road, then go around the northern and eastern boundaries of the existing Community Services District leach field, and thereby to the ocean. The property on which this accessway is located is in private ownership.

RECOMMENDATION: This potential accessway should be developed by an agency willing to accept liability, maintenance and operation and to provide the following improvements:

a. a trail, for pedestrian and equestrian use only, to the beach from the road

b. fencing and vehicle barriers to prevent ORV use of the accessway and protect adjacent private property.

5. MANILA BEACH ACCESS – No access is recommended because adequate access exists nearby.

6. SHELL DRIVE – No access is recommended because adequate access exists nearby.

7. MANILA BEACH AND DUNES AND COMMUNITY CENTER – A trail currently extends from behind the workshop, through the dunes, and thereby to the beach. Extensive public access improvements have been undertaken at this site by the Manila Community Services District through the implementation of a Coastal Conservancy funded access project. Handicapped access will be provided where feasible. (Amended by Res. No. 94-47, 6/7/94)

8. ORANGE DRIVE – This accessway has been deleted due to potential conflicts with sensitive dune habitat areas, and the presence of adequate access nearby.

9. PENINSULA DRIVE – A trail extends northwest from Peninsula Drive into the dunes area over private property. Although this access had originally been deleted from the Humboldt Bay Area Plan, there has been renewed interest in seeing it redesignated a beach access. (Amended by Res. No. 94-47, 6/7/94)

RECOMMENDATION: Develop a pedestrian/equestrian trail with additional signing and interpretive improvements. (Amended by Res. No. 94-47, 6/7/94)

10. SAMOA DRIVE/PENINSULA DRIVE JUNCTION<sup>1</sup> – These accessways have been deleted due to potential conflicts with sensitive dune habitat areas, and the presence of adequate access nearby.
11. NEW NAVY BASE ROAD
12. END OF SAMOA ROAD<sup>1</sup>
13. PRIVATE ROAD
14. SAMOA BEACH/POWER POLE - This property, in close proximity to the Samoa community, is owned by Louisiana Pacific. The site has been heavily used by recreational ORV riders as a staging area, although the site is not officially open for ORV use. (Amended by Res. No. 94-47, 6/7/94)

**RECOMMENDATION:**

- a. Gate accessways to restrict vehicle use (Humboldt Bay Water District has an easement for pipeline maintenance) and improve as a pedestrian accessway to the waveslope. (Amended by Res. No. 94-47, 6/7/94)
- b. Develop an equestrian staging area and pedestrian access at LP forest, or in cooperation with Manila Dunes Access Area. (Amended by Res. No. 94-47, 6/7/94)
15. SAMOA BEACH – This accessway has been deleted because adequate access exists nearby.
16. LP DRIVE/U.S.S. MILWAUKEE MARKER – This accessway provides access to the waveslope. Parking is available and logs placed along the access corridor restrict ORVs to the traveled path. (Amended by Res. No. 94-47, 6/7/94)

**RECOMMENDATION:** Gate the accessway to restrict vehicle use and improve as a pedestrian accessway to the waveslope. (Amended by Res. No. 94-47, 6/7/94)

17. SAMOA BEACH – This accessway provides access to the waveslope. Parking is available and logs placed along the access corridor restrict ORVs to the traveled path. (Amended by Res. No. 94-47, 6/7/94)

**RECOMMENDATION:** Gate the accessway to restrict vehicle use and improve as a pedestrian accessway to the waveslope. (Amended by Res. No. 94-47, 6/7/94)

18. SAMOA BEACH – Previously misreferenced as leased ORV access (See #17). Site 18 is a trail opposite Humboldt Bay Municipal Water District water tank.
19. NORTH COAST EXPORT COMPANY (401-121-06) – The applicant recorded an offer of dedication for a vertical access easement 25 feet in width from New Navy Base Road to the mean high tide line, and a lateral access easement extending from the tidelands to the first line of terrestrial vegetation.

**RECOMMENDATION:** This potential accessway should be developed by an agency willing to accept responsibility for liability, maintenance and operation, and to provide the following improvements:

- a. a pedestrian path to the beach from the road, with a gate to restrict vehicle use. (Amended by Res. No. 94-47, 6/7/94)
20. REALIGNMENT OF NEW NAVY BASE ROAD – Realignment of new Navy Base Road, consistent with Sections 3.14 and 3.22, shall provide vertical public access to the oceanfront

<sup>1</sup> Officially, Samoa Road no longer exists and has been replaced by State Highway 255 North of the Samoa Bridge Junction and New Navy Base Road South of the Samoa Bridge Junction.

beaches. Such access shall include necessary parking facilities, trail delineation, and off-road vehicle barriers and other measures, as necessary, to discourage off-road vehicle use of adjacent vegetated dunes. To the extent feasible and consistent with dune restoration study area management objectives, two to three vertical accessways shall be provided along the realigned roadway.

21. EUREKA AIRSTRIP/Dragstrip – This airport is currently used as a dragstrip, and for various other public recreation uses. This property has been designated for Coastal Dependent Industrial use in the land use plan. It is in public ownership.

- 21A. CITY WALLFLOWER MITIGATION BANK – This pedestrian trail provides access through the 80-acre Mitigation Bank referred to in plan Section 3.30B(13) to the beach and dunes area from New Navy Base Road. (Amended by Res. No. 94-47, 6/7/94)

RECOMMENDATION: Improve the pedestrian trail with additional signing and interpretive improvements. (Amended by Res. No. 94-47, 6/7/94)

22. SAMOA BEACH – (See #23)

23. BLM RECREATION AREA – These accessways are located on a large parcel in federal ownership at the end of the north spit. In 1987 the Bureau of Land Management Recreation Area was officially opened for ORV riding. Public use of the property also consists of access for fishing and general recreational use along the north jetty, which is restricted during the winter months. (Amended by Res. No. 94-47, 6/7/94)

RECOMMENDATION: Improvement of this access and recreation area shall include the following:

- a. Regular maintenance of the road leading to the north jetty.
- b. Signs warning of high tide and rough water hazards shall be posted and noted in the access atlas.
- c. Picnic sites should be developed.
- d. Chemical toilets should be provided.
- e. Provide freshwater washdown for surfers and improve 4-wheel drive surfing access to waves at jetty. (Amended by Res. No. 94-47, 6/7/94)
- f. Manage the area more exclusively for ORV recreationists while maintaining access for surfing. Develop camping facilities at the ORV staging area and/or at the cypress grove. (Amended by Res. No. 94-47, 6/7/94)

24. SAMOA BOAT LAUNCH – This area is maintained by the County, and provides boating access to the Bay. Camping and fishing are also enjoyed at this location. A significant problem exists at this site in the form of erosion along the shoreline. (Amended by Res. No. 94-47, 6/7/94)

RECOMMENDATION: This public accessway could be tied into a trail extending to Park Street in Fairhaven. Two of the three intervening parcels are already in public ownership, and an offer of dedication for a lateral access easement can be obtained as part of development by an agency willing to accept responsibility for liability, maintenance, and operation and to provide the following improvements:

- a. a trail for pedestrian use only; and
- b. some means of protection to prevent erosion of the trail. It is expected that provision of such a trail would be a result of an overall shoreline protection program along this area.

- c. additional fencing and signing to reduce cross traffic impacts associated with ORV campers crossing over the BLM day use area. (Amended by Res. No. 94-47, 6/7/94)

Where provision of such access is unfeasible, or where new coastal dependent development or shoreline structures would unavoidably impede or interfere with public access along the bayshore, alternative access or mitigation for the loss of access shall be provided in conformance with plan Section 3.50B(6).

- 25. SAMOA ROAD/AIRPORT ROAD<sup>1</sup> – This accessway has been deleted because of conflicts with wetland values and adequate access exists nearby.
- 26. FAIRHAVEN/PARK STREET – This road once served as a public boat launch; now it serves as a cul-de-sac from which one can view the Bay.

RECOMMENDATION: (See recommendation of access number 24)

RECOMMENDATION: This site has been proposed as a terminus for a trail extending to the Samoa boat ramp (see#24). The only necessary improvements are the provision of several designated parking areas.

- 27. WALKER POINT ROAD – There exists opportunity for public access to and along the base of Walker Point including Fay Slough.

RECOMMENDATION: Subdivision of the area at the end of Walker Point Road shall be subject to an offer to dedicate a public access easement from the terminus of Walker Point Road to the toe of Walker Point and around the western perimeter of the property adjacent to the lands now owned by the Wildlife Conservation Board. (Amended by Res. No. 88-85)

- 27A. NORTH COAST EXPORTS – This access has been deleted because of inadequate area for provision of an accessway, and adequate access exists nearby.

- 28. VANCE AVENUE AT SAMOA BRIDGE

- 29. VANCE AVENUE

- 30. SAMOA ROAD/VANCE AVENUE<sup>1</sup>

- 30A. SAMOA ROAD/PENINSULA DRIVE<sup>1</sup>

- 31. VICTOR BLVD

- 32. DEAN AVENUE AND VICTOR BOULEVARD – This accessway is known locally as “lovers’ land” and provides access from Victor Boulevard near its intersection with Dean Avenue to bayshore areas south of the park. Strong evidence of public use of the site, including paths, frequently parked cars, and informal recreational facilities such as swings, exist on the site. Other road ends, such as Melvin Street north of the park, are fenced and overgrown, with little evidence of public use.

RECOMMENDATION: Consistent with section 3.50B2, existing rights of public access shall be protected, and an access easement along the trail and the bay shore shall be offered for dedication in any new development consistent with sections 3.50B 3 and 4. Appropriate public use should be limited to pedestrians.

- 33. NORTH BEACH STREET – This heavily vegetated area located north of Beach Street exhibits evidence of public use including a number of footpaths. Much of this area, marginal to the Bay, is marshy and has been designated as wetlands on the HBAP Resource Protection Maps.

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<sup>1</sup> Officially, Samoa Road no longer exists and has been replaced by State Highway 255 North of the Samoa Bridge Junction and New Navy Base Road South of the Samoa Bridge Junction.

RECOMMENDATION: Consistent with section 3.50B2, existing rights of public access shall be protected, and an access easement along the trail and the bay shore shall be offered for dedication in any new development consistent with sections 3.50B 3 and 4. Appropriate public use should be limited to pedestrians.

- 34. MANILA COMMUNITY PARK – The 0.5 mile long trail is located in the Manila Community Park and provides Bay view access.

RECOMMENDATION: This accessway should be maintained, and the possibility of providing interpretive or educational signs should be investigated. Access improvements in Manila should identify the Community Park as the highest priority. In addition to the maintenance and improvement of existing facilities, opportunities to construct a boardwalk along the shoreline and out into the bay to provide access to natural channels for small boat launching and to clam beds should be investigated through such funding sources as the Coastal conservancy.

- 40. LANPHERE ROAD

- 41. FOSTER ROAD

- 42. JACKSON RANCH ROAD

- 43. OLD SAMOA BLVD

- 43A. OLD SAMOA BLVD

These potential accessways have been deleted due to conflicts with agricultural uses of surrounding lands, and the provision of adequate access nearby.

- 46. JACOBY CREEK MOUTH – A path currently extends from the highway to the mouth of Jacoby Creek. This accessway is used primarily by birdwatchers and educational groups from HSU. This land is in public ownership, having been purchased as part of the Humboldt Bay National Wildlife Refuge.

RECOMMENDATION: This accessway should be maintained as an educational and scientific accessway.

- 47. BRACUT – The northern portion of this site is currently being proposed as a wetland restoration project by the California Coastal Conservancy. The property is in private ownership, and is currently in the process of being purchased by the state. No public access has been proposed as part of the project.

RECOMMENDATION: Public access for hunting and wildlife observation should be provided as part of this project.

A public agency should provide:

- 1. Railroad crossing improvements.
- 2. Parking suitable for at least five vehicles.
- 3. Bike racks.

- 48. BRAINARD – This accessway has been deleted because of conflicts with industrial land use, and adequate access exists nearby.

- 49. OLD ARCATA ROAD – This 10.0 mile route extends from Arcata to Myrtle Avenue and the Eureka City limits.

RECOMMENDATION: The Humboldt County Trails Plan recommends shoulder improvements for this route in order to improve its utility as a horse/bike/hiking route.

- 51. EDGEWOOD DRIVE

These potential accessways have been deleted due to conflicts with agricultural uses of surrounding lands, and the provision of adequate access nearby.

52. GLENWOOD
53. RYAN SLOUGH
54. FRESHWATER SLOUGH
86. POUND AVENUE
87. TOOBY ROAD
- 87A. VIEWPOINT – This parking area and lookout currently provides an opportunity for the public to view the expanse of Humboldt Bay. This lookout is in public ownership.  
RECOMMENDATION: This accessway should be maintained in its present condition.
88. KING SALMON PICNIC AREA – This area is provided and maintained by Pacific Gas and Electric Company, as an accompaniment to their electrical generating facility. The property is in private ownership.  
RECOMMENDATION: This area should be maintained in its present condition.
89. BUHNE DRIVE
90. HERRING STREET
91. BUHNE DRIVE<sup>1</sup>
92. HABITAT AVENUE
93. PERCH STREET
94. CRAB STREET
95. COD STREET
96. SOLE STREET
97. KING SALMON DRIVE
98. KING SALMON BEACH - This open sandy area serves as the equivalent of a coastal park. People use the area for walking, bird watching, launching small boats and lying in the sand. The area is in private ownership and is highly subject to wave erosion.  
RECOMMENDATION: This accessway should be developed by an agency willing to accept responsibility for liability, maintenance, and operation, and to make the following improvements:
1. Provide several picnic tables.
  2. Investigate the possibility of toilet facilities.
  3. Provide parking spaces for at least five vehicles.
  4. Provide signs and enforcement indicating that this area is for day-use only.
99. SHIPWRECK - This site has been designated for commercial/recreational use. It has been deleted as a potential accessway because of conflict with wetland habitat values, adequate access exists nearby, and commercial/recreational use of the site will provide public access.

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<sup>1</sup> Access sites #91 through 98 are a result of renumbering by County Staff correcting a sequential error (July, 1989).

- 100. OVERLOOK                      These accessways have been deleted because they offer limited access potential, and adequate access exists nearby.
- 101. FOOT OF C STREET
  
- 102. FIELDS LANDING BOAT RAMP – This publicly owned boat launch currently provides boating access to the South Bay.  
RECOMMENDATION: This accessway should be maintained in its present condition.
- 103. KRAMER DOCK – This accessway has been deleted because of physical hazards, and adequate access exists nearby.
- 104. SOUTH BAY DOCK              These accessways have been deleted due to conflicts with agricultural land uses, and adequate access exists nearby.
- 105. SOUTH BAY DOCK
- 106. HOOKTON SLOUGH DIKE – This land is in private ownership and is currently used for agriculture. It is a proposed part of the Humboldt Bay Wildlife Refuge, and only as such, would be appropriate for the provision of public access.  
RECOMMENDATION: During preparation of a management plan for the refuge, consultation with the North Coast Waterfowl Association, Audubon Society, Humboldt Bay Harbor District, and other interested parties should result in development of a management plan that would provide for public access to the refuge for hiking, hunting, clamming, fishing and other passive recreational pursuits. A hiking trail along the Hookton Slough dike, in accord with the provision of public parking and interpretive facilities, as well as hunting access throughout the refuge, should be provided.
- 107. COUNTY LAND FILL – The former dump has been closed for the past several years, and is currently being monitored for hazardous leachate. The County Department of Public Works recommends against any use of this site during the near future.  
RECOMMENDATIONS: The CAC has recommended the possibility of this site being used as a “skeet and trap shooting range,” if the site should be deemed suitable for public use.
- 108. SOUTHPORT LANDING – This accessway has been deleted due to conflicts with agricultural land uses, and the existence of adequate access nearby.
- 109. TABLE BLUFF PARK OVERLOOK – This overlook provides one of the best available views of the Bay. It is in public ownership.  
RECOMMENDATION: This accessway should be maintained in its present condition.
- 109A. TABLE BLUFF PARK ACCESS – This public accessway provides pedestrian, ORV, and equestrian access to the beaches along the south spit and to the mouth of the Eel River. It is in public ownership. ORV access for ingress and egress is permitted according to County Ordinance #1388 and County Resolution #80-43.  
RECOMMENDATION: This public accessway should be maintained in its present condition.

**ACCESS INVENTORY ADDENDUM**

- 86A. ELK RIVER SPIT – Access to the Elk River Spit from lands located outside of the City of Eureka are hindered by problems such as access across agricultural lands, railroad right-of-way, and lack of developable parking facilities adjacent to Hwy 101. Current access to the spit is

secured by trespassing across private lands south of Elk River or across the privately owned bulk oil receiving terminal pier.

RECOMMENDATION: The City of Eureka in cooperation with the Coastal Conservancy is encouraged to investigate and, if feasible, provide access from the City across Elk River via permanent or temporary bridge to the spit. Access to the spit should be limited to times when oil deliveries to the Elk River Spit terminal are not being made.

- 50. DEAD MOUSE MARSH – Located along Freshwater Slough in Myrtle town, this marsh is the site of the Woodley Island wetland mitigation. An area immediately adjacent to the existing mitigation site is also suitable for other wetland mitigation projects.

RECOMMENDATION: A lateral access should be provided along the boundaries of any wetland restoration areas.

21A.

- 110. NORTH SPIT AND SOUTH SPIT OF HUMBOLDT BAY – Public access of the ocean beach along both spits has a long history of use not only for recreation, but also for wood and burl collecting, and crab pot salvaging.

RECOMMENDATION: Historic rights to access shall be protected.

- HUMBOLDT BAY SHORELINE ACCESS (lateral) – The Coastal Commission, State Lands Commission, and the Harbor District should work together to implement Coastal Act Sections 30210, 30212 and 30214.

- 30A. VISTA POINT - SAMOA ROAD AND PENINSULA DRIVE<sup>1</sup> – There is currently a vista point near the intersection of these two roads with a turn-out area for cars.

RECOMMENDATION: The existing vista point should be signed and maintained as is.

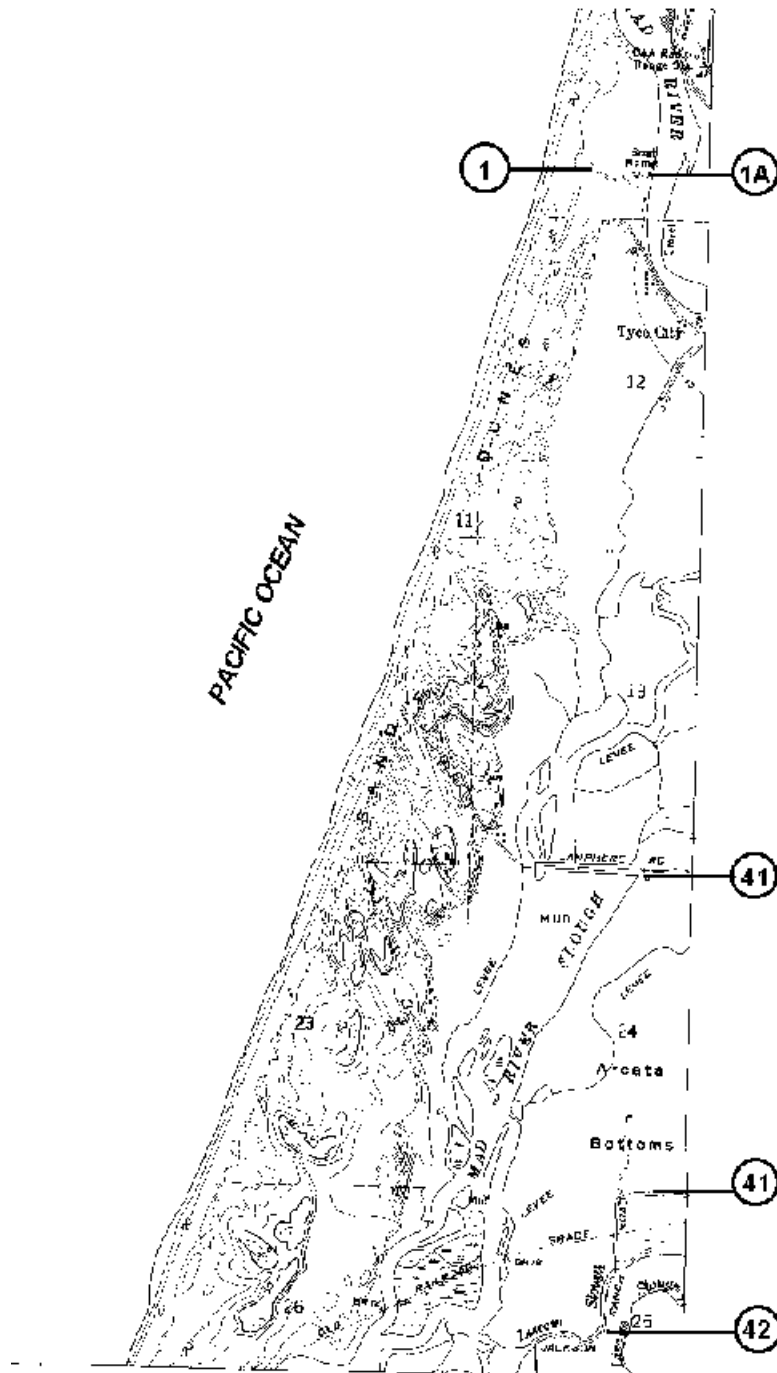
- ACCESS IN COMMERCIAL RECREATION DEVELOPMENT – If feasible, public access should be provided in ocean or bay fronting development within areas planned for Commercial Recreation development.

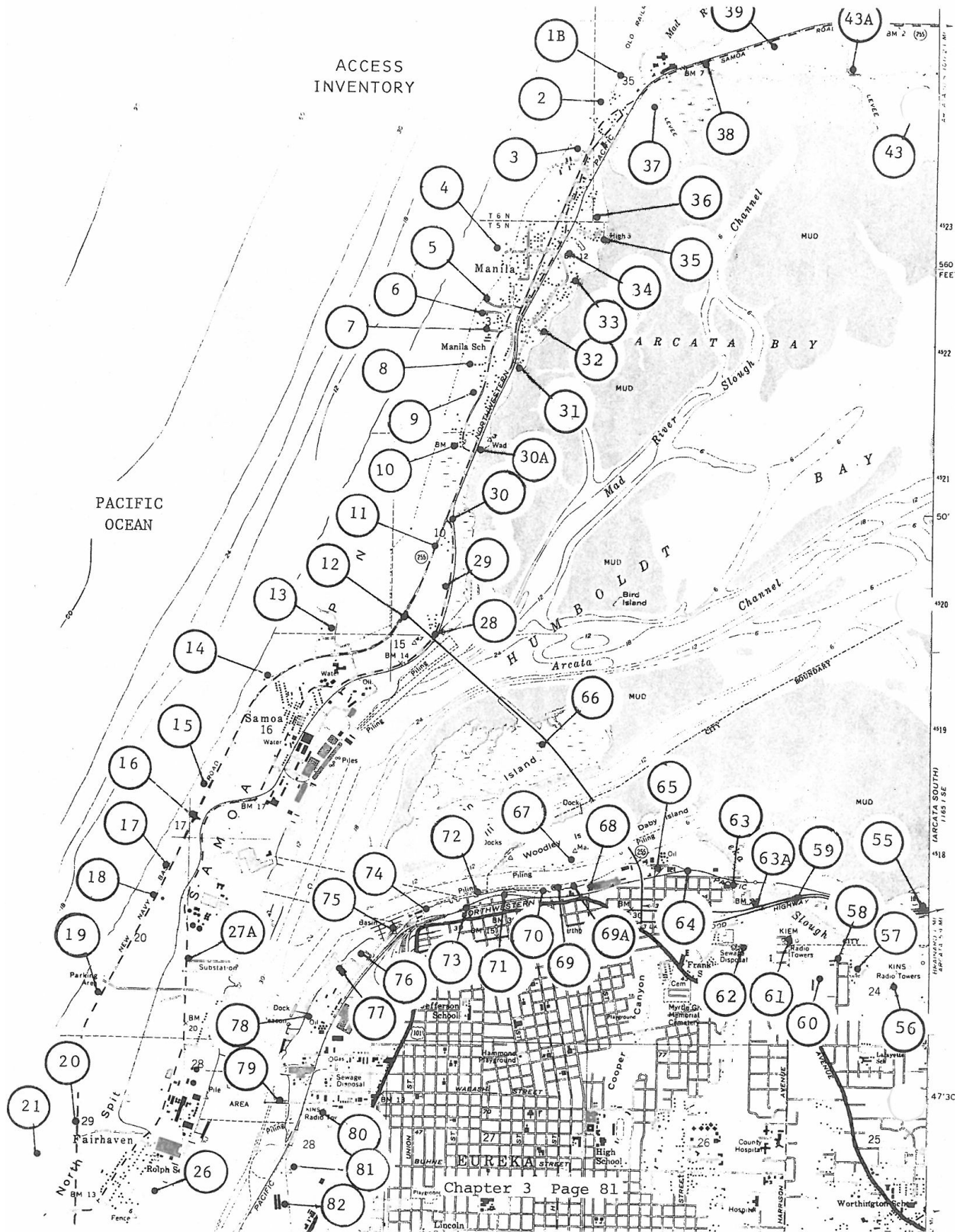
- FIELDS LANDING ACCESS – If feasible and consistent with public safety, access should be provided in shoreline development in Fields Landing.

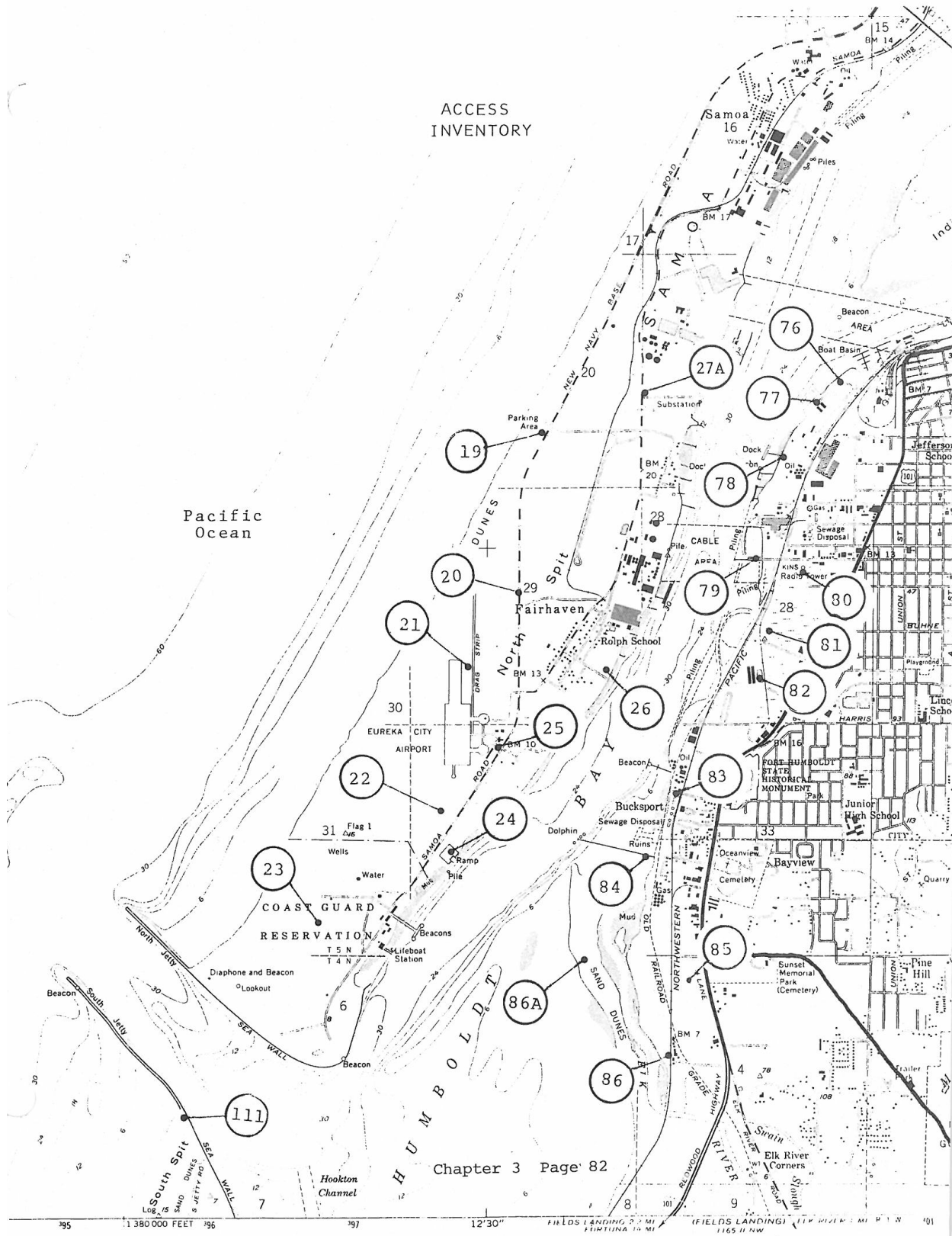
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<sup>1</sup> Officially, Samoa Road no longer exists and has been replaced by State Highway 255 North of the Samoa Bridge Junction and New Navy Base Road South of the Samoa Bridge Junction.

### ACCESS INVENTORY

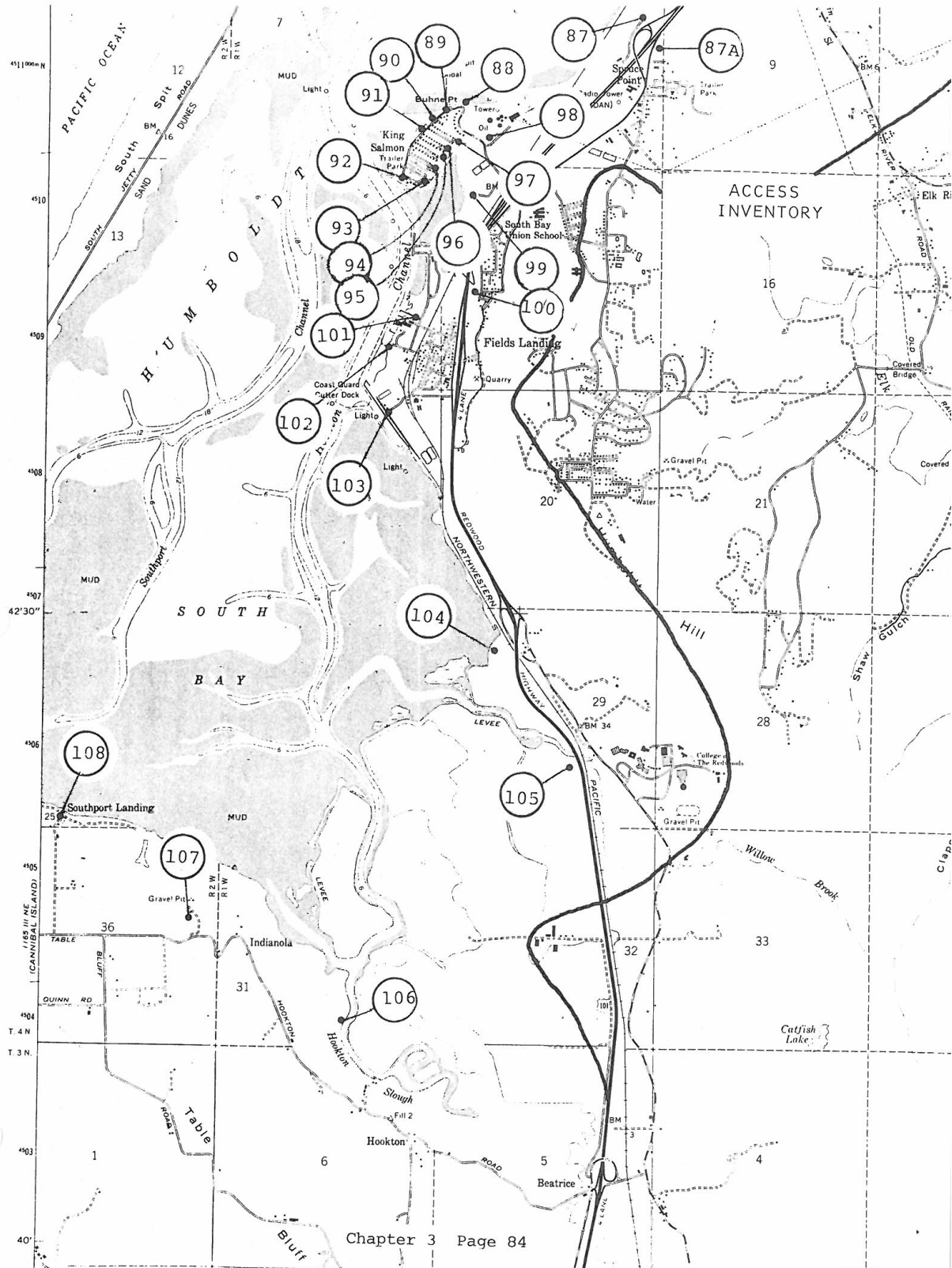




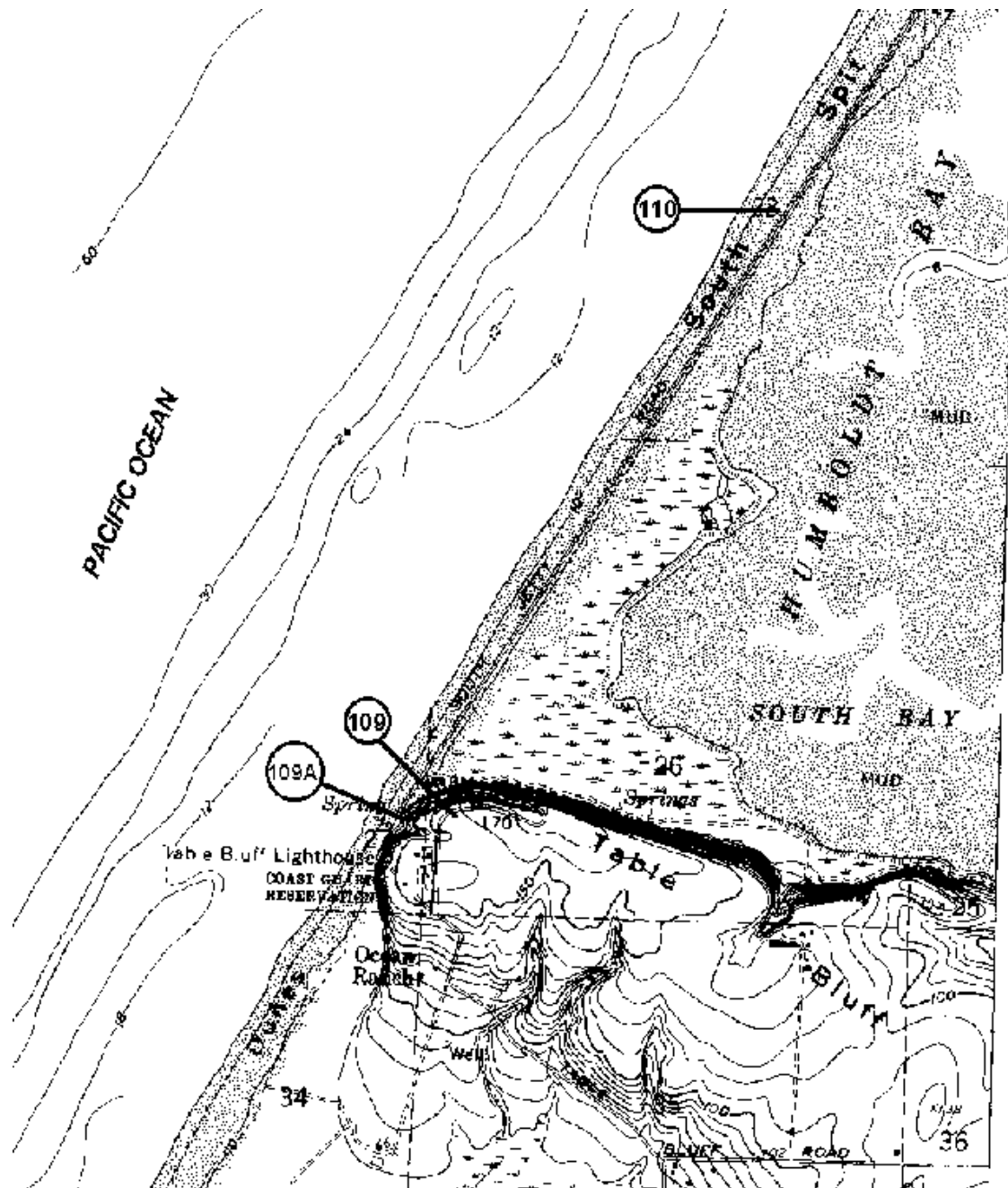


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### ACCESS INVENTORY

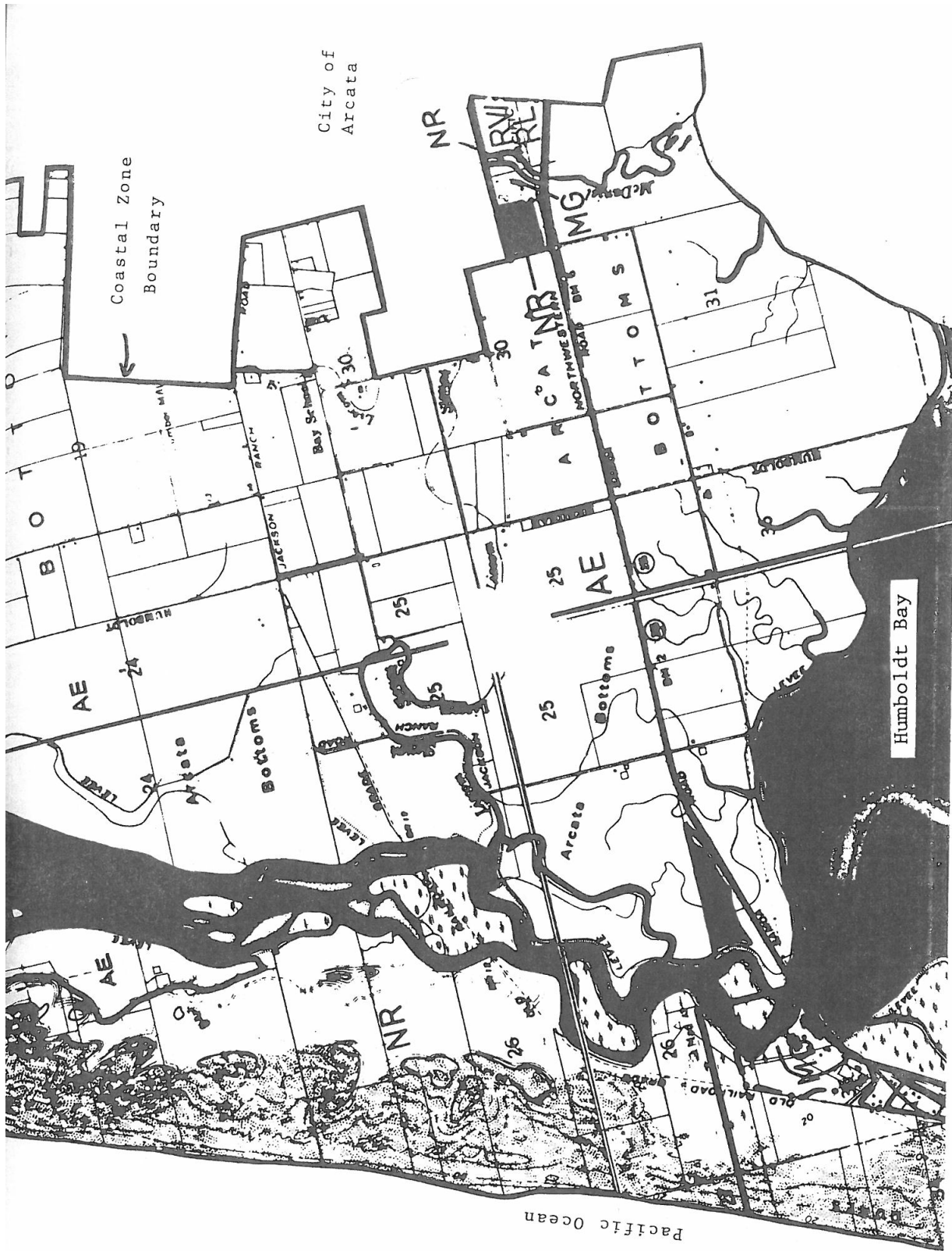


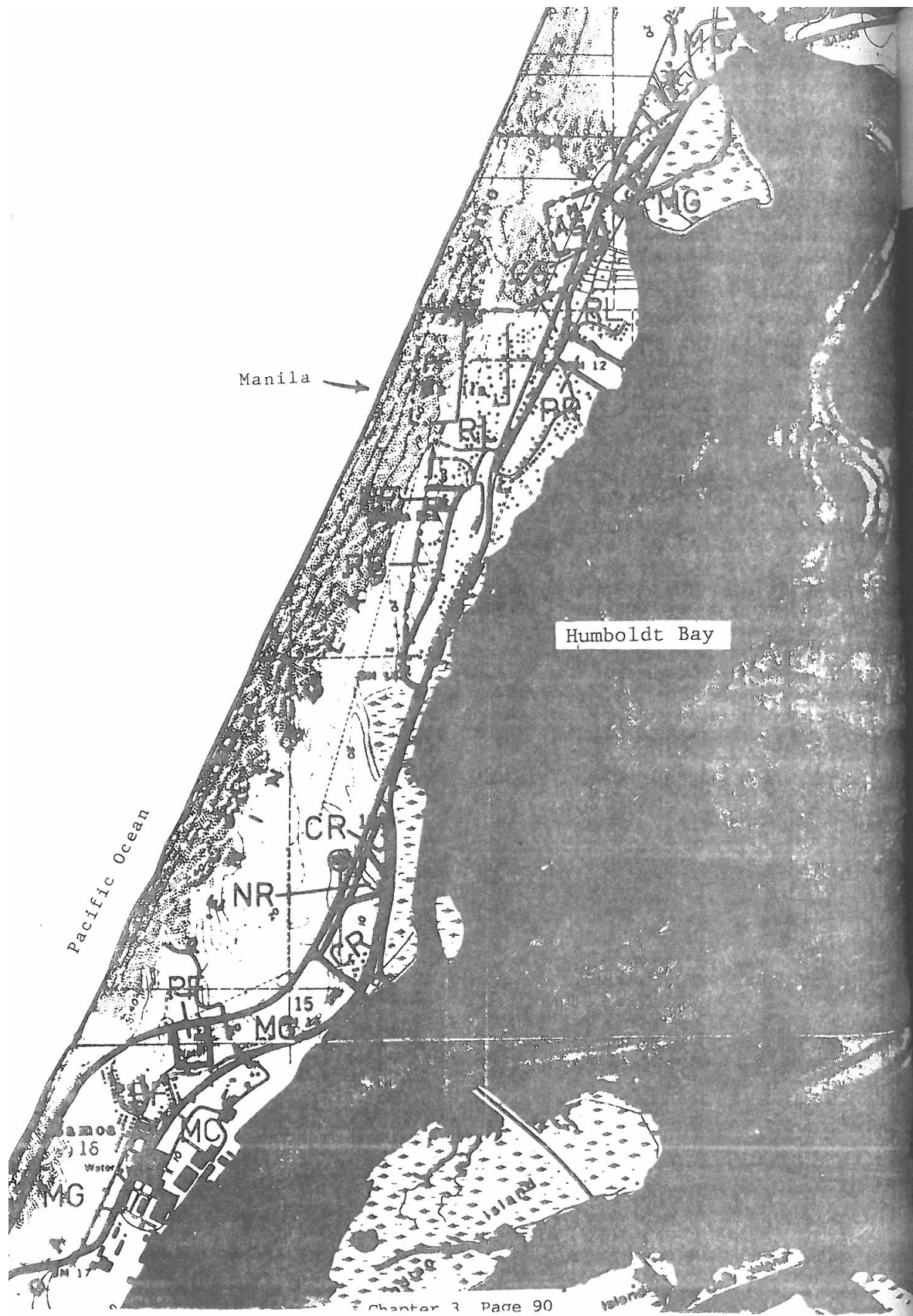
**3.60 AREA PLAN MAPS**

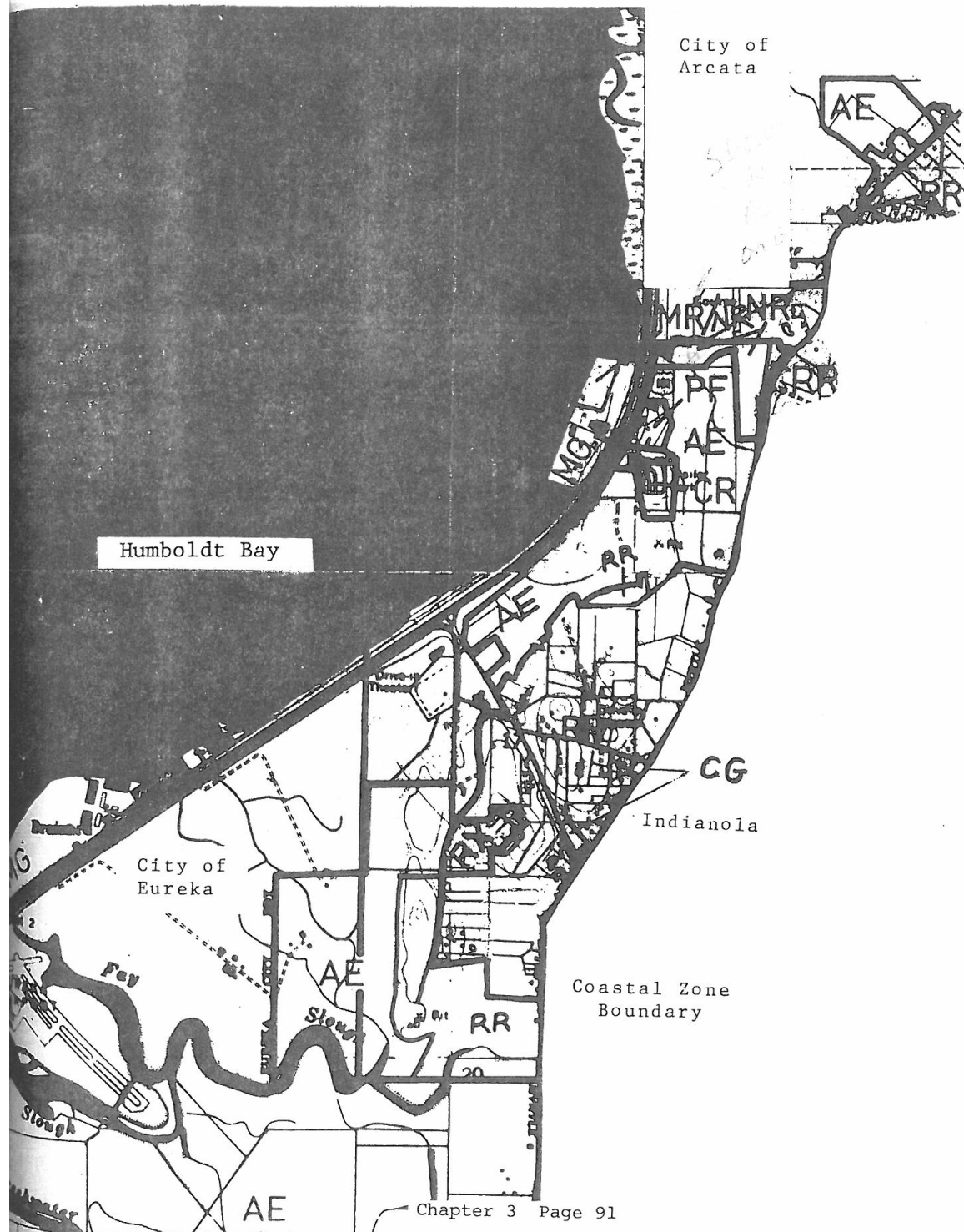
The maps included herein are for illustrative purposes only. The official maps at full scale (1"=600' and 7.5' USGS quads) are available for review at the Humboldt County Planning Department at the Clark Complex, 3015 H Street, Eureka, California. Requests for additional copies of the official maps should be directed to the same address.

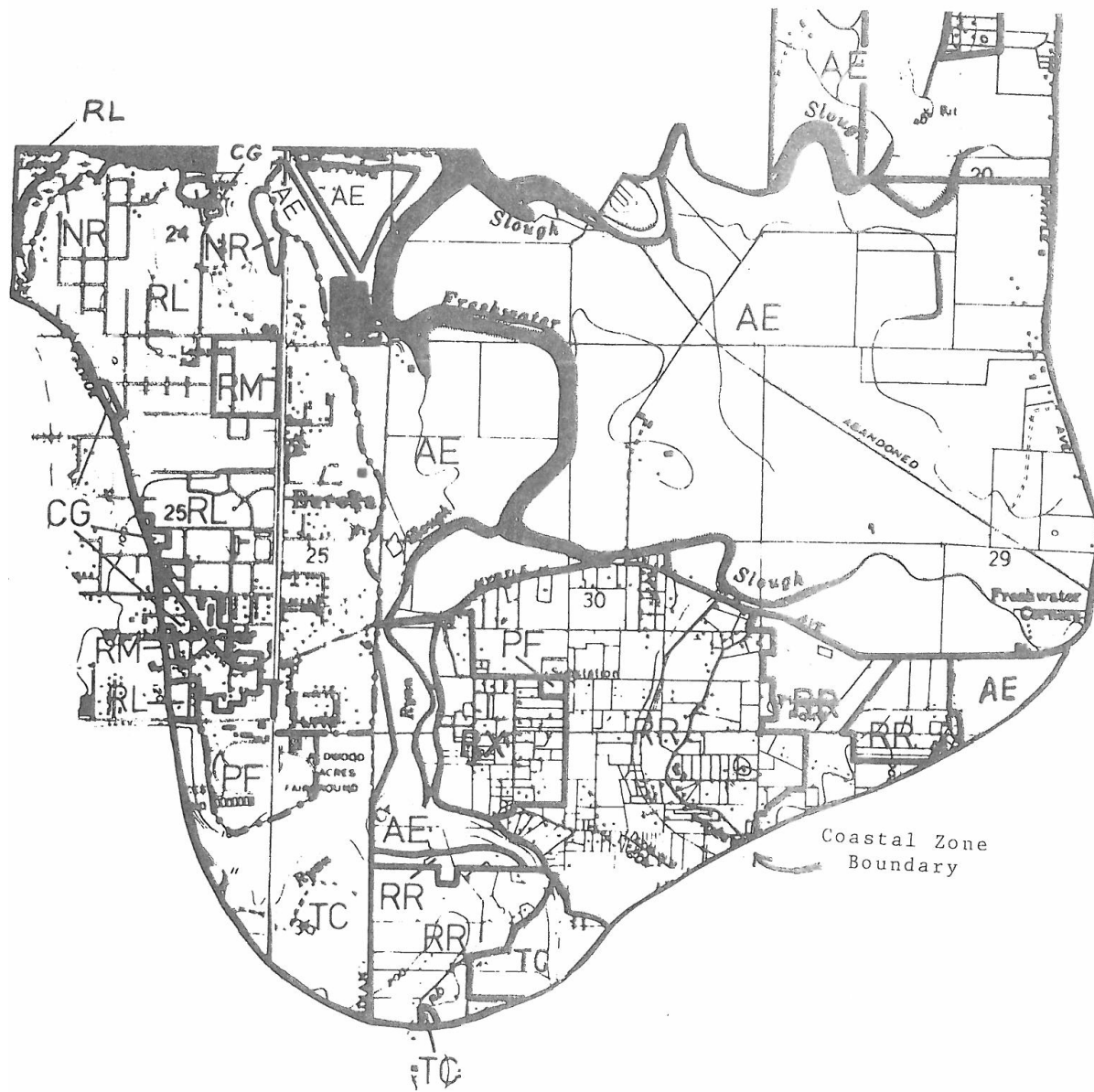
**A. HUMBOLDT BAY AREA PLAN LAND USE DESIGNATIONS**

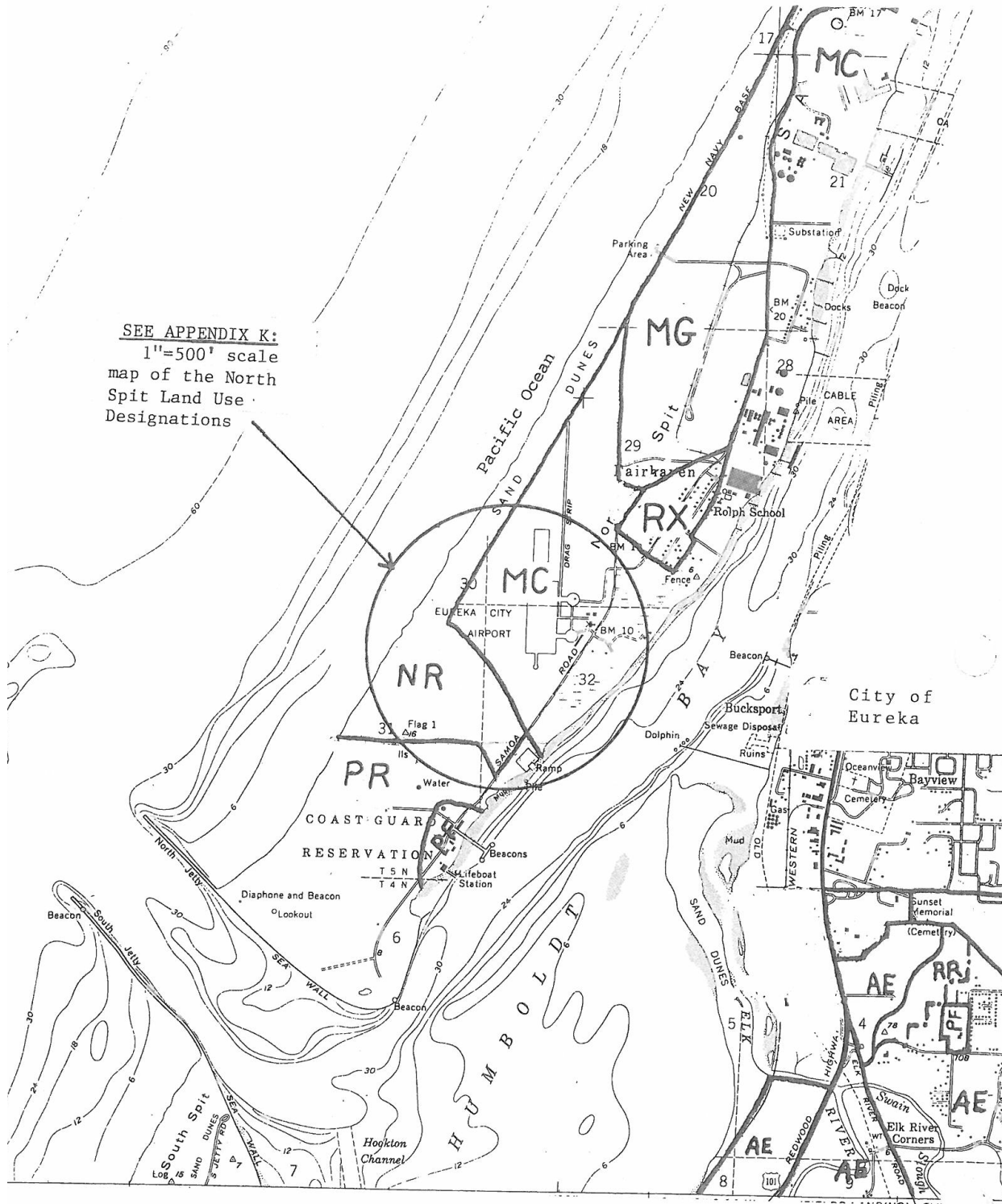
<b>URBAN</b>	
• — • — •	URBAN LIMIT LINE
RH	RESIDENTIAL/LOW DENSITY
RL	RESIDENTIAL/LOW DENSITY
RM	RESIDENTIAL/MEDIUM DENSITY
RV	URBAN RESERVE
CG	COMMERCIAL GENERAL
RE	RESIDENTIAL ESTATES
MG	INDUSTRIAL/GENERAL
MR	RESOURCE DEPENDENT
MC	INDUSTRIAL/COASTAL DEPENDENT
AG	AGRICULTURAL GENERAL
MB	BUSINESS PARK
NR	NATURAL RESOURCES
CR	COMMERICAL RECREATIONAL
PR	PUBLIC RECREATION
PF	PUBLIC FACILITIES
STMP-LUP	SAMOA TOWN MASTER PLAN LAND USE OVERLAY DESIGNATION
<b>RURAL</b>	
AE	AGRICULTURE EXCLUSIVE/PRIME LANDS
TC	TIMBER COMMERCIAL
RR	RURAL RESIDENTIAL
RX	RURAL EXURBAN
PF	PUBLIC FACILITY
PR	PUBLIC RECREATION
NR	NATURAL RESOURCES
CR	COMMERCIAL RECREATION
MG	INDUSTRIAL/GENERAL
MR	RESOURCE DEPENDENT
MC	INDUSTRIAL/COASTAL DEPENDENT
AEG	AGRICULTUREAL EXCLUSIVE GRAZING LANDS
STMP-LUP	SAMOA TOWN MASTER PLAN LAND USE OVERLAY DESIGNATION

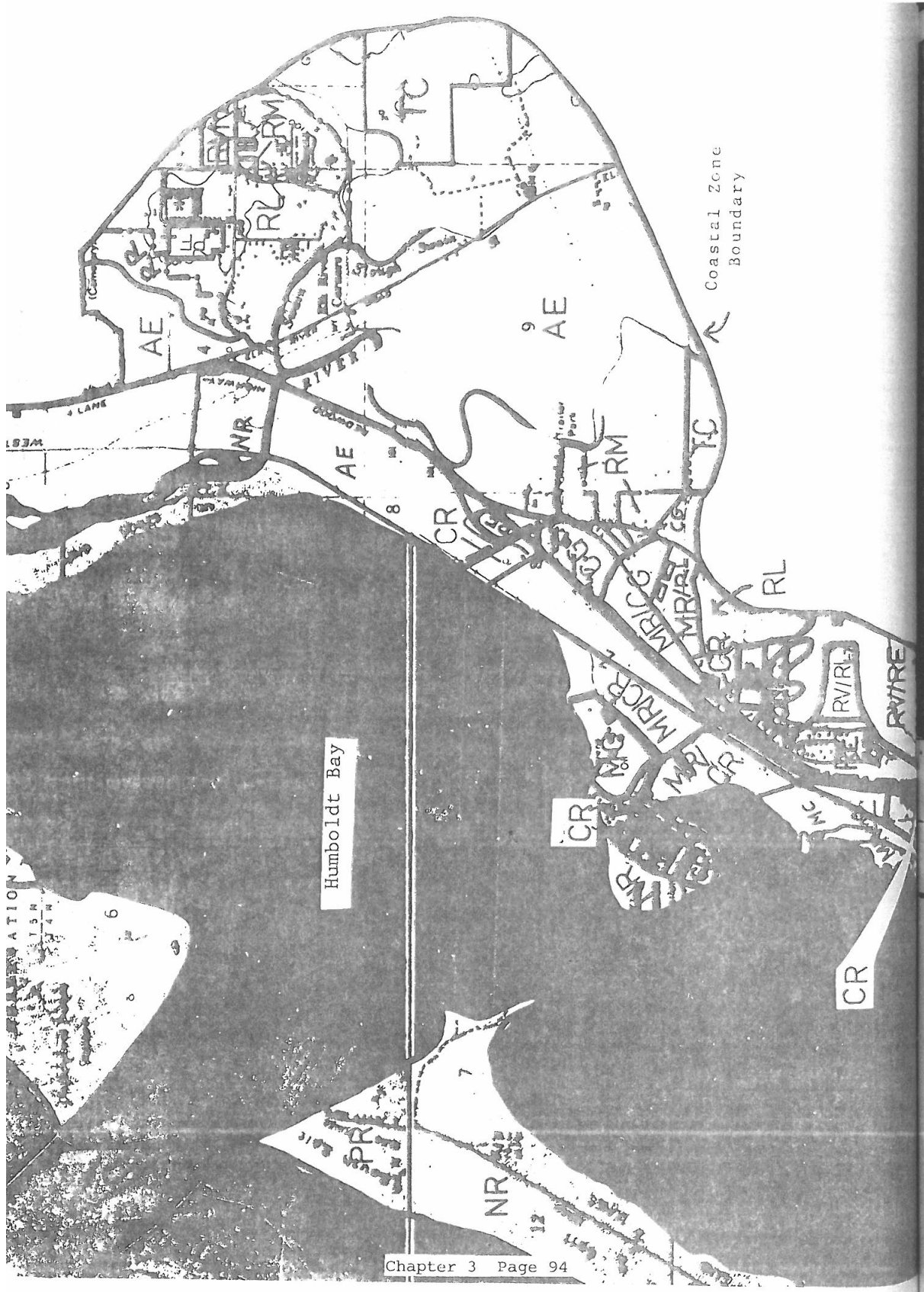


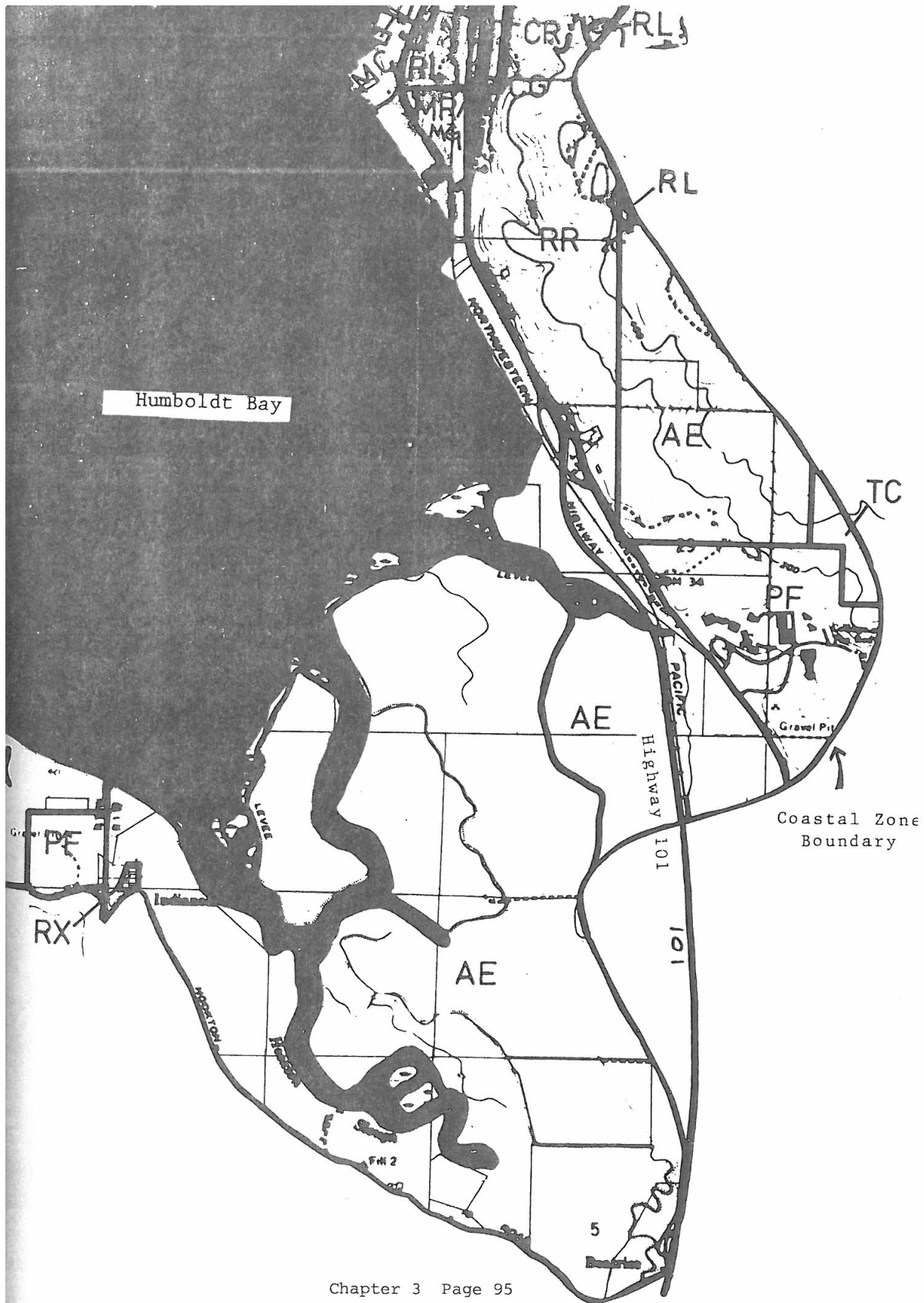




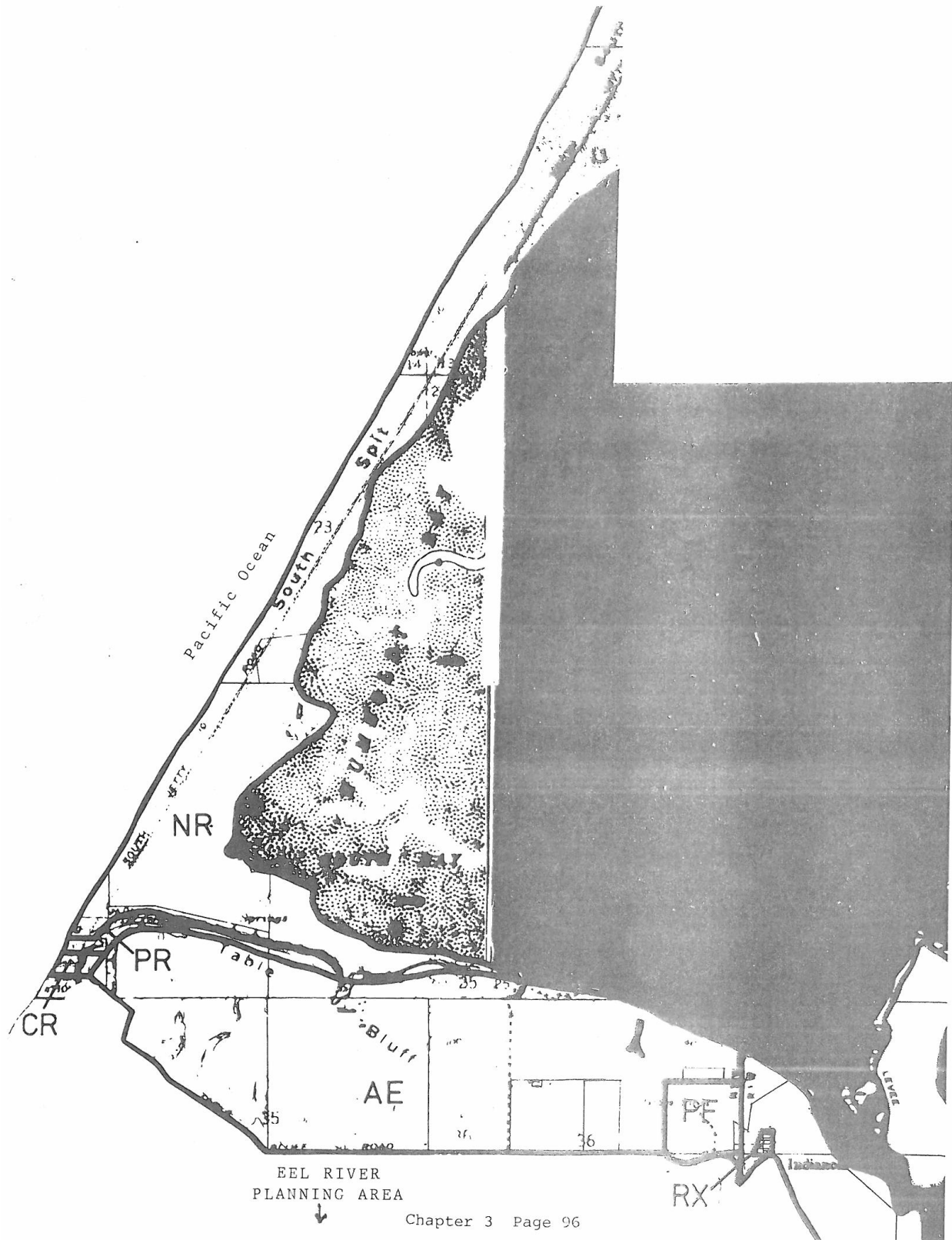










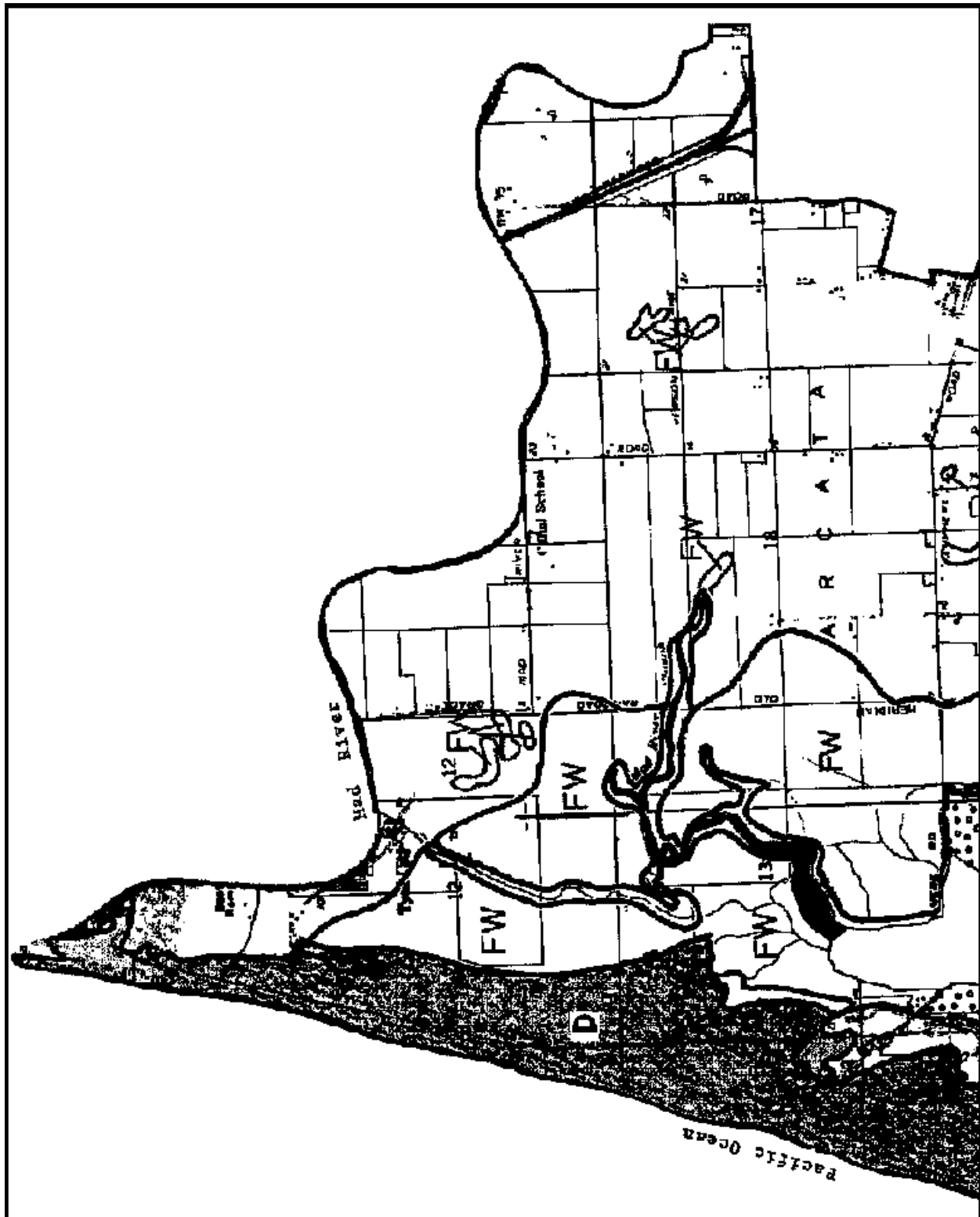


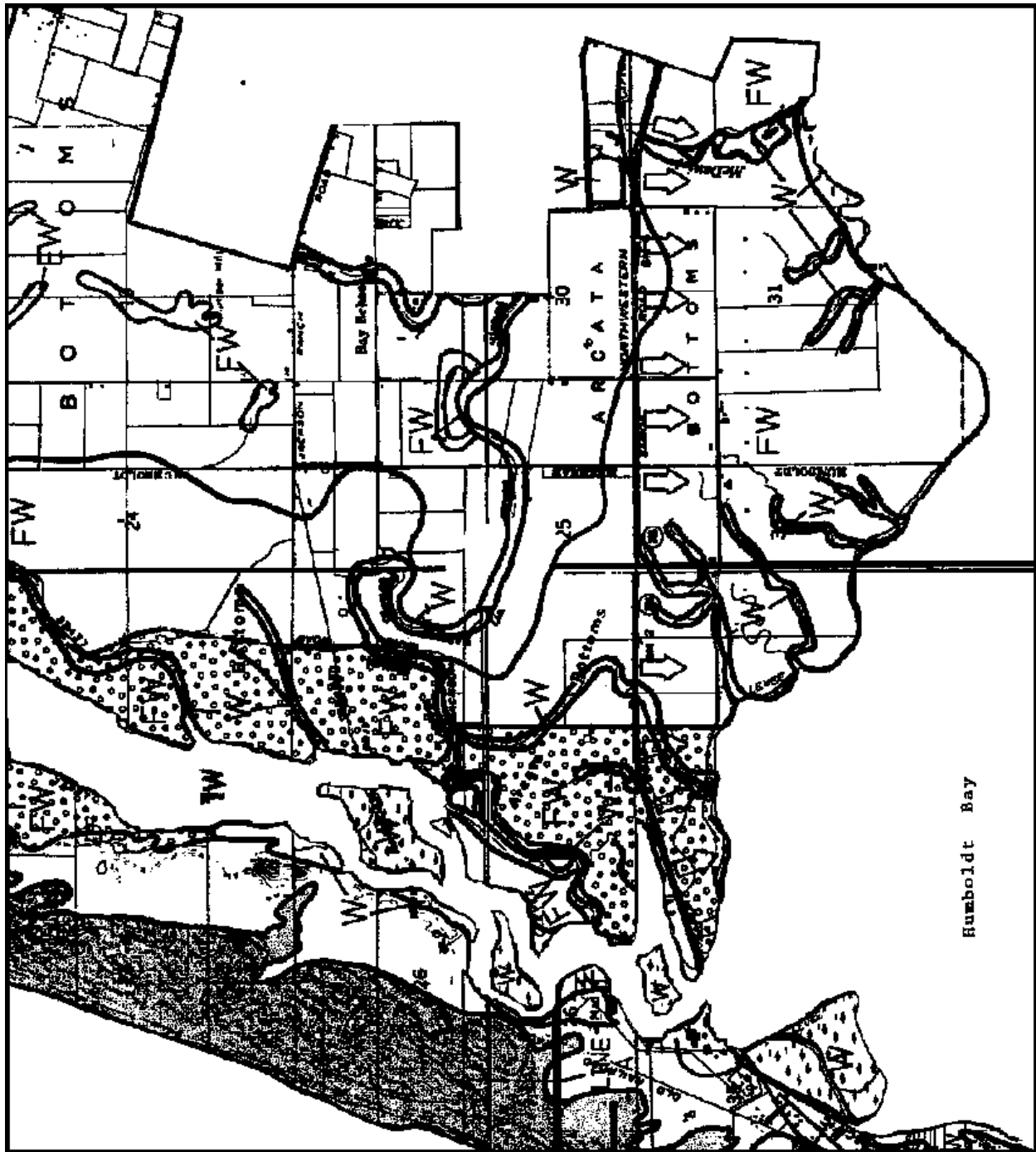
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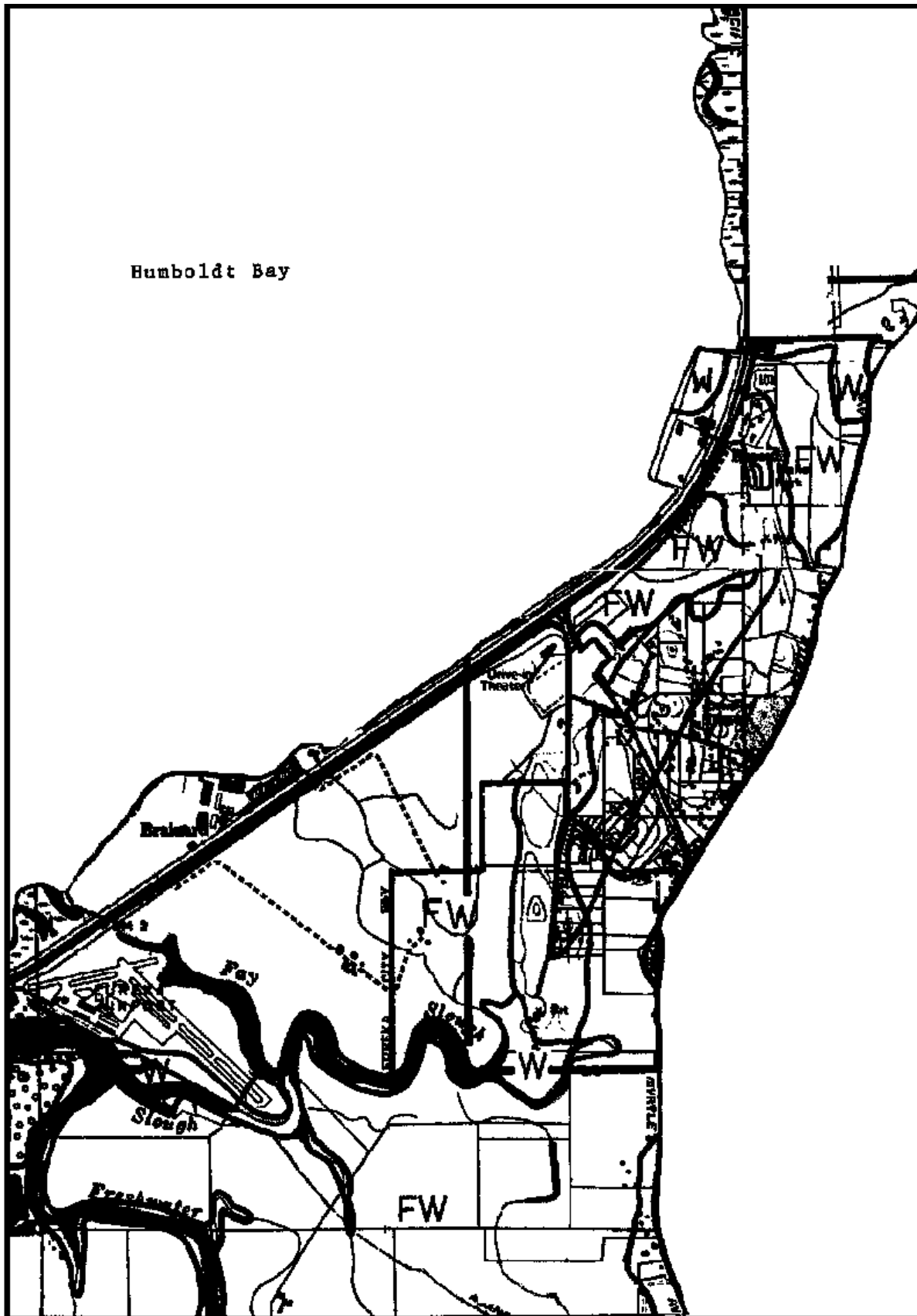


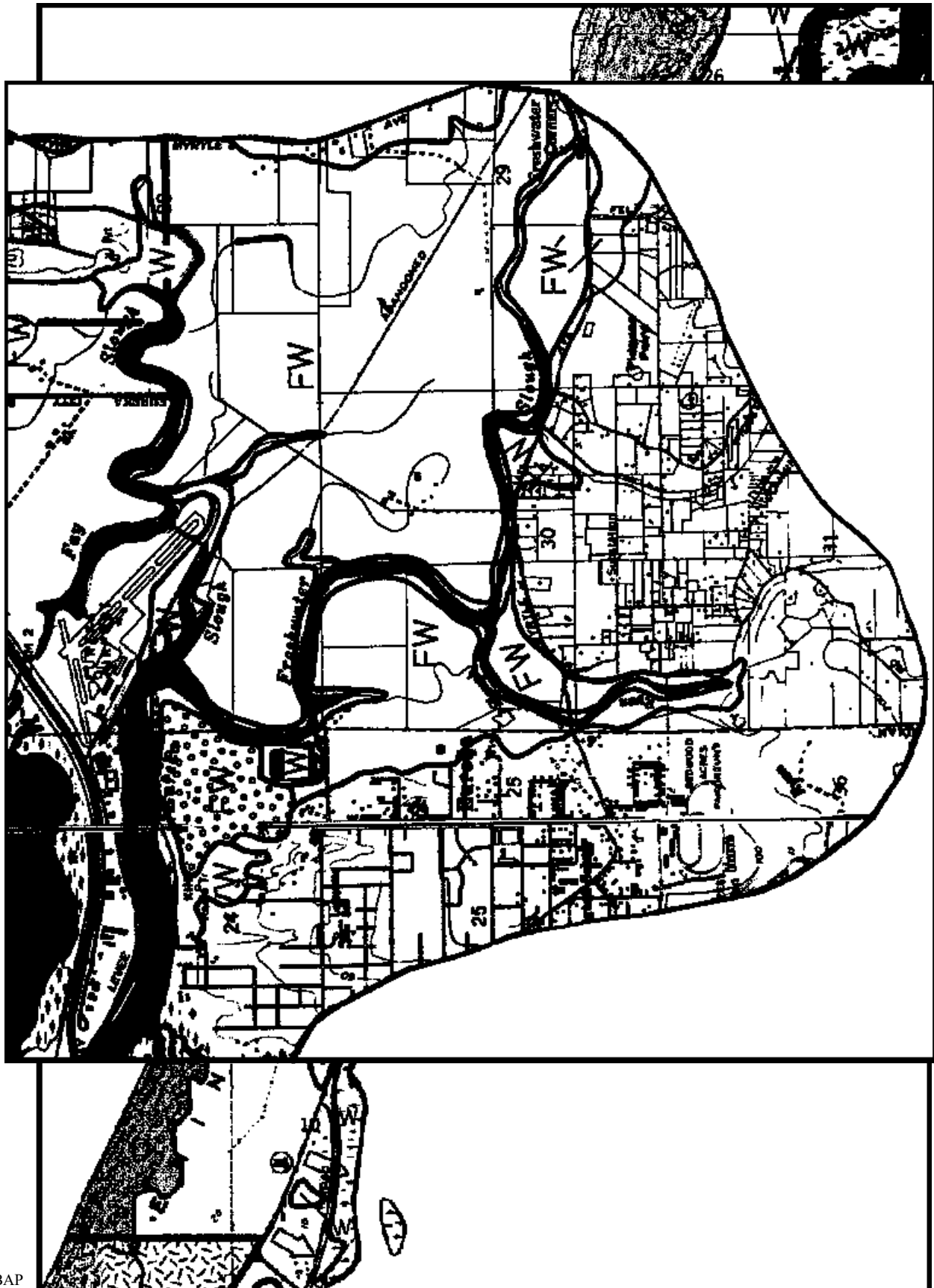
**B. PLAN RESOURCE PROTECTION**

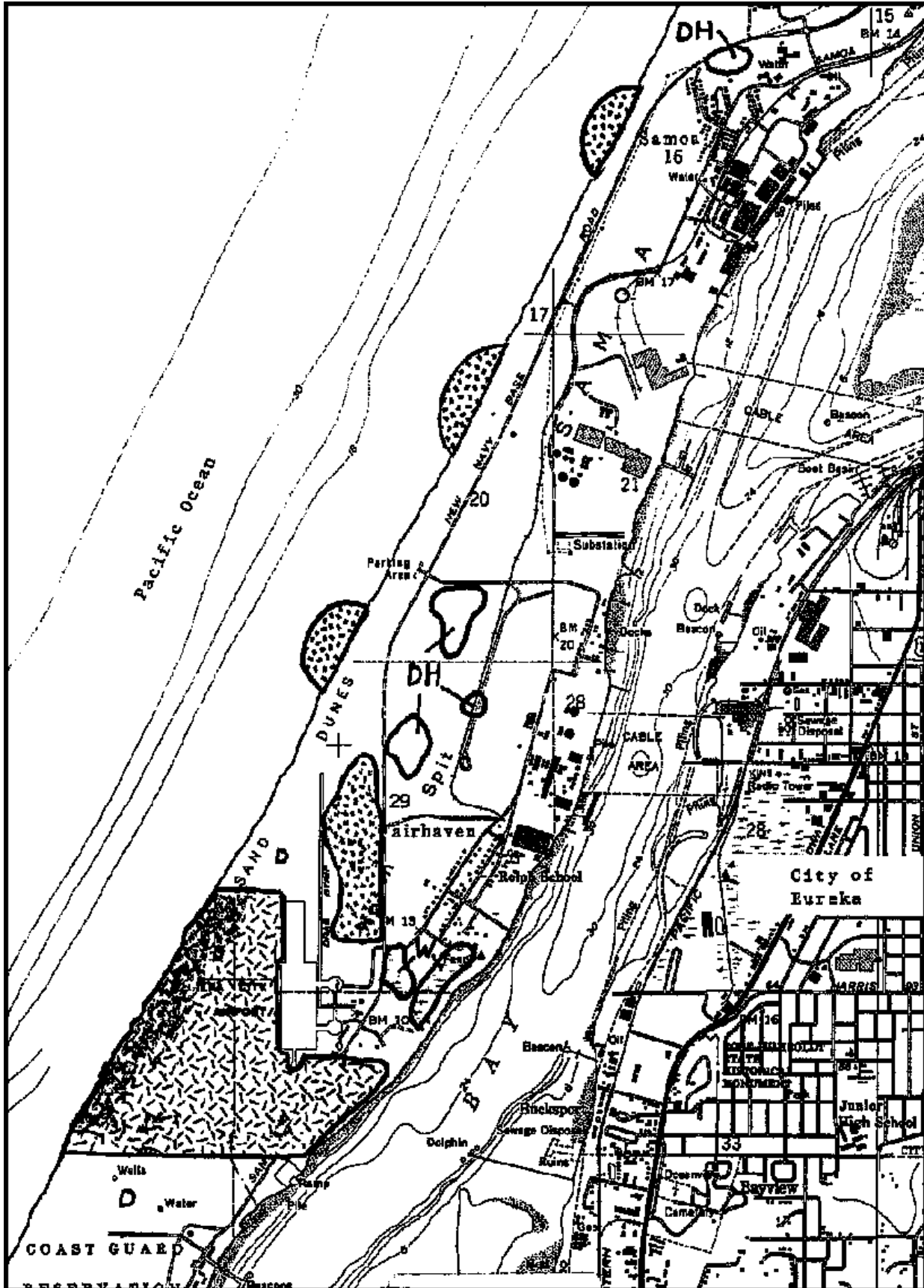
FW	FARMED WETLANDS
W	WETLANDS
CS	COASTAL SCENIC
	DUNE HABITAT
	COASTAL VIEW AREAS
	WETLAND RESTORATION STUDY AREA
	DREDGED SPOILS RESERVE AREA
DH	DUNE HOLLOW (WETLANDS)
	POTENTIAL DUNE HOLLOW RESTORATION AREAS



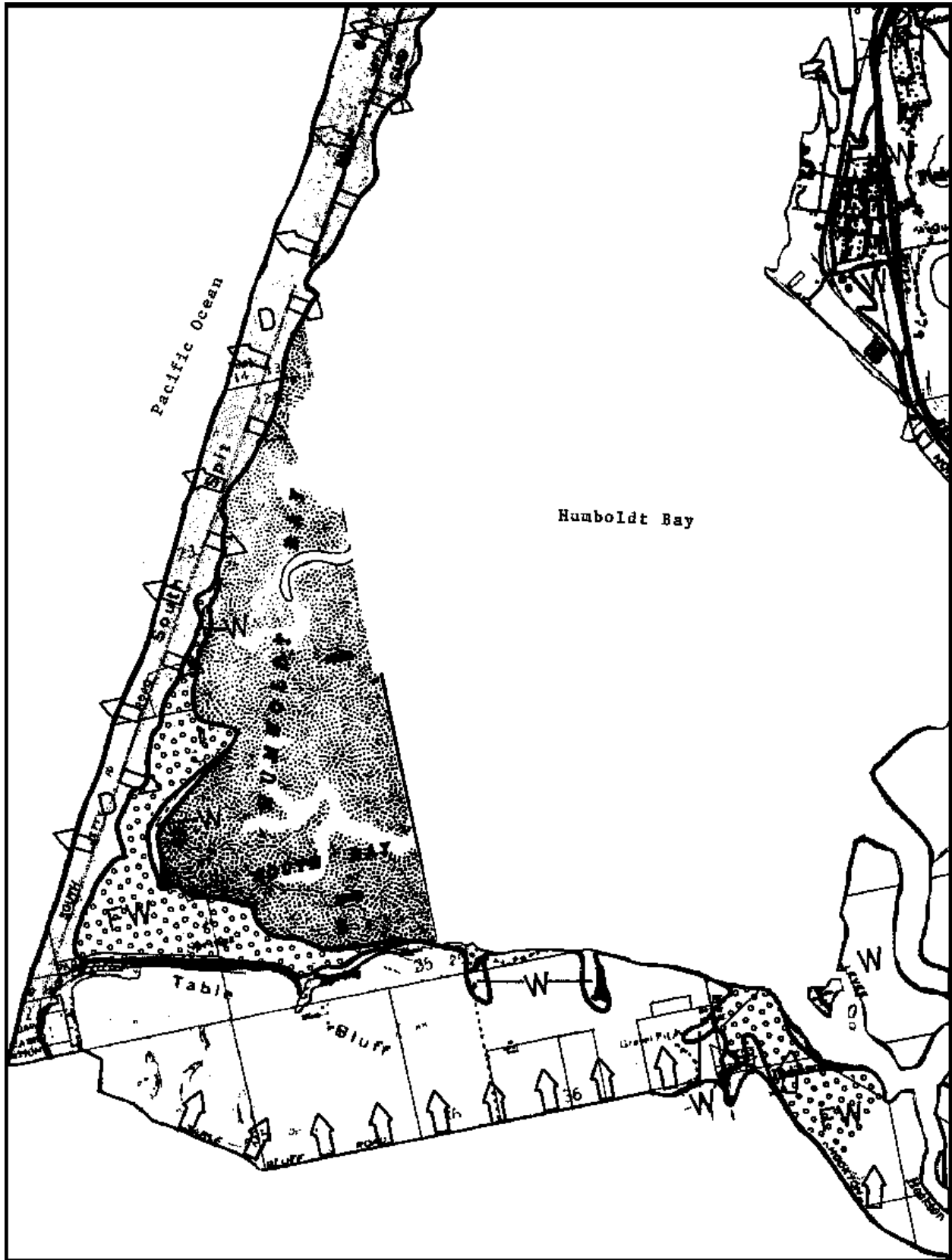












## CHAPTER 4

### STANDARDS FOR PLAN DESIGNATIONS

#### 4.10 INTRODUCTION

The Area Plan Land Use Maps indicate the planned principal use for all areas in the Coastal Zone. These planned uses are the basis on which zoning and subsequent development decisions are made; their intent is to guide the development of each area within the framework of community goals and objectives (Chapter 3 of the Area Plan) and the requirements of Public Resources Code section 30000 et seq., (the California Coastal Act of 1976).

On the maps, the planned principal uses – or planning designations are indicated by symbols; the key on the map indicates which symbol stands for which planning designation. In this chapter, the standards for permitted use are identified for each planning designation. While in some cases these standards are very specific, they are for the most part of a more general nature than the zoning standards, (these are found in the Coastal Zoning Ordinance). This is for a definite reason: the plan designations for an area indicate the type of development use which is permissible, while the zoning identifies the maximum potentially allowable level of development. Ordinarily only one zone will be compatible with a single plan designation, and any zoning adopted must conform with and be adequate to carry out the land use plan.

For each Urban and Rural land use designation, the purpose, principal use, conditional use, and as applicable, the maximum potentially allowable density are identified.

Oil and gas pipelines and electrical transmission lines are allowed in all land use designations, in accordance with Sections 3.14B (5) and (6), in both urban and rural areas, by conditional use permit. Surface mining and solid waste disposal projects are allowed in certain land use designations according to the policies of Sections 3.14B (9) and (10).

The Area Plan Land Use Maps for the area in the vicinity of Samoa show a Samoa Town Master Plan Land Use Designation Overlay (STMP-LUP). The STMP-LUP overlay designation provides standards that supplement the underlying land use designation of the lands to which the STMP-LUP is applied, and is intended to provide for the comprehensive planning and orderly restoration and development of the Samoa community. All uses and development policies for the principal land use designation shall apply to the lands subject to the STMP-LUP overlay designation except insofar as they are inconsistent with the uses and policies set forth in the STMP-LUP overlay designation.

Where a conflict arises between the policies of the STMP-LUP overlay designation and any other policies of the certified LUP, including the policies of Chapter 3, “Humboldt Bay Area Development and Resource Policies,” the policies of the STMP-LUP overlay designation shall take precedence.

The land use designations and zoning approved by the Commission with suggested modifications in its action on Humboldt County LCPA HUM-MAJ-01-08 shall not become effective unless and until the entirety of the legal parcel(s) containing APN 401-031-36, APN 401-031-38, APN 401-031-46, APN 401-031-55, APN 401-031-059, APN 401-031-65, and APN 401-031-44, generally depicted on Exhibit 25 and described as the Samoa Town Master Plan Land Use Plan (“STMP-LUP”) Overlay Area, excluding APN 401-031-67 which contains the Samoa Processing Center (recycling facility) owned by the Arcata Community Recycling Center (Master Parcel 1), are merged into one master parcel generally depicted on Exhibit 25 as Master Parcel 2. If all such property is not merged into Master Parcel 2 generally depicted on Exhibit 25, the entirety of the area generally depicted on Exhibit 25 and described as the Samoa Town

Master Plan Land Use Plan (“STMP-LUP”) Overlay Area will remain designated as General Industrial, Coastal Dependent Industrial and Natural Resources. If all such property is merged into Master Parcel 2 generally depicted on Exhibit 25, the land use designations and zoning approved by the Commission with suggested modifications in its action on Humboldt County LCPA HUM-MAJ-01-08 shall become effective upon both: (a) issuance of the coastal development permit for the merger consistent with the certified LCP and (b) recordation of a notice of merger consistent with the coastal development permit. If a legal lot containing any APN generally depicted on Exhibit 25 straddles the STMP-LUP boundaries generally depicted on Exhibit 25, the portion of the legal lot containing the APN outside the STMP Overlay Area boundary shall be included within the merger and become part of the immediately adjacent master parcel generally depicted on Exhibit 25. If the land use designations and zoning approved by the Commission with suggested modification in its action on Humboldt County LCPA HUM-MAJ-01-08 become effective, the Principal Permitted Use of any area subject to the STMP-LUP shall be determined in accordance with the designated Land Uses and in the patterns and locations generally shown on the certified STMP Land Use Map. No minimum or maximum number of lots shall be determined or authorized until or unless a coastal development permit for the comprehensive division of Master Parcel 2 has been approved and issued consistent with all applicable provisions of the certified LCP, including the STMP-LUP. (Amended by Res. 12-62 and Res. 12-63, 7/17/2012)

Density ranges described in land use designations may be exceeded by up to 35% to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses) in effect in 2006. Any housing development approved pursuant to Government Code Section 65915 shall be consistent with all applicable certified local coastal program policies and development standards. In reviewing a proposed density increase, the County shall identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources. The County shall only grant a density increase in the County determines that the means of accommodating the density increase proposed by the applicant does not have an adverse effect on coastal resources. If, however, the County determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, the County shall not grant the density increase. Density ranges may also be exceeded within Planned Unit Developments (PUD’s) up to 25% if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than 35% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. Also, a variety of housing types and a mixture of residential and commercial uses may be allowed to encourage affordable housing production under the provisions of State law referenced above, and in PUD’s to encourage the provision of extraordinary public benefits within subdivisions. (Added by Res. 114c 2/9/98, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07)

## **A. URBAN LAND USE DESIGNATIONS**

### **RH: RESIDENTIAL/HIGH DENSITY**

**PURPOSE:** to maximize effective use of limited urban lands and promote concentration of urban residential use where public services and overall community design make this both feasible and desirable.

**PRINCIPLE USE:** multiple-unit residential development for occupancy by individuals, groups or families, exclusive of mobile home developments.

**CONDITIONAL USES:** Hotels, motels, boarding houses, mobile home development, single family residences, and neighborhood commercial. (Amended by the Board of Supervisors, Resolution 85-65; effective certification 11/25/85).

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials (Amended by Res. No. 85-55).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures (Amended by Res. No. 85-55).

**RM: RESIDENTIAL/MEDIUM DENSITY**

**PURPOSE:** to make effective use of limited urban land and provide areas for residential use of mobile homes in urban areas, consistent with availability of public services.

**PRINCIPAL USE:** duplex, multiple unit and mobile home residential development for occupancy by individuals or families.

**CONDITIONAL USES:** same as RH, plus guest houses, office and professional private institutions, and neighborhood commercial (Amended by the Board of Supervisors, Res. Nos. 85-55 and 85-65; effective certification 11/25/85).

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials). (Amended by Res. No. 85-55)
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures. (Amended by Res. No. 85-55)

**GROSS DENSITY:** 8-30 units per acre.

**RL: RESIDENTIAL/LOW DENSITY**

**PURPOSE:** to allow the development of homeowner residential uses making conservative use of urban land where adequate services are available

**PRINCIPAL USE:** detached single family residences.

**CONDITIONAL USES:** private institutions, private recreation facilities, and neighborhood commercial (Amended by the Board of Supervisors Resolution 85-65; effective certification 11/25/85).

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials). (Amended by Res. No. 85-55)
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures. (Amended by Res. No. 85-55)

**GROSS DENSITY:** 3-7 units per acre.

**RE: RESIDENTIAL ESTATES**

PURPOSE: to allow residential development of areas within Urban Limits where community objectives, including resource protection, limit density of potential development, but where urban services are required.

PRINCIPAL USE: detached single-family residences.

CONDITIONAL USES: same as RL.

GROSS DENSITY: 0-2 units per acre.

**RV: URBAN RESERVE**

PURPOSE: to protect from premature subdivision and development urban lands not now developed to urban densities or adequately provided with urban services but expected to develop to urban uses and densities when services are available.

PRINCIPAL USE: open space uses including agriculture and timber production while services are unavailable or if specifically planned for urban uses, when services become available, those uses permitted under that respective designation if the development can satisfy on-site water and wastewater requirements.

CONDITIONAL USE: same as those associated with the designated principle permitted use.

GROSS DENSITY: 0-1 unit per acre/or if specifically planned the density indicated under that specific urban plan designation.

**CG: COMMERCIAL GENERAL**

PURPOSE: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well being and convenience of the community.

PRINCIPAL USE: retail sales, retail services, office and professional uses.

CONDITIONAL USES: hotels, motels.

**CR: COMMERCIAL RECREATIONAL**

PURPOSE: to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

PRINCIPAL USE: commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.15.

CONDITIONAL USES: single-family house on existing lots, a caretaker's residence, and apartment on the upper floor of multi-story structures.

**MG: INDUSTRIAL/GENERAL**

PURPOSE: to protect sites suitable for the development of general industrial uses.

PRINCIPAL USE: light and general manufacturing, warehousing and wholesaling, research and development.

**CONDITIONAL USES:** heavy manufacturing, drilling and processing of oil and gas, agricultural-general uses, heavy commercial uses, sand and gravel extraction, electrical generating and distribution facilities, animal and fish reduction plants.

**MC: INDUSTRIAL/COASTAL-DEPENDENT**

**PURPOSE:** to protect and reserve parcels on or near the sea for industrial uses dependent on, or related to, the harbor.

**PRINCIPAL USE:** any coastal-dependent industrial use that requires access to a maintained navigable channel in order to function, including, but not limited to: public docks, water-borne carrier import and export operations, ship building and boat repair, commercial fishing facilities, including berthing and fish receiving, and fish processing when product is for human consumption (fish waste processing and fish processing of products for other than human consumption are considered coastal-related uses) marine oil terminals, OCS service or supply bases, ocean intake, outfall or discharge pipelines and pipelines serving offshore facilities, aquaculture and aquaculture support facilities.

**CONDITIONAL USES:** visitor-serving recreational facilities that require channel access, including, but not limited to marinas serving other than solely commercial vessels, fishing piers, and boat launching facilities; coastal-related industrial uses, including, but not limited to fish waste processing and fish processing and treatment facilities, electrical generating facilities or other facilities which require an ocean intake, outfall, or pipeline. Such facilities shall not be sited on sites with channel access unless associated with a terminal. Alterations, improvements, and relocations of existing general industrial uses within the MC designation. Interim uses that will allow for greater use of underutilized MC lands while at the same time avoiding impacts to their long term coastal-dependent industrial use and other priority uses conditionally permitted on MC designated lands, including for visitor-serving recreational facilities that require channel access and coastal-related industrial uses.

**MR: RESOURCE DEPENDENT**

**PURPOSE:** to protect coastal wetlands and to provide for the development of upland areas consistent with resource protection, and where feasible, resource enhancement.

**PRINCIPAL USE:** resource-dependent activities, including, but not limited to, aquaculture, wetland restoration projects carried out under Coastal Act Section 30233 a (7), nature study facilities, and minor alterations or repairs to existing structures.

**CONDITIONAL USES:**

- a. Uses specified in Section 30233 a (1) and (5) of the Coastal Act. (This includes: new or expanded port, energy, and coastal-dependent facilities and incidental public service purposes such as burying cables, pipes, etc.)
- b. Permitted uses in transitional agricultural lands.
- c. On uplands only, uses permitted in residential, commercial recreation, commercial general, natural resource and coastal-dependent industrial land use designations as indicated by the Land Use Maps. No division of land shall be permitted which would separate uplands from wetlands unless part of a wetland restoration project as described in 'd', below. Dedication of easements for conservation and restoration of any wetlands on the parcel shall be encouraged.

Whenever development over planned densities is permitted, as described in the density bonus policies of the plan Section 3.16B 2 the project shall include irrevocable offers to dedicate an easement for conservation and restoration of all wetlands on the parcel.

- d. In degraded wetlands identified by the Department of Fish and Game pursuant to Section 30411 of the Coastal Act, wetland restoration projects which consolidate areas of upland or wetland in order to restore or enhance wetland habitats, provided that:
  - i. Any such project be carried out as a planned unit development which includes wetland buffer policies as specified in Section 3.30B 6 of the land use plan, and shall include offers of dedication of easements for restoration and enhancement of any wetlands resulting from the project (except where the resulting wetlands are already owned by a public agency or appropriate non-profit organization.)
  - ii. Use of an uplands shall be limited to uses permitted in the residential, commercial (including boating facilities), or industrial designations of the land use plan. Use of any uplands resulting from such a project shall give priority to visitor-serving commercial uses over general industrial, general commercial, or residential development.
  - iii. The resulting wetland acreage shall be at least equal to that which existed before the project.

**PF: PUBLIC FACILITY**

PURPOSE: to protect sites appropriate for the development of public and private sector civic service facilities.

PRINCIPAL USE: essential services including fire and police stations, hospitals and schools; public and private facilities including offices, libraries, cemeteries and clinics, but not including sites or facilities for the storage or processing of materials or equipment.

**PR: PUBLIC RECREATION**

PURPOSE: to protect publicly owned lands suitable for recreational development or resource protection.

PRINCIPAL USE: public recreation and open space (per Section 3.25).

CONDITIONAL USES: caretaker dwellings, maintenance buildings.

**AG: AGRICULTURAL/GENERAL**

PURPOSE: to protect agricultural lands with Urban Limits for continued agricultural use where such lands are economically viable, compatible with the development of urban uses and most reasonable included within Urban Limits.

PRINCIPAL USE: production of agricultural crops with a residence incidental to this use.

CONDITIONAL USES: hog production, watershed management, management for fish and wildlife habitat, recreation (exclusive of those requiring non-agricultural development), utility transmission lines, farm labor housing, and timber harvesting.

GROSS DENSITY: 2 1/2 acre minimum.

**MB: BUSINESS PARK**

PURPOSE: To provide sites suitable for hazard and nuisance-free mixed business development designed in a park-like environment compatible with the resources of a coastal setting, including light industrial, research and development, administrative and business and professional offices, and accessory warehousing and storage facilities. Coastal Business Parks shall emphasize green spaces and incorporate parking areas in a manner that is visually subservient to the structures and landscape elements. Coastal Business Parks shall be designed to limit energy use and vehicle miles traveled, and shall be located where served by public and non-motorized transportation.

PRINCIPAL USE: Mixed business development that includes compatible administrative, business, and professional offices, and research and development within individual structures limited to a maximum of 10,000 square feet. A limited amount of accessory warehouse and storage facilities may be included if subservient in size and location to the primary facility within the Coastal Business Park and leased or owned by the same entity as the primary facility.

CONDITIONAL USES: (a) Mixed business development that includes compatible administrative, business, and professional offices, and research and development within individual structures greater than 10,000 square feet, (b) light industrial, and (c) small-scale retail sales and service enterprises occupying less than 10,000 square feet, maximum, primarily for the support of other Coastal Business Park uses or when incidental to and supportive of the principal use, and designed in a manner that is visually and proportionally subservient to the scale and composition of the primary use. Retail enterprises that would attract a majority of customers from outside of the Coastal Business Park shall not be permitted. Individual structures shall be limited to a maximum of 10,000 square feet with the following exception: a maximum of two structures within the business park may be sized up to 20,000 square feet. (Amended by Res. 12-62 and Res. 12-63, 7/17/2012)

**NR: NATURAL RESOURCES (URBAN)**

PURPOSE: To protect, preserve, and enhance fish, wildlife, native plant habitat, and environmentally sensitive habitat areas in close proximity to urban development and to provide opportunities for passive recreational and interpretive opportunities.

PRINCIPAL USES: Habitat conservation, restoration, and enhancement activities.

CONDITIONAL USES: Repair, maintenance, and replacement of existing public infrastructure within the same location. Improvement of boating facilities consistent with Section 3.50 of the Humboldt Area Plan, designated open-air (unimproved) tsunami evacuation sites and warning sirens, and including minor pathways and incidental signage associated with tsunami evacuation routes, passive recreational uses, and educational and interpretive features designed to educate the public about sensitive species and ecosystems. All uses and development shall be designed to limit disturbance within natural resource areas. (Amended by Res. 12-62 and Res. 12-63, 7/17/2012)

**B. RURAL PLAN DESIGNATIONS**

(The standards below apply outside Urban Limits as shown in the Area Plan.)

**RX: RESIDENTIAL/EXURBAN**

PURPOSE: to allow development of rural community neighborhoods not depending on urban levels of service.

PRINCIPAL USE: residential single-family with neighborhood commercial services as allowed by Section 3.28C of this document.

GROSS DENSITY: see Section 3.21B for a gross density for each specific geographical area.

**RR: RURAL RESIDENTIAL**

PURPOSE: to allow residential use of rural lands not permanently designated for resource protection and not suitable for rural community neighborhood development.

PRINCIPAL USE: residential.

CONDITIONAL USES: production of food, fiber or plants.

GROSS DENSITY: see Section 3.21B for a gross density for each specific geographical area.

**AE: AGRICULTURE EXCLUSIVE/PRIME AND NON-PRIME LANDS**

PURPOSE: to protect prime and non-prime agricultural lands for long term productive agricultural use.

PRINCIPAL USE: production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, and the principle uses permitted under TC; ancillary development such as barns, storage sheds, and similar agricultural structures.

CONDITIONAL USES: hog production, watershed management, management for fish and wildlife habitat, recreation (such as hunting camps and stables except those requiring non- agricultural development), utility transmission lines, farm labor housing, greenhouses, feed lots and similar confined livestock operations.

GROSS DENSITY: 60-acre minimum parcel size, except that divisions to 20 acres may be permitted where the parcel is subject to an Agricultural Preserve contract and rezoning (see Section 3.24).

**AEG: AGRICULTURE EXCLUSIVE/GRAZING LANDS**

PURPOSE: to protect coastal grazing lands for long-term productive grazing use.

PRINCIPAL USE: production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, and principle permitted uses under TC.

CONDITIONAL USES: same as AE.

GROSS DENSITY: 160-acre minimum parcel size as permitted by Section 3.24C & E.

**TC: COASTAL COMMERCIAL TIMBERLAND**

PURPOSE: to protect productive timberlands for long-term production of merchantable timber.

PRINCIPAL USE: timber production including all necessary site preparation, road construction and harvesting, and residential use incidental to this use as provided in Section 3.23 of this document, and principle uses permitted under AE, except second dwelling.

**CONDITIONAL USES:** management of watershed, management for fish and wildlife, utility and transmission lines, second dwellings, temporary labor camps, permanent timber processing plants for commercial processing of wood and wood products.

**GROSS DENSITY:** 160-acre minimum, except that with a joint timber management plan parcels to 40 acres may be created.

**NR: NATURAL RESOURCES**

**PURPOSE:** to protect and enhance valuable fish and wildlife habitats, and provide for public and private use of their resources, including hunting, fishing and other forms of recreation.

**PRINCIPAL USE:** management for fish and wildlife habitat.

**CONDITIONAL USES:** wetland restoration, development of hunting blinds and similar minor facilities, improvement of boating facilities in estuaries consistent with Section 3.50 of the plan, accessway development and improvement and removal of trees for firewood, disease control and public safety purposes. Uses as per Sections 3.30B 4 & 3.30B 11.

**CR: COMMERCIAL RECREATION**

**PURPOSE:** to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors in the area.

**PRINCIPAL USE:** commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.27 of this document.

**CONDITIONAL USES:** single-family house on existing lots, a caretaker's residence, and apartments on the upper floor of multi-story structures.

**GROSS DENSITY:** maximum density of twelve overnight units per gross developed acre.

**PR: PUBLIC RECREATION**

**PURPOSE:** to protect publicly owned lands suitable for recreational development or resource protection.

**PRINCIPAL USE:** public recreation and open space (per Section 3.27).

**COMPATIBLE USES:** caretaker dwellings, maintenance buildings.

**PF: PUBLIC FACILITY**

**PURPOSE:** to protect appropriate sites for essential public services most appropriately located in rural areas.

**PRINCIPAL USE:** utility substations, schools, and other essential public services most appropriately located in rural areas.

**MG: INDUSTRIAL/GENERAL** (Same as Urban Plan Designations)

**MC: INDUSTRIAL/COASTAL-DEPENDENT** (Same as Urban Plan Designations)

**MR: RESOURCE DEPENDENT** (Same as Urban Plan Designations)

**STMP-LUP: SAMOA TOWN MASTER PLAN LAND USE DESIGNATION OVERLAY**

**PURPOSE and GENERAL PROVISIONS:**

The purpose of the Samoa Town Master Plan Land Use Designation Overlay (STMP-LUP) is to provide for the comprehensive planning and orderly restoration and further development of the Town of Samoa. Coastal development permit approvals for development within the lands subject to the STMP-LUP shall only be authorized if the following requirements are met in addition to any other applicable requirements of the certified Local Coastal Program. Development within the STMP-LUP shall only be authorized if the decision-making authority adopts specific findings of consistency with the following numbered policies and provisions and all other applicable requirements of the certified LCP.

**Locating New Development; Community Infrastructure; Cumulative Impacts  
STMP (New Development)**

Policy 1 (Phasing of Development)

The authorization and subsequent development of the lands subject to the STMP-LUP shall proceed in the following sequence:

STMP (New Development) Policy 1A (Phasing of Development) – Merger into Master Parcel.

- I. Preliminary Merger of the Samoa lands excluding the Samoa Processing Center (APN 401-031-67) into a maximum of one parcel, prior to Master Subdivision of that parcel:
  - A. Prior to any other development, the landowner shall obtain a Subdivision Map Act approval and Coastal Development Permit (CDP), to merge the entirety of the legal parcel(s) containing APN 401-031-36, APN 401-031-38, APN 401-031-46, APN 401-031-55, APN 401-031-059, APN 401-031-65, and APN 401-031-44, generally depicted on Exhibit 25, excluding APN 401-031-67 which contains the Samoa Processing Center (recycling facility) owned by the Arcata Community Recycling Center (Master Parcel 1), into one master parcels generally depicted on Exhibit 25 as Master Parcel 2. The lands comprising Master Parcel 2 shall be held as one undivided parcel, regardless of the physical separation of the subject lands by the parcels containing New Navy Base Road, the railroad corridor owned by the North Coast Railroad Authority, or any other easement or interest that may affect the subject lands, and the deed describing Parcel 2 shall specify this condition.
  - B. Unless evidence that any needed approvals for establishing and/or maintaining railroad crossings necessary to serve Master Parcel 1 has been obtained and submitted with the Coastal Development Permit Application for the merger, an easement in favor of Master Parcel 1, not less than 40 feet wide, for the purpose of ingress and egress without the need to cross at any point the railroad corridor parcel owned by the North Coast Railroad Authority (NCRA) or successor-in-interest, across the lands comprising Master Parcel 2, shall be granted by the owner of Master Parcel 2. The subject access easement shall be surveyed, mapped and recorded as a condition of the CDP authorizing the merger of the subject lands, and shall be located within the alignment of the proposed Vance Road or other main through-street alignment through Samoa, and shall not impair ordinary use of the subject street upon completion of the master subdivision for the overall town development. The easement across Master Parcel 2 for the benefit of Master Parcel 1 shall not be

extinguished or otherwise restricted from use by Master Parcel 1 until or unless (1) the owner of Parcel 1 obtains a permit from the NCRA or its successor-in-interest and from the California Public Utilities Commission (CPUC) for more direct access to Master Parcel 1 from New Navy Base Road via the presently unpermitted railroad crossing or an alternative easement providing equivalent access across Master Parcel 2 is provided by the owners of Master Parcel 2.

- C. The merger into Master Parcel 2 of all lands subject to the STMP-LUP excluding APN 401-031-67 which contains the Samoa Processing Center (recycling facility) owned by the Arcata Community Recycling Center (Master Parcel 1), i.e. the entirety of the legal parcel(s) containing APN 401-031-036, APN 401-031-38, APN 401-031-46, APN 401-031-55, APN 401-031-059, APN 401-031-65, and APN 401-031-44, generally depicted as Master Parcel 2 on Exhibit 25 shall encompass all such property regardless of the legality of any parcels or lots within the STMP-LUP overlay area, and regardless of whether Certificates of Compliance (conditional or unconditional) or other authorizations have been issued for any of these parcels or lots in the past, and shall fully expunge and extinguish all development rights that may have existed under any prior land division, lot line adjustment, or transmittal by whatever description may have been used. No remainder parcels may be created. If a legal lot containing any APN generally depicted on Exhibit 25 straddles the STMP-LUP boundaries generally depicted on Exhibit 25, the portion of the legal lot containing the APN outside the STMP Overlay Area boundary shall be included within the merger and become part of the immediately adjacent Master Parcel 2 as generally depicted on Exhibit 25.
- D. The following information shall be included as filing requirements of the Coastal Development Permit Application for the merger:
1. Evidence that the entirety of the legal parcel(s) containing APN 401-031-36, APN 401-031-38, APN 401-031-46, APN 401-031-55, APN 401-031-059, APN 401-031-65, and APN 401-031-44, generally depicted on Exhibit 25 are being merged, including, but not limited to, chain of title information, chain of lot creation information, Subdivision Map Act approvals, and Coastal Development Permit approvals.
  2. Evidence that all necessary authorizations from the North Coast Railroad Authority (NCRA) or its successor-in-interest, and authorization from the California Public Utilities Commission (CPUC) for ingress and egress across the railroad corridor traversing the lands subject to the STMP-LUP in all locations necessary to ensure a complete circulation and access plan for the Samoa lands, including the lands designated for Coastal Dependent Industrial Use and the lands containing the Samoa Cookhouse and totaling approximately five (5) acres shall be submitted as a filing requirement of the Coastal Development Permit Application for the merger.
  3. Evidence that the land area needed for proposed wastewater treatment and discharge facilities, the town's corporate yard, and the town's water storage facilities needed to serve build-out of the STMP Overlay area can be accommodated within the portions of the STMP Overlay area designated and zoned for Public Facilities under LCP Amendment HUM-MAJ-1-08 shall be submitted as a filing requirement of the Coastal Development Permit Application for the merger. If the facilities needed to serve build-out of the STMP Overlay area cannot be accommodated within the portions of the STMP Overlay area designated and zoned for Public Facilities, evidence that an amendment of the LCP to accommodate the larger area needed for the facilities has been obtained shall be submitted as a filing requirement of the Coastal Development Permit Application for the merger.

- E. The merger into Master Parcel 2 of all lands affected by subject to the STMP-LUP excluding APN 401-031-67 which contains the Samoa Processing Center (recycling facility) owned by the Arcata Community Recycling Center (Master Parcel 1), i.e. the entirety of the legal parcel(s) containing APN 401-031-036, APN 401-031-38, APN 401-031-46, APN 401-031-55, APN 401-031-059, APN 401-031-65, and APN 401-031-44, generally depicted as Master Parcel 2 on Exhibit 25 shall include conditions incorporating the following requirements:
1. Prior to issuance of the coastal development permit for the merger into Master Parcel 2 as generally depicted on Exhibit 25 and prior to recordation of the Notice of Merger for the merger into Master Parcel 2 as generally depicted on Exhibit 25, the landowner shall provide copies to the County, of the complete records of all characterization, remedial action plans and implementing work plans, and other requirements of reviewing agencies including, as applicable, Humboldt County Environmental Health Department, State Regional Water Quality Control Board, State or Federal Environmental Protection Agency, State Department of Toxic Substances Control, or any other state or federal agency or local government department with review authority over the soil and groundwater contamination status and remediation of the Samoa Town lands establishing the Samoa Town Master Plan - Master Parcels and these records shall be retained by the County and available for public inspection until the pertinent appeal period, if any, for the subject Coastal Development Permit has ended. Whether or not an appeal to the Coastal Commission is filed, the County staff shall either permanently store as public records the collected records required herein, or shall provide the subject collected records to the Coastal Commission for retention. This requirement shall additionally apply in full to any future Coastal Development Permit or Coastal Development Permit Amendment associated with the subject STMP-LUP lands. The pertinent records collected and stored by the County and transferred to the Coastal Commission shall include at a minimum the following:
    - (a) The complete record of detection of contamination of soils, surface, or groundwater disclosed by the previous landowner(s) to the landowner/developer (Samoa Pacific Group) at the time of auction/purchase of the subject Samoa lands; and
    - (b) A complete record of all subsequent site investigations (whether of soils, ground or surface waters) undertaken to characterize the soil and groundwater contamination present, including maps of sampling locations, documentation of chain of custody, and associated laboratory test results, analyses, conclusions, and correspondence of the landowner/developer with applicable regulatory agencies with review authority over the soil and groundwater contamination status of the STMP lands; and
    - (c) A complete record of the approved Remedial Action plans and any amendments or revisions to the approved Remedial Action Plans authorized by the State of California Regional Water Quality Control Board (RWQCB); and
    - (d) A complete record of the approved Final Work Plans authorized by the RWQCB to implement the Remedial Action Plans, and any amendments or revisions to the approved Work Plans authorized by the RWQCB; all reports or records of testing or monitoring of ground or surface waters or soil and all remediation actions undertaken in reliance on the direction of the RWQCB or other agency with regulatory oversight of the subject lands whether through RWQCB processes listed herein or through any other authority; and evidence of the implementation status of any remedial measures required by the RWQCB.

2. Prior to issuance of the coastal development permit for the merger into Master Parcel 2 and prior to recordation of the Notice of Merger for the merger into Master Parcel 2, the landowner(s) of Master Parcel 2 shall execute and record, free and clear of all prior liens and encumbrances, against the title of the subject parcels, and provide a copy of such recordation authenticated by the County Recorder for retention in the permanent Coastal Development Permit file, the following deed restrictions:
  - (a) Deed restriction disclosing the nature and location of any contamination detected in soils or surface or groundwater within the subject lands, including a map of the contaminated locations, the identities of previous landowners and descriptions of activities that may have contributed to such contamination in the past, and a list of the documents on file with the Coastal Development Permit for the establishment of the Master Parcels pursuant to Subparagraph A(1) above; and
  - (b) Deed restriction disclosing all requirements of the RWQCB or other applicable authority (such as the County Department of Environmental Health or the State Department of Toxic Substances Control) concerning the underlying soil and groundwater contamination or other hazardous waste-related status of the subject lands, including any requirements for cleanup, stabilization, management, monitoring, reporting, or other actions required by the pertinent authority; and
  - (c) Deed restriction disclosing that any further division or other development of any of the STMP-LUP lands is subject to the requirements of the certified Humboldt County LCP, including, but not limited to the requirements of the STMP-LUP overlay designation; and
  - (d) Deed restriction setting forth the following disclosures,
    - i. Disclosure that the lands situated within Master Parcel 2 are subject to extraordinary hazards posed by earthquake and tsunamis, and by future sea level rise, which may also increase the risks posed by coastal erosion, storm surge, and wave attack; and
    - ii. Disclosure that no shoreline armoring structures are approved now, nor are such structures authorized in the future for the protection of development within the STMP-LUP, and that the present landowners have taken future sea level rise into consideration and have warranted that no such protective structures will be necessary to protect the proposed development of the STMP-LUP, and further, have acknowledged the possibility that no such protective structures would secure approval for construction.

STMP (New Development) Policy 1B (Phasing of Development) – Further Subdivision of STMP “Parcel 2”.

- I. After the merger into Master Parcel 2 of all lands subject to the STMP-LUP excluding APN 401-031-67 which contains the Samoa Processing Center (recycling facility) owned by the Arcata Community Recycling Center (Master Parcel 1), i.e. the entirety of the legal parcel(s) containing APN 401-031-036, APN 401-031-38, APN 401-031-46, APN 401-031-55, APN 401-031-059, APN 401-031-65, and APN 401-031-44, generally depicted as Master Parcel 2 on Exhibit and prior to any other development of the lands within Master Parcel 2, the landowner shall obtain a Subdivision Map Act approval and a Coastal

Development Permit for the comprehensive division of all lands within Master Parcel 2. No portion of Master Parcel 2 shall be left as a remainder parcel.

- A. A complete application for a coastal development permit for the comprehensive division of Master Parcel 2 shall at a minimum include all information needed to evaluate the consistency of the division with the policies of the STMP-LUP and all other applicable provisions of the certified LCP, and in addition shall specifically include the following information:
1. Wetland Resources: Wetland delineations, including to-scale maps and supporting data prepared in accordance Wetland/ESHA Policy 10; and
  2. Botanical/Historic Landscape Resources: Seasonally-appropriate botanical surveys, including to-scale map and supporting data and analysis of historic landscape context;
  3. Non-wetland ESHA delineations, including to-scale maps and supporting data; and
  4. Invasive Species: Non-native, invasive species surveys, to-scale maps; supporting data, and plans for control or removal of ecologically significant species within the pertinent area, such as pampas grass, non-native brambles for five (5) years after significant increments of site disturbance occur (i.e. may be phased plan for removal based on the timeline of the development) and with additional time if plan milestones are not achieved and additional removal is thus required; and
  5. Site Plan including but not limited to the surveyed boundaries of the proposed lot lines, roads designated building envelopes, areas of special geologic or other hazard concern; wetlands and non-wetland environmentally sensitive habitat area locations and buffers thereof, recorded easements or proposed easements and/or deed restricted areas or areas imposing limitations on other development (trails, bikeways, natural resource protection areas, etc.); and
  6. Locations and limits of all public and private utility lines, hookups, facilities, or easements, whether for collection, storage, treatment or disposal of sewage, fire fighting or potable water, as applicable; and
  7. Soil and Groundwater Contamination Analysis: Copies of Final Remedial Action Plans and Final Cleanup Work Plans (for implementation of remediation plans) for the cleanup of all contaminated soil and groundwater on the parcel required and approved by the pertinent regulatory authority, such as State Regional Water Quality Control Board (RWQCB), State Department of Toxic Substances Control, State or Federal Environmental Protection Agency, or County Environmental Health Department; and
  8. Landform Alteration Analysis: Preliminary grading plans including cross sections and daylight lines prepared by a California-licensed Professional Civil Engineer; and
  9. Geologic Hazard Analysis: Geologic stability analysis and to-scale map, including a map at the Site Plan scale, of any areas of special geologic or other hazard concern, including differential boundaries of potential inundation due to tsunami arriving at highest high tide and wave height of ten, twenty, thirty, and forty feet in height; and including locations of areas subject to permanent storm surge or flooding hazard due to sea level rise mapped in increments of one, two, three, four, and five feet of future sea level rise. Areas that may be subject to “daylighting” of groundwater

elevations due to sea level rise shall be mapped in similar increments. The analysis shall include evidence that the Site Plan has been evaluated and that all proposed parcels will be safe from flooding, erosion, and geologic hazards, including increasing hazards posed by future sea level rise. If any special structural designs are necessary to achieve safety under the conditions determined to be present at the subject locations, these shall be fully specified in the analysis. The hazards analyzed shall be based on the best available scientific data available at the time of the analysis, including at least 4.5 feet of future sea level rise (a minimum of 3 feet of sea level rise shall be added to the analysis of potential tsunami inundation). The analysis shall verify that all proposed development will be safe from the need to install future shoreline armoring taking into consideration the results of the future hazard analyses, and that the proposed lots and development of such lots would be consistent with the requirements of the Final Samoa Tsunami Safety Plan. The Hazard Analysis, Maps, and Plans shall be prepared by California-licensed professional engineers, including: Civil Engineer with substantial experience in coastal engineering and sea level rise planning and Engineering Geologist or the California-registered professional equivalent thereof with substantial experience in seismic risk analysis and the design of resilient structural foundations for hazard mitigation; and

10. Final Samoa Tsunami Safety Plan consistent with the requirements of STMP (Hazard) Policy 4; and
11. Waste Water Treatment: Final Plans for development of facilities for the collection, treatment, and disposal of sewage waste water from the entire development that would result from buildout of all STMP lands, including the Samoa Processing Plant on Master Parcel 1 and the lands zoned Coastal Dependent Industrial on Master Parcel 2 that have been approved by the North Coast Regional Water Quality Control Board (RWQCB) and the County Environmental Health Department. To the extent that the wastewater system is designed and approved by the RWQCB to be implemented in phases or as part of a staged upgrade of existing waste water collection, treatment, and disposal facilities, a phasing plan shall be provided that addresses when the various components of the system will be constructed and operational relative to the phasing of buildout of all STMP lands. The final plans shall also address abandonment and removal of old wastewater collection and treatment facilities in association with development of the new facilities (such as but not limited to the abandonment of the waste disposal system on the dunes West of New Navy Base Road and of the grease trap and cesspool east of the Samoa Cookhouse). The submitted plans shall include evidence prepared by a California-licensed civil engineer of (a) total system capacity, including collection, treatment, and discharge capacity designed to serve maximum buildout of the STMP lands at maximum waste water flow rates and volumes during peak winter storm water runoff and winter high ground water conditions, (b) evidence that the consulting civil engineer has verified that the complete waste water collection, treatment, and discharge system will function effectively under site conditions consistent with at least 4.5 feet of future sea level rise, (c) evidence that the design includes sufficient surge/backup/emergency capacity and containment and backup pumping capacity and emergency/alternative fuel systems sufficient to independently continue to provide waste water capture and treatment for the STMP-MAP development for a minimum of 72 consecutive hours without discharge of effluent overflow directly or indirectly to the waters of Humboldt Bay or the Pacific Ocean if severed from outside water or power supplies; and (d) evidence that all components of the wastewater treatment and discharge system are proposed for installation within the STMP-LUP lands designated and zoned Public Facilities and located generally west of New Navy Base Road and east of the railroad parcel traversing the STMP-LUP lands (except for waste water collection facilities; and

12. Water Supplies: Plans demonstrating that sufficient potable and emergency control water supplies and facilities will be supplied by the pertinent water services district to serve buildout of all STMP lands, consistent with the requirements of the STMP-LUP, and that the pertinent storage and delivery infrastructure and backup power supplies are located within the boundaries of Parcel 2. The plan shall be prepared by a California licensed professional civil engineer and shall be reviewed by the County Office of Emergency Services, the Samoa Peninsula Fire Protection District, and the County Sheriff's office for comment prior to permit approval; and
13. Non-motorized Access: master pedestrian and bicycle circulation plan consistent with the requirements of STMP (Coastal Access) Policy 1; and
14. Public Transportation Auxiliary Facilities: Plans for the installation of bus stops and associated amenities to serve the Samoa area, consistent with the requirements of STMP (Coastal Access) Policy 6; and
15. Public Coastal Access Parking: Detailed coastal access vehicle parking analysis and plan providing sufficient parking to adequately serve the coastal visitor-serving uses; and
16. Internal Recreation Support/Parks: Plan for the placement of small community parks and other outdoor recreation areas within the subject area, consistent with the requirements of STMP (Wetlands/ESHA) Policy 3; and
17. Plan for the on-going funding, maintenance, and management of the STMP's potable water delivery system, waste water processing system, storm water facilities, public fire and life safety facilities and services, roads, public open spaces, common areas including streetscapes, parks and community gardens, bicycle/pedestrian pathways (including the pedestrian tunnel under New Navy Base Road), sensitive resource areas, the Samoa Dunes Day Use Area (including parking facilities), and the Samoa car camping spaces (including bathroom/shower and other facilities) consistent with the requirements of STMP (New Development) Policy 4; and
18. Evidence that all lots to be created for new residential development can be feasibly developed in a manner that the finished floor elevation of habitable space can be constructed at an elevation of at least 32 feet above mean sea level consistent with the requirements of STMP Hazard Policy 5; and
19. Samoa Business Park and/or New Samoa Residential subdivisions: Visual analysis of the subdivision as built-out at maximum allowable height for structures while consistent with the requirement that residential development within the tsunami inundation area be limited to a minimum habitable floor elevation of 32 feet above mean sea level. Visual analysis shall include evidence that proposed buildout of the pertinent subdivision can be accommodated in a manner that does not adversely affect the historic community character of the existing Town of Samoa or public coastal views to and along the coast and Humboldt Bay; and
20. Evidence that all necessary authorizations from the North Coast Railroad Authority (NCRA) or its successor-in-interest, and authorization from the California Public Utilities Commission (CPUC) for ingress and egress across the railroad corridor traversing the lands subject to the STMP-LUP in all locations necessary to ensure a complete circulation and access plan for the Samoa lands, including the lands designated for Coastal Dependent Industrial Use and the lands containing the Samoa Cookhouse and totaling approximately five (5) acres.

- B. Any proposed changes to the approved division shall require an amendment to the coastal development permit granted for the division. To be approved, any amendment to the pertinent coastal development permit shall also be fully consistent with the STMP-LUP and all other applicable provisions of the certified LCP.
- II. Any development of any of the lands within the STMP overlay area depicted in Exhibit 25, including the comprehensive division of Master Parcel 2, shall be consistent with the following requirements:
- A. The recordation of final maps for the comprehensive division of Master Parcel 2 may proceed in phases, provided that a final map for the Public Facilities designated area is recorded first followed by final maps for all of the existing developed residential areas and all of the existing developed commercial areas, including but not limited to the designated Commercial Recreation area containing the Samoa Cookhouse and the Commercial General area containing the "Samoa Block." Final maps for new residential areas and the designated Business Park area shall only be recorded after final maps have been recorded for the Public Facilities designated area, all existing developed residential areas, and all existing developed commercial areas.
  - B. The coastal development permit shall require that prior to recordation of each final map for all or a portion of Master Parcel 2:
    - 1. The landowner/developer must demonstrate that the work plans for cleanup of contamination approved by the RWQCB or other applicable authority for the STMP-LUP area have been fully implemented and the requisite cleanup of soil and water (ground and surface) completed, within the area covered by the final map; and
    - 2. The RWQCB has verified that the area covered by the final map has, at a minimum, been "cleaned up to background" and/or is suitable for the type of development proposed without further remediation; and
    - 3. That the RWQCB further verifies that the area covered by the final map, if developed as proposed and without further remediation, will not result in a threat to waters of the state.
  - C. The coastal development permit shall require that: (1) prior to recordation of each final map for all or a portion of Master Parcel 2, and (2) prior to any future additional development of the parcel identified as Master Parcel 1 (presently containing the Arcata Community Recycling Center's Samoa Processing Center, previously approved by Humboldt County, the landowner/developer must demonstrate that:
    - 1. All deed restrictions required by the RWQCB for lands subject to continuing contamination of soil or water (ground or surface) have been recorded against the parcels within the area covered by the final map; and
    - 2. A deed restriction has been recorded against the legal title of the parcels within the area covered by the final map describing the kinds and location of contamination that has previously been associated with the subject lots, the remedial activities that have been undertaken, the results of final tests completed to verify the adequacy of cleanup (including copies of the pertinent laboratory reports), and the presence and location of any residual contamination that may be present in the soil or groundwater present on site; and

3. Prior to recordation of a final map where pertinent for subdivision of lands within Master Parcel 2, or prior to issuance of a coastal development permit for any development arising within lands originally identified as Master Parcel 1 or Master Parcel 2 shown on Exhibit 25, a deed restriction has been recorded against the legal title of each parcel either previously existing or thereby established, and re-recorded as a condition of approval of any coastal development permit for future development of parcels within the area originally shown as Master Parcel 1 or Master Parcel 2 on Exhibit 25 of the Coastal Commission staff report dated February 24, 2011, and the subject "Assumption of Risk" deed restriction shall state the following:

**Assumption of Risk**

By acceptance, amendment or transfer of this permit or in performing due diligence evaluation of the subject property in support of a decision to purchase the subject site and any improvements of the subject property that is subject to this deed restriction, the landowner and future purchaser acknowledges and agrees (i) that the site may be subject to hazards from: earthquake, tsunami, fires triggered by such events, landslide, erosion, liquefaction, wave attack, storm surge and other sources of flooding, and future sea level rise, including the amplification of other hazards in response to sea level rise; (ii) to assume the risks to the applicant and/or future purchaser of the property that the subject site that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against Humboldt County and/or the Coastal Commission, and their officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless Humboldt County and/or the Coastal Commission, their officers, agents, and employees with respect to the approval by Humboldt County or the Coastal Commission of the project giving rise to the establishment or improvement of any lands located within the Samoa area subject to the STMP-LUP including or originating from the areas described as Master Parcel 1 or Master Parcel 2 in Exhibit 25 of the Coastal Commission staff report dated February 24, 2011, against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

**D. Provision of Emergency Control Water Supply Facilities**

1. The coastal development permit for the comprehensive division of Master Parcel 2 shall require that prior to the commencement of any development within any phase of development of the subdivision, including the recordation of final subdivision map for that phase but not including the development listed in subsection (2) below, the landowner/developer must demonstrate that all emergency control water supply facilities needed to serve all development within the phase has been constructed, tested, and determined ready for connection and service: and
2. The following development may be performed prior to installation of the emergency control water supply facilities: (1) recordation of a final subdivision map covering the Public Facilities designated area only; (2) the remediation of contaminated soil and groundwater; and
3. The development of the public access trail network and improvement of the public access day facility required by STMP-LUP policies.

**E. Provision of Waste Water Collection, Treatment and Disposal Facilities**

1. The portions of the approved waste water treatment facilities and associated wastewater collection, treatment, and disposal facilities determined by the RWQCB to be necessary to serve all existing development within the existing residential and commercial areas of the STMP-LUP overlay area depicted on Exhibit 25 and determined by the County or the Commission on appeal to be consistent with LCP policies protecting ESHA, wetlands, and other coastal resources shall be constructed, tested and determined ready for connection and service prior to commencement of any new development including recordation of a final subdivision map for any portion of Master Parcel 2 but not including the development listed in subsection (4) below.
2. The coastal development permit for the comprehensive division of Master Parcel 2 shall require that prior to the commencement of any development within any phase of development of the subdivision, including the recordation of final subdivision map for that phase but not including the development listed in subsection (4) below, the landowner/developer must demonstrate that the portions of the approved waste water treatment facilities and associated wastewater disposal facilities needed to serve all development within the phase has been constructed, tested, and determined ready for connection and service in accordance with any staged upgrade of facilities approved by the RWQCB and determined by the County or the Commission on appeal to be consistent with LCP policies protecting ESHA, wetlands, and other coastal resources.
3. Existing structures shall be converted to service by the proposed new waste water treatment plant and the old (existing) waste water treatment facilities shall be properly abandoned or replaced in the same location in accordance with pertinent regulations and necessary permits and with the approval of the RWQCB in accordance with the schedule set forth in any staged upgrade of wastewater facilities in the approved comprehensive wastewater facilities plan.
4. The following development may be performed prior to installation of the sewage treatment facilities: (1) installation of emergency control water supply facilities; (2) recordation of a final subdivision map covering the Public Facilities designated area only; (3) the remediation of contaminated soil and groundwater; and (4) the development of the public access trail network and improvement of the public access day facility required by STMP-LUP policies.

#### F. Provision of Emergency Services Building

1. The coastal development permit shall require that prior to the commencement of any new development within the new residential and business park areas, including the recordation of a final subdivision map for any phase of the subdivision covering these areas, but not including the development listed in subsection (2) below, the new emergency services vehicle storage building proposed by the landowner/developer (fire and life safety; earthquake and tsunami shelter, etc.) within downtown Samoa shall be installed and made available to serve the existing town of Samoa.
2. The following development may be performed prior to installation of the sewage treatment facilities: the remediation of contaminated soil and groundwater; and (4) the development of the public access trail network and improvement of the public access day facility required by STMP-LUP policies.

#### G. Development of Business Park

Development of the Business Park is subject to the following phasing requirements:

1. Final maps for the portions of the comprehensive division of Master Parcel 2 covering the designated Business Park area shall only be approved and recorded in accordance with the above requirements after: (a) final maps have been recorded for the Public Facilities designated area, all existing developed residential areas, and all existing developed commercial areas; (b) cleanup of contaminated soil and groundwater has been completed within the current and previous phases of the subdivision; (c) all emergency control water supply facilities needed to serve all development within the STMP-LUP overlay area depicted on Exhibit 25 has been constructed, tested and determined ready for service; (d) the portions of the approved waste water treatment facilities and associated wastewater disposal facilities needed to serve all development within the current and previous phases of the subdivision have been constructed, tested, and determined ready for connection and service; (e) the new emergency services vehicle storage building has been constructed and is operational; and
2. Development of the Business Park shall proceed after or concurrently with the renovation of the existing structures in the old town residential areas; and
3. The public pedestrian path along the boundary between the designated Business Park area and the Natural Resource area along the west side of the STMP-LUP overlay area shall be surveyed, improved, and opened to the public pursuant to the requirements of the STMP-LUP prior to commencement of construction of any Business Park development. In addition, an improved interpretive pedestrian pathway connecting the Samoa Cookhouse Area to the undercrossing of New Navy Base Road, and the improvements at the designated Beach & Dune Interpretive Area west of Navy Base Road shall be completed and opened to the public. Furthermore, a mechanism for permanent funding of the long-term maintenance of the public amenities shall be identified and implemented prior to commencement of construction of any Business Park development; and
4. Prior to the commencement of construction of any other Business Park development, the improvements at the designated Beach & Dune Interpretive Area west of Navy Base Road (shown on the map provided in Appendix L of the Humboldt Bay Area Plan) shall be completed and opened to the public; and
5. Prior to the commencement of construction of any other Business Park development, the low-cost visitor serving accommodations required by STMP (Coastal Access) Policy 1 shall be constructed and opened to the public.

#### H. Development of New Residential Areas

Development of the New Residential Areas is subject to the following phasing requirements:

1. Final maps for the portions of the comprehensive division of Master Parcel 2 covering the designated new residential areas shall only be approved and recorded in accordance with the above requirements after: (a) final maps have been recorded for the Public Facilities designated area, all existing developed residential areas, and all existing developed commercial areas; (b) cleanup of contaminated soil and groundwater has been completed within the current and previous phases of the subdivision; (c) all emergency control water supply facilities needed to serve all development within the STMP-LUP overlay area depicted on Exhibit 25 has been constructed, tested and determined ready for service; (d) the portions of the approved waste water treatment facilities and associated wastewater disposal facilities needed to serve all

development within the current and previous phases of the subdivision have been constructed, tested, and determined ready for connection and service; (e) the new emergency services vehicle storage building has been constructed and is operational; and

2. Development of the new residential areas shall proceed after or concurrently with the renovation of the existing structures in the old town residential areas; and
3. The public pedestrian path along the boundary between the designated new residential areas and the Natural Resource area along the west side of the STMP-LUP overlay area shall be surveyed, improved, and opened to the public pursuant to the requirements of the STMP-LUP prior to commencement of construction of any new residential area development. In addition, an improved interpretive pedestrian pathway connecting the Samoa Cookhouse Area to the undercrossing of New Navy Base Road, and the improvements at the designated Beach & Dune Interpretive Area west of Navy Base Road shall be completed and opened to the public. Furthermore, a mechanism for permanent funding of the long-term maintenance of the public amenities shall be identified and implemented prior to commencement of construction of any new residential area development; and
4. Prior to the commencement of construction of any new residential area development, the improvements at the designated Beach & Dune Interpretive Area west of Navy Base Road (shown on the map provided in Appendix L of the Humboldt Bay Area Plan) shall be completed and opened to the public; and
5. Prior to the commencement of construction of any new residential area development, the low-cost visitor serving accommodations required by STMP (Coastal Access) Policy 1 shall be constructed and opened to the public.

STMP (New Development) Policy 2:

The subdivision, lot merger, lot line adjustment, or any other form of land division or re-division of any property subject to the STMP-LUP overlay area shall not constitute a principal permitted use and any coastal development permit approved by the County for such development is appealable to the Coastal Commission pursuant to Section 30603 of the Coastal Act.

STMP (New Development) Policy 3:

The land use designations and zoning approved by the Commission with suggested modifications in its action on Humboldt County LCPA HUM-MAJ-01-08 shall not become effective unless and until the entirety of the legal parcel(s) containing APN 401-031-36, APN 401-031-38, APN 401-031-46, APN 401-031-55, APN 401-031-059, APN 401-031-65, and APN 401-031-44, generally depicted on Exhibit 25 and described as the Samoa Town Master Plan Land Use Plan (“STMP-LUP”) Overlay Area, excluding APN 401-031-67 which contains the Samoa Processing Center (recycling facility) owned by the Arcata Community Recycling Center (Master Parcel 1), are merged into one master parcel generally depicted on Exhibit 25 as Master Parcel 2. If all such property is not merged into Master Parcel 2 generally depicted on Exhibit 25, the entirety of the area generally depicted on Exhibit 25 and described as the Samoa Town Master Plan Land Use Plan (“STMP-LUP”) Overlay Area will remain designated as General Industrial, Coastal Dependent Industrial and Natural Resources. If all such property is merged into Master Parcel 2 generally depicted on Exhibit 25, the land use designations and zoning approved by the Commission with suggested modifications in its action on Humboldt County LCPA HUM-MAJ-01-08 shall become effective upon both: (a) issuance of the coastal development permit for the merger consistent with the certified LCP and (b) recordation of a notice of merger consistent with the coastal development permit. If a legal lot

containing any APN generally depicted on Exhibit 25 straddles the STMP-LUP boundaries generally depicted on Exhibit 25, the portion of the legal lot containing the APN outside the STMP Overlay Area boundary shall be included within the merger and become part of the immediately adjacent master parcel generally depicted on Exhibit 25. If the land use designations and zoning approved by the Commission with suggested modification in its action on Humboldt County LCPA HUM-MAJ-01-08 become effective, the Principal Permitted Use of any area subject to the STMP-LUP shall be determined in accordance with the designated Land Uses and in the patterns and locations generally shown on the certified STMP Land Use Map. No minimum or maximum number of lots shall be determined or authorized until or unless a coastal development permit for the comprehensive division of Master Parcel 2 has been approved and issued consistent with all applicable provisions of the certified LCP, including the STMP-LUP.

STMP (New Development) Policy 4:

Prior to approval or issuance of a coastal development permit for the comprehensive division of Master Parcel 2 or any other development within Master Parcel 2, the landowner/developer shall demonstrate the existence of a mechanism, organized under public ownership and management, for the on-going funding and maintenance of the STMP's potable water delivery system, waste water processing system, storm water facilities, public fire and life safety facilities and services, public open spaces, common areas including streetscapes, parks and community gardens, bicycle/pedestrian pathways (including the pedestrian tunnel under New Navy Base Road), sensitive resource areas, the Samoa Dunes Day Use Area (including parking facilities), and the Samoa car camping spaces (including bathroom/shower and other facilities), except where the County of Humboldt provides evidence that the County will accept the title to and management obligations for any of these.

STMP (New Development) Policy 5:

The administrative rules, regulations, bylaws and/or operating requirements adopted by the service providers funding, monitoring, and managing the services provided for pursuant to STMP (New Development) Policy 4 shall be consistent and compliant with all provisions of the STMP-LUP and certified LCP and shall be in place prior to issuance of the coastal development permit for the comprehensive division of Master Parcel 2 or any other development within Master Parcel 2.

STMP (New Development) Policy 6:

Land divisions, including re-divisions and lot line adjustments of any land subject to the STMP-LUP, shall be permitted only if all resulting parcels can be demonstrated to be buildable and protective of all coastal resources, and safe from flooding, erosion, and geologic hazards, including the effects of at least 4.6 feet of sea level rise, without the future construction of shoreline armoring devices, and that the development proposed on the resultant lots can be constructed consistent with all pertinent policies of the certified LCP.

STMP (New Development) Policy 7:

- A. To minimize energy demands, which are associated with structural and transportation energy use, development of lands subject to the STMP-LUP shall minimize vehicle miles traveled, and conserve energy by means such as, but not limited to, the following:
  1. Siting development in a manner that will minimize traffic trips; and
  2. Prohibiting retail sales establishments designed to attract more than an incidental percentage of customers from offsite areas; 3. Incorporating the "smart growth" development concepts that combine interdependent uses that potentially reduce offsite traffic trips, including adequate

- grocery and convenience stores in the revitalized downtown area to supply resident and visitor needs with fewer offsite trips; and
3. Incorporating the “smart growth” development concepts that combine interdependent uses that potentially reduce offsite traffic trips, including adequate grocery and convenience stores in the revitalized downtown area to supply resident and visitor needs with fewer offsite trips; and
  4. Providing well designed and appropriately located bus stops along Vance Avenue; and
  5. Providing amenities for the convenience and safety of pedestrians and bicyclists to encourage the use of non-motorized and/or public transportation, including a well-designed network of bicycle paths, safe sidewalks, and separate footpaths that link various areas within Samoa and to the nearby beach and natural resource area interpretive trails; and
  6. Incorporating energy efficient building technologies; and
  7. Requiring development to meet high standards regarding the energy efficiency of proposed structures; heating, ventilation, and air conditioning systems (HVAC); hot water heaters, appliances; insulation; windows; doors; and lighting such as the standards of established voluntary programs such as Energy Star, LEED, or Build It Green; and
  8. Requiring development to incorporate alternative sources of energy such as photovoltaics, solar water heaters, passive solar design, wind generators, heat pumps, geothermal, or biomass; and
  9. Requiring development to use structural orientation (heat gain from southern exposure) and vegetation patterns to reduce winter heating needs (such as planting deciduous trees near southern exposures to maximize the winter sun); and
  10. Requiring development to include energy meters that provide real-time information to users regarding energy consumption; and
  11. Requiring development to use recycled building materials; and
  12. Requiring development to use building materials that minimize energy consumption during the manufacture and shipment of the materials; and
  13. Requiring development to use construction techniques that minimize energy consumption; and
  14. Incorporating structural amenities within non-residential development to encourage the use of non-motorized or public transportation by employees (such as sheltered bicycle storage, bicycle lockers, restrooms with showers/personal lockers, etc.); and
  15. Encouraging employer incentives such as paid bus passes, etc., to encourage employee use of public transportation; and
  16. Prohibiting restrictions such as covenants or development standards that prevent energy conserving measures such as the use of outdoor clotheslines.

- B. Coastal Development Permits authorized for development of lands subject to the STMP-LUP shall include specific findings concerning the extent of the subject project's incorporation of measures to reduce vehicle miles traveled and to minimize the use of energy.

STMP (New Development) Policy 8:

Development authorized within the STMP-LUP overlay area generally depicted on Exhibit 25 shall incorporate the best available practices for the protection of coastal waters, in accordance with the standards outlined in STMP Special Area Combining Zone. To achieve these standards, the applicant shall provide supplemental information as a filing requirement of any coastal development permit application for development within the area subject to the STMP-LUP, and the pertinent decision-makers shall adopt specific findings and attach conditions requiring the incorporation of, and compliance with, these water quality protection measures in approving coastal development permits for division or further development of the lands subject to the STMP-LUP.

STMP (New Development) Policy 9:

Waste water treatment provided for the lands subject to the STMP-LUP shall be limited to provision of service for development authorized pursuant to the STMP-LUP only. No lands or development outside the STMP-LUP shall be served by wastewater treatment facilities provided for the lands subject to the STMP-LUP except as allowed under the listed exceptions in Section 3.22, Public Services-Rural, subsection B. No pipeline connections to collect or transfer waste water from off-site to or through the STMP-LUP lands shall be installed on or adjacent to the lands subject to the STMP-LUP, except for the purpose of transferring treated waste water effluent for disposal to the Redwood Marine Terminal Manhole 5 ocean outfall, and except for the collection of waste water from service connections established in a manner consistent with Section 3.22, Public Services-Rural, subsection B. (Resolution 22-88, January 25, 2022)

STMP (New Development) Policy 10:

The existing residences shall be connected to the new or upgraded waste water treatment facilities within 180 days after such facilities are constructed and placed in service. Existing septic system(s) shall be removed or remediated in accordance with RWQCB requirements, and otherwise properly abandoned, subject to any necessary coastal development permit, within 180 days of connection of the subject residences to the new or upgraded waste water treatment facilities.

STMP (New Development) Policy 11:

Coastal Development Permits granted to the Arcata Community Recycling Center Regional Processing Facility (Samoa Processing Center) or other ownership interest utilizing the subject facility for new development shall require that the facility be connected to the new or upgraded waste water treatment facilities within 180 days after the new or upgraded waste water treatment plant is placed in service and a wastewater collection line is installed within Vance Avenue or in another location adjacent to the ACRC facility. The existing septic system that presently serves the ACRC Facility site shall be removed or remediated and properly abandoned in accordance with RWQCB requirements, subject to any necessary coastal development permit, within 180 days after connection to the new waste water treatment plant.

**Preservation and Enhancement of Community Character and Visual Resources**

STMP (Community Character/Visual) Policy 1:

Development shall preserve and protect the unique community character of the historic development within the STMP Overlay Area generally depicted in Exhibit 25 by protecting and restoring existing town site structures and by requiring that new construction within the greater Samoa town area extends and enhances the historic community character. The existing town site architectural features and character shall guide the

overall design of new development within the STMP Overlay Area. The long-term preservation of the existing structures shall be prioritized, including the preservation of features such as mature landscaping and specimen trees that provide historic context and contribute to the community character. All new development within any part of the lands subject to the STMP-LUP, including any signage or lighting, shall not interfere with the special character of the existing historic neighborhoods and public views available from public vantage points and from special community gathering places such as the Women's Club.

STMP (Community Character/Visual) Policy 2:

The Design Guidelines for Old Samoa dated March 4, 2007 are hereby incorporated as standards for development within the STMP-LUP overlay designation and are attached as an Appendix to the certified LCP and any changes or revisions to the Design Guideline shall require an amendment of the LCP. Where a conflict arises between the policies of the STMP-LUP overlay designation and the policies of the Design Guidelines, the policies of the STMP-LUP overlay designation shall take precedence.

STMP (Community Character/Visual) Policy 3:

Energy Efficiency and Conservation: Changes to the existing structures located on lands subject to the STMP-LUP within the historic Samoa "company town" site that may improve energy conservation shall be consistent with the STMP Design Guidelines and shall not disrupt, replace, or distract from the existing historic period details. New structures, however, may utilize alternative construction materials that have the appearance of the original materials, thus achieving aesthetic consistency with the existing structures while increasing energy efficiency.

STMP (Community Character/Visual) Policy 4:

The demolition or relocation of, any structure that is at least fifty (50) years old and located on lands subject to the STMP-LUP Samoa shall not be considered a principal permitted use and shall require a coastal development permit that is subject to at least one noticed public hearing and is appealable to the Coastal Commission pursuant to Section 30603 of the Coastal Act. No permit to demolish or relocate any structure contributing to the community character and historic context of Samoa shall be approved unless compelling evidence exists that the structure cannot feasibly be restored in place.

STMP (Community Character/Visual) Policy 5:

Development on lands subject to the STMP-LUP, including lighting and signage, shall be designed and constructed in a manner that: (a) protects distant night skyline views from distant vantage points toward the Pacific Ocean and Humboldt Bay; (b) protects public views of the existing town site from public vantage points such as New Navy Base Road, the public beaches west of New Navy Base Road, and from the public trail that is required between the Samoa Cookhouse property and the underground tunnel crossing of New Navy Base Road, and (c) protects coastal views from the town site, such as the panoramic views of Humboldt Bay and the Pacific Ocean available from the Women's Club and other higher elevation locations. A visual impact analysis shall be submitted with coastal development permit applications for all proposed development on lands subject to the STMP-LUP that utilizes the installation of story poles and other means of assessing the impact of the proposed structures.

STMP (Community Character/Visual) Policy 6:

- A. Remodeling and restoration of historic "Company Town" structures and structures contributing to the character of old town Samoa, and construction of additional structures proposed for lots containing such structures shall require a coastal development permit and review by the Samoa Design Review Committee, and at least one public hearing, and shall be subject to the following additional requirements:

- 4- Restoration of existing structures that are at least fifty (50) years old, except for the Fireman's Hall and garages, shall retain any viable millwork, windows, doors, or other existing exterior material, or if any of these are found to be damaged beyond repair, the feature or material shall be replaced with similar material consistent with the Design Guidelines and installed in such a manner to maintain a comparable exterior building appearance; and
  2. Exterior remodeling of the existing structures, including but not limited to painting and roofing and the construction of new accessory structures shall be installed in a manner that maintains the exterior appearance of the original building and is consistent with the Design Guidelines; and
  3. New accessory structures proposed for lots subject to these provisions shall only be approved if designed and located in a manner that harmonizes with and preserves the period character and street views of the primary structure.
- B. All coastal development permit applications for exterior remodeling of structures within the historic Samoa neighborhoods shall provide in support of such an application a report prepared by a California state licensed architect with at least five (5) years of historic preservation experience or the equivalent experience that includes the results of a survey of the subject structure undertaken not less than three (3) months prior to submittal of such application, with recommendations for ensuring the proposed remodeling be consistent with the preservation of the historic architectural elements of the subject structure consistent with the Design Guidelines for Old Town Samoa.
- C. A coastal development permit approved for exterior remodeling of structures within the historic Samoa neighborhoods shall be conditioned to require timely post-remodeling submittal of evidence prepared by an architect of the same qualifications as set forth in Subparagraph B above, confirming that the final remodeling has been conducted in accordance with the recommendations of the subject architect, including photographs to be retained by the County in the public record, and as required by the conditions attached to the subject coastal development permit.

STMP (Community Character/Visual) Policy 7:

Land divisions, including redivisions and lot line adjustments of lands subject to the STMP-LUP shall be permitted only if all resulting parcels can be demonstrated to be suitable for the intended use and protective of community character and visual resource context of the existing Samoa town site.

STMP (Community Character/Visual) Policy 8:

All exterior lights of all development on lands subject to the STMP-LUP, including any lights attached to the outside of the buildings, shall be the minimum necessary for the safe ingress and egress of the structures, and shall be low-wattage, non-reflective, shielded, and have a directional cast downward such that no light will shine beyond the boundaries of the subject parcel.

STMP (Community Character/Visual) Policy 9:

Architectural or advertising/marketing signage shall be of modest scale and designed in a manner that is aesthetically compatible with the historic Samoa character and reviewed and approved by the Design Committee. Illuminated outdoor advertising shall be restricted to a single sign per commercial establishment affixed to the structure on the first floor level only, and not extending above or beyond the structure's profile (including porches), and not more than three feet wide by three feet in height. Non-illuminated coastal access signage, including resource interpretation displays and modest educational/protective signage shall be permitted at Samoa Beach.

STMP (Community Character/Visual) Policy 10:

Clean up of contaminated soil and water (surface or ground) surrounding existing or previous structures of the historic “Company Town” of Samoa, including excavation of soils surrounding the structures or removal or treatment of remaining lead-contaminated paint on existing structures, shall be undertaken in a manner that protects the stability of the existing structures and retains and preserves the original woodwork, windows, and millwork.

**Protection, Preservation and Enhancement of Wetlands and Non-Wetland Environmentally Sensitive Habitat Areas (ESHA):**

STMP (Wetlands/ESHA) Policy 1:

Development within the STMP-LUP shall provide maximum protection, restoration and enhancement of existing environmentally sensitive habitat areas such as wetlands, dunes, forests, coastal scrub, and rare plant habitat, including the habitat of plants that are locally rare. The STMP shall be implemented in a manner that provides: (1) a substantial undisturbed natural resource corridor along the east side of New Navy Base Road and the northern portion of the subject site as shown in Exhibit 4 that connects sensitive resource areas and facilitates wildlife movement; (2) an ESHA buffer area that shall generally be a minimum of at least one hundred (100) feet from nearby development (included in "NR" area shown in Exhibit 4); (3) preservation of opportunities for dispersal of species through the preservation of individual plants and seed banks of rare populations; and (4) conservation of water filtering functions in vegetated areas.

STMP (Wetlands/ESHA) Policy 2:

The areas of the STMP-LUP lands designated Environmentally Sensitive Habitat Areas in the maps attached to the Memorandum contained in Exhibit 3, including the areas identified as buffers, shall be designated and zoned Natural Resources. Development within the area designated Natural Resources is prohibited except for the removal of invasive non-native plant species and the following activities if authorized by a coastal development permit: (1) restoration and enhancement of previously disturbed areas of wetlands and other sensitive habitat; (2) repair and maintenance of existing underground utilities within the existing footprint, provided that restoration of the disturbed areas is implemented in accordance with an approved coastal development permit; (3) installation of public trails in accordance with the provisions of STMP (Wetlands/ESHA) Policy 6; and or tsunami refuge areas within buffer portions of the area designated Natural Resources but outside of identified ESHA areas.

STMP (Wetlands/ESHA) Policy 3:

Development within the lands subject to the STMP-LUP shall provide adequate neighborhood parks that include active recreation and play areas and picnic facilities to minimize the unauthorized recreational use of the sensitive resource areas within the STMP-LUP lands designated Natural Resource.

STMP (Wetlands/ESHA) Policy 4:

- A. All wetlands and non-wetland ESHAs identified outside of the areas designated Natural Resources identified in Exhibit 4 (and where no raptor nesting habitat has been identified) shall require a 100-foot setback/buffer, unless it can be demonstrated that a reduced buffer is sufficient to prevent disruption of the habitat. Wetland and non-wetland ESHA buffers shall not be reduced to less than fifty (50) feet. The determination that a reduced buffer is adequate shall be based on the following criteria:

1. Biological significance of adjacent lands and the functional relationships among nearby habitat types and areas. Functional relationships may exist if species associated with such areas spend a significant portion of their life cycle on adjacent lands. The degree of significance depends upon the habitat requirements of the species in the habitat area (e.g., nesting, feeding, breeding, or resting). Where a significant functional relationship exists, the land supporting this relationship shall also be considered to be part of the ESHA, and the buffer zone shall be measured from the edge of these lands and be sufficiently wide to protect these functional relationships. Where no significant functional relationships exist, the buffer shall be measured from the edge of the ESHA that is adjacent to the proposed development; and
2. Sensitivity of species to disturbance. The width of the buffer zone shall be based, in part, on the distance necessary to ensure that the most sensitive species of plants and animals will not be disturbed significantly by the permitted development. Such a determination shall take into account subsections (3) and (4) below and consultations with biologists of the Department of Fish and Game, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the Coastal Commission or others with similar expertise; and
3. Nesting, feeding, breeding, resting, or other habitat requirements of both resident and migratory fish and wildlife species, which may include reliance on non-native species, including trees that provide roosting, feeding, or nesting habitat; and
4. An assessment of the short-term and long-term adaptability of various species to human disturbance; and
5. An assessment of the impact and activity levels of the proposed development on the resource; and
6. Erosion susceptibility. The width of the buffer shall be based, in part, on an assessment of the slope, soils, impervious surface coverage, runoff characteristics, erosion potential, and vegetative cover of the parcel proposed for development and adjacent lands. A sufficient buffer to allow for the interception of any additional material eroded as a result of the proposed development shall be provided; and
7. Use of natural topography. Where feasible, use hills and bluffs adjacent to Environmentally Sensitive Habitat Areas, to buffer these habitat areas. Where otherwise permitted, locate development on the sides of hills away from Environmentally Sensitive Habitat Areas. Include bluff faces in the buffer area; and
8. Required buffer areas shall be measured from the following points, and shall include historic locations of the subject habitat/species that are pertinent to the habitats associated with the STMP-LUP area, as applicable:
  - The perimeter of the sand dune/permanently established terrestrial vegetation interface for dune-related ESHA.
  - The upland edge of a wetland.

- The outer edge of the canopy of coastal sage scrub or forests plus such additional area as may be necessary to account for underground root zone areas.
- The outer edge of the plants that comprise the rare plant community for rare plant community ESHA, including any areas of rare annual plants that have been identified in previous surveys and the likely area containing the dormant seed banks of rare plant species.
- The outer edge of any habitat associated with use by mobile or difficult to survey sensitive species (such as ground nesting habitat or rare insects, seasonal upland refuges of certain amphibians, etc.) based on the best available data.

Where established “protocols” exist for the survey of a particular species or habitat, the preparing biologist shall undertake the survey and subsequent analysis in accordance with the requirements of the protocol and shall be trained and credentialed by the pertinent agency to undertake the subject protocol survey.

- B. A determination to utilize a buffer area of less than the minimum width shall be made by a qualified biologist contracting directly with the County, in consultation with biologists of the California Department of Fish and Game, U.S. Fish and Wildlife Service, and the Coastal Commission. The County’s determination shall be based upon specific findings as to the adequacy of the proposed reduced buffer to protect the identified resource.

STMP (Wetlands/ESHA) Policy 6:

Paved bicycle/pedestrian paths shall be located outside of the STMP-LUP lands designated and zoned Natural Resources except (1) within the outermost twenty (20) feet of the buffer portion of the designated and zoned Natural Resources area pursuant to Exhibit 3, and (2) one designated footpath through the forested area on the northern end of the Samoa lands designed to connect the area between the future Vance Road/Samoa Cookhouse area and the undercrossing of New Navy Base Road and tsunami evacuation routes. Tsunami evacuation route signs and interpretive signs explaining the sensitivity of the habitat and the protective purpose of the reserved area may also be installed along the trail route. No lighting shall be installed within the bicycle/pedestrian paths or the forest trail, and no lighting installed in adjacent developed areas shall directly illuminate the Natural Resource area.

STMP (Wetlands/ESHA) Policy 7:

All new or replacement fencing within the lands subject to the STMP-LUP shall require a coastal development permit based on findings that the location and design of such fencing is safely permeable for wildlife.

STMP (Wetlands/ESHA) Policy 8: The use of Motorized Off-road Recreational Vehicles (ORVs) or Motorized All-terrain Vehicles (ATVs) not licensed for street use shall be prohibited on the lands subject to the STMP-LUP except in the limited areas and under the limited circumstances allowed by the certified Humboldt County LCP.

STMP (Wetlands/ESHA) Policy 9:

Prior to approval of a coastal development permit for the comprehensive division of Master Parcel 2 or any other development except for the cleanup of contaminated soil and groundwater in the STMP-LUP area, a plan shall be prepared for the removal of invasive, non-native plant species of particular ecological concern

(such as pampas grass) within Master Parcel 2. The plan shall specify that the post-implementation period of monitoring and additional removal of non-native species required by the plan shall generally be completed within a five-year period of time, or less depending on the biological objectives identified in the plan, with the pertinent period of time to commence with the initial removal of identified non-native plant species of ecological importance within the subject area, and with additional time added only if plan milestones are not achieved and additional removal is thus required. The plan shall contain a timeline not to exceed a maximum of ten (10) years, which shall include a five-year initial plan and follow up remediation or adaptive management for up to five additional years based on the review of a qualified botanist. The plan shall also include performance milestones, monitoring, and reporting requirements. Compliance with the requirements of the plan shall be attached as a condition of approval of the subject coastal development permit for the comprehensive division of Master Parcel 2 and the condition shall require that prior to recordation of each final map for all or a portion of the subdivision Master Parcel 2, the landowner/developer must demonstrate that the initial removal of invasive, non-native plant species of particular ecological concern has been completed within the area covered by the final map.

STMP (Wetlands/ESHA) Policy 10:

Wetlands shall be identified and delineated as follows:

- A. Delineation of wetlands shall rely on the wetland definition in Section 13577 of the Coastal Commission regulations set forth in pertinent part below. The field methods used in the wetland delineation shall be those contained in the Army Corps of Engineers Wetland Delineation Manual as modified by the Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region dated April 2008. Section 13577 states in pertinent part:
- Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. For purposes of this section, the upland limit of a wetland shall be defined as:
- (a) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; or
  - (b) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or
  - (c) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not.
- B. Wetland delineations shall be conducted according to the California Code of Regulations, Section 13577(b) definitions of wetland boundaries. A preponderance of hydric soils or a preponderance of wetland indicator species shall be considered presumptive evidence of wetland conditions. The delineation report shall include at a minimum: (1) a map at a scale of 1:2,400 or larger with

polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the location of sampling points; and (2) a description of the surface indicators used for delineating the wetland polygons. Paired sample points will be placed inside and outside of vegetation polygons and wetland polygons identified by the biologist doing the delineation.

- C. Wetland delineations shall be prepared by a qualified biologist approved by the County.
- D. Wetland delineations should not be greater than five (5) years old at the time of development approval in reliance on the information provided by the delineation(s). If substantial time passes between application submittal for a coastal development permit and approval, such that a delineation becomes outdated, a supplemental delineation prepared in accordance with the same standards set forth herein, shall be prepared and submitted for consideration.

STMP (Wetlands/ESHA) Policy 11:

Environmentally Sensitive Habitat Areas (ESHA) shall be defined as any area in which plant or animal life or their habitats are either rare, including locally rare, or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. The determination of whether ESHA is present shall be required before a coastal development permit application for any land division or other development on lands subject to the STMP-LUP is considered complete. The determination shall include a detailed, complete biological resources report prepared by a qualified biologist approved by the County. The data concerning surveys of ESHA shall not be greater than five (5) years old at the time of pertinent development authorization.

STMP (Wetland/ESHA) Policy 12:

Development, including any division of lands subject to the STMP-LUP, shall not significantly alter drainage patterns or groundwater resources in a manner that would adversely affect hydrology sustaining wetlands or non-wetland ESHA, flood these resources to the extent that a change in the composition of species found within the wetland or non-wetland ESHA would be likely to occur, or change the wetland or other sensitive habitat area in a manner that impairs or reduces its habitat value or water filtering function.

STMP (Wetland/ESHA) Policy 13:

No herbicides or rodenticides shall be used within STMP-LUP lands designated Natural Resources or Public Facilities, or within other areas containing wetland or ESHA habitat or the buffers thereof. The use and disposal of any herbicides for invasive species removal shall follow manufacturer specifications, comply with imposed conditions, and protect adjacent native vegetation and coastal water quality. Rodenticides containing any anticoagulant compounds, including, but not limited to, bromadiolone or diphacinone shall not be used anywhere within the lands subject to the STMP-LUP. Development approvals for lands subject to the STMP-LUP shall attach conditions specifying these requirements.

STMP (Wetlands/ESHA) Policy 14:

Landscaping with exotic plants shall be limited to outdoor landscaped areas immediately adjacent to the proposed development. The planting of invasive non-native plants including but not limited to pampas grass (*Cortaderia* sp.), acacia (*Acacia* sp.), broom (*Genista* sp.), English ivy (*Hedera helix*), and iceplant (*Carpobrotus* sp., *Mesembryanthemum* sp.) shall specifically be prohibited. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or listed as a "noxious weed" shall be used in any proposed landscaping within the lands subject to the STMP-LUP. Development approvals for lands subject to the STMP-LUP shall attach conditions specifying this requirement.

STMP (Wetlands/ESHA) Policy 15:

Proposed land divisions within the area subject to the STMP-LUP, including redivisions and lot line adjustments, shall identify a buildable area for each resultant lot that does not encroach into wetlands, non-wetland ESHAs or the prescribed buffers thereof.

**Coastal Access and Recreation**

STMP (Coastal Access) Policy 1:

- A. The lands included within the approximately five (5)-acre area containing the Samoa Cookhouse shall be constructed or remodeled in accordance with an approved coastal development permit, and shall be reserved for Low Cost Visitor Serving Accommodations (LCVSA), shall not incorporate or be converted to other uses, and shall include the specific amenities listed below, or the equivalent thereof that includes a total of 55 LCVSA units, and the LCVSAs shall be made continuously available to the public at low cost rates:
1. A hostel with at least 20 guest rooms and common hallway bathrooms on the second floor of the Samoa Cookhouse; and
  2. 20 detached small housekeeping cabins; and
  3. 15 car/tent camping spaces with tables and benches, grills, covered trash receptacles and potable water outlets at each site; and
  4. Bathroom/shower facilities with hot and cold running water, picnic and play areas with potable drinking water outlets, and fenced pet exercise areas for use by the cabin and campsite occupants; and
  5. Adequate internal circulation routes and parking for coastal visitors and their guests, as well as day-use visitors, restaurant patrons, and adequate space and turnaround capacity for bus arrivals.

All of the low-cost visitor serving accommodations and public access facilities specified above shall be permanently maintained and a coastal development permit shall be obtained for any proposed change of use or demolition of these facilities.

- B. The LCVSA facilities shall be attractively landscaped with an emphasis on locally native plant species, which shall be permanently labeled to identify the subject species. The LCVSA facilities and grounds shall be maintained in good repair and kept free of trash and litter.
- C. The LCVSA facilities shall be connected to the public undercrossing of New Navy Base Road and the dunes and beaches beyond via a public, pedestrian-only path through the lands designated Natural Resources that is constructed in accordance with STMP (Wetlands/ESHA) Policy 6 STMP (Coastal Access Policy 3), and an approved coastal development permit. In addition, paved streets leading through Samoa development to the New Navy Base Road undercrossing shall be open to the public and shall not be gated. The pedestrian pathway specified above shall be permanently maintained and a coastal development permit shall be obtained for any proposed modification of the pathway.

- D. The LCVSA owner/manager shall prepare and make continuously available to coastal visitors at no cost, brochures highlighting the habitats and species found along the Natural Resource Corridor pathway and in the beach and dune habitats west of New Navy Base Road. The brochures shall explain the importance of protecting and preserving the resources, and shall provide earthquake and tsunami safety information including Samoa tsunami evacuation routes and assembly areas. Tsunami evacuation routes and assembly areas shall also be prominently posted for the benefit of coastal visitors.
- E. The LCVSA owner/manager shall be responsible for daily litter cleanup and the collection and disposal of trash from the LCVSA facilities, from the Samoa Dunes Interpretive Area and associated parking facilities, and shall periodically collect litter from the connecting trail between these, until or unless the County accepts such responsibilities.
- F. The County shall ensure that permit conditions for the pertinent STMP development incorporate the conditions necessary to secure the obligations set forth in this policy.

STMP (Coastal Access) Policy 2:

- A. All approved pedestrian and bicycle paths, corridors, trails and tsunami evacuation routes within the lands subject to the STMP-LUP shall be open to the public at all times. These routes shall not be blocked, gated, obscured, or otherwise barricaded at any time except as may be necessary for initial construction and for occasional short-term maintenance. All approved public park and open space and pedestrian/bikeway paths and related amenities shall be completed and the facilities opened to the public prior to the commencement of development within either the Business Park area or the new residential areas.
- B. Prior to the issuance of the coastal development permit for the comprehensive division of Master Parcel 2, the location of pedestrian and bicycle routes subject to this policy shall be surveyed and mapped and a deed restriction protecting the routes against conversion to another use shall be recorded. In addition, prior to the issuance of the coastal development permit for the comprehensive division of Master Parcel 2, a dedication or offer of dedication in perpetuity of a public access easement to a public agency or qualified non-profit organization shall be recorded for all existing or proposed pedestrian or bicycle routes, including routes prescribed elsewhere in these policies for coastal access and recreational purposes. The dedication or offer of dedication shall not contain a “sunset” provision and shall remain valid in perpetuity until or unless accepted by a qualified party.
- C. A map of the subject bicycle and pedestrian pathway/trail system shall be developed and posted at publicly visible central locations within the STMP-LUP area, including at the main entrance to the Samoa Cookhouse area.

STMP (Coastal Access) Policy 3:

Prior to construction of the Business Park or development within the new residential areas:

- A. The approximately 1.5-acre site west of New Navy Base Road and identified on Exhibit 24 shall be designated as the Samoa Dunes Interpretive Area, shall be available for day use only, and shall include the following features: (1) Permanent interpretive displays explaining the ecology of the sensitive habitat surrounding of the site with the content approved by a qualified biologist and the design and location approved by the County; (2) symbolic cord-and-post fencing marking the boundaries of the interpretive area; (3) Picnic tables and benches sufficiently sized and located to accommodate school field trips in designated areas reserved for such use; and (4) covered trash

collection receptacles impervious to wildlife and routinely serviced to maintain the Interpretive Area free of trash. All of the public access facilities specified above shall be permanently maintained and a coastal development permit shall be obtained for any proposed change of use or demolition of these facilities.

- B. A public pedestrian path constructed in accordance with STMP (Wetlands/ESHA) Policy 6 shall be installed to connect the Samoa Cookhouse area and the Samoa Dunes Interpretive Area via the tunnel under New Navy Base Road and shall be bordered by cord-and-post symbolic fencing throughout its length. The fencing shall be designed to prevent habitat disturbance caused by the use of unauthorized informal routes.
- C. The Samoa Dunes Interpretive Area including the public parking area and connector trails shall be maintained by the landowner/manager of the Samoa Low Cost Visitor Accommodations area until or unless the County or a community services district or other public managing agency created pursuant to STMP (New Development) Policy 4 accepts such responsibility.
- D. Access to the Samoa Dunes Interpretive Area shall be free of charge.

STMP (Coastal Access) Policy 4:

- A. At least two (2) bus stops shall be constructed within the Town of Samoa in accordance with the following requirements:
  - 1. The bus stop locations must allow the Humboldt Transit Authority (or successor provider of public transportation services) buses sufficient area to enter, pull over completely out of adjacent through-traffic, and exit the turnout in accordance with physical limits and safety requirement. The necessary turnout area shall be approximately 100 feet in length and proportioned to allow for maneuvering of a 40-ft-long, 102-inch wide bus. Evidence that final designs for the bus stops have been reviewed and approved by the Humboldt Transit Authority shall be required prior to approval of a coastal development permit for the comprehensive division of Master Parcel 2; and
  - 2. The bus stop waiting areas shall be covered and weather-sheltered, well lighted for personal security, and furnished with maintained trash receptacles that are wildlife impermeable.
- B. The bus stops required herein shall be installed prior to commencement of construction of development within the new residential and business park areas.
- C. In accepting Commission certification of LCP Amendment Request HUM-MAJ-01-08, the County agrees to request that Humboldt Transit Authority add regularly scheduled bus service of the STMP-LUP lands upon approval of coastal development permits for development within the business park and new residential areas.

STMP (Coastal Access) Policy 5:

The restored historic downtown Samoa shall include at least one small retail grocery or convenience market that supplies commonly used daily provisions for residents and coastal visitors, thus reducing out-of-Samoa area convenience shopping-related vehicle trips. Such facilities should be scaled to serve Samoa shopping demand and shall not be designed in a manner that attracts more than incidental numbers of traffic trips from retail customers outside of the Samoa area. The landowner/developer shall be required as a condition of the comprehensive division of Master Parcel 2 to (1) construct to construct the building to house the

grocery/convenience store prior to the recordation of final subdivision maps for any of the new residential areas, and (2) make the commercial building available for lease at market rates a grocery/convenience store business until at least five years after build-out of 75% of the new residential areas. If at the end of this period no prospective grocery/convenience store business has leased the building for this purpose, the building may be leased or sold for another commercial use. Visitor-serving establishments located in the restored historic downtown Samoa area may include modestly-scaled restaurants, galleries, and other small-scale tourist and neighborhood oriented shops and services, provided adequate parking and other support services are included in the subject development.

### **Business Park Development (STMP-MAP-2)**

#### STMP (Business Park) Policy 1:

- A. The economic vitality of the STMP-LUP shall be enhanced through a compatibly designed business park that conveys a sense of visual continuity with the modest coastal “company town” aesthetic of historic Samoa structures. The primary purpose of the business park shall be the incubation of new, small businesses in Humboldt County, and secondarily, and an on-site source of potential employment for Samoa residents.
- B. Retail sales within the Business Park, subject to a conditional use permit, shall be limited to sales and service enterprises occupying less than 10,000 square feet, maximum, primarily for the support of other Coastal Business Park uses or when incidental to and supportive of the principal use, and designed in a manner that is visually and proportionally subservient to the scale and composition of the primary use. Retail enterprises that would attract a majority of customers from outside of the Coastal Business Park shall not be permitted. However, businesses located within the Business Park may include a minor amount of retail sales incidental to the primary business enterprise, and restricted to products manufactured or produced on site.
- C. No activities that produce significant noise, night lighting of substantial outdoor areas, or detectable odors, or pose a significant danger to health, safety or property shall be allowed within the business park, nor shall the use or storage of chemicals or materials, including biological materials, that may pose a significant risk of fire or explosion, or pose a biohazard risk to other business park occupants, be allowed.

#### STMP (Business Park) Policy 2:

Boxy, monolithic “industrial park” and warehouse-style development shall be avoided. Structures shall be no more than three (3) ordinary stories in height and shall be sited, designed, scaled and landscaped to blend compatibly with the community character of the existing town of Samoa. Individual structures shall be limited to a maximum of 10,000 square feet, with the following exceptions: a maximum of two structures may be sized up to 20,000 square feet, however the first-floor area shall not exceed 10,000 square feet and the visible bulk of the structures shall be reduced by design features and landscaping elements, and the structures shall include upper elevation vertical tsunami evacuation and assembly areas for the benefit of the business park users. Access to the vertical evacuation elevation shall be made continuously available from outside accessways so that evacuees would not be locked out of the main building internal areas, and use of the vertical evacuation areas shall be included in annual tsunami evacuation drills within the business park area. The business park shall be designed in manner that ties all development within the park together in an aesthetically compatible manner, with an emphasis on public greenways and common areas. Parking areas shall be located behind structures and screened with landscape plantings. Business park structures on the northern side of the Business Park shall be sized, designed, located, and landscaped in a manner that provides a visual buffer for the benefit of the new residential areas

proposed north of the business park and for the downtown area, and ensures that the Business Park blends visually with the character of the town of Samoa.

STMP (Business Park) Policy 3: Business Park Structural Restrictions:

- A. The final plans and designs for all structures within the business park shall incorporate the following requirements unless a suitable vertical evacuation structure designed to withstand earthquake and tsunami risk posed by a Cascadia Subduction Zone earthquake and regional tsunami is provided within the distance that can be covered by a five-minute walk for the average person:
1. The uppermost accessible floor or roof of the subject structure shall be at an elevation not lower than the tsunami inundation elevation calculated for the subject area plus three additional feet to account for future sea level rise; and
  2. Access to the uppermost accessible floor or roof of the subject structure shall be continuously accessible to occupants of the building (i.e., interior stairwells shall not be locked) without resort to elevators; and
  3. The uppermost accessible floor or roof shall be large enough to shelter the maximum number of people that would be present within the subject building at any time; and
  4. Tsunami escape routes such as stairwells shall be prominently posted and routes shall not be blocked, used for storage, lined with unsecured shelving or other furniture that may shift or fall during an earthquake or otherwise block the route, or used for electrical, gas or other building services that may pose a hazard within the escape route; and
  5. The uppermost floor or roof designated for potential shelter shall have features that allow occupants to escape to the outside of the building directly from that elevation if lower elevations are blocked by flooding or damage; and
  6. No lockable entrances to stairwells or other escape routes from inside the structure shall be included in the plans or otherwise authorized.
- B. The plans and designs, including final plans, shall be stamped by a California-licensed professional civil engineer and shall include the most earthquake and tsunami-resilient building designs feasible, including measures that may exceed the minimum requirements of the applicable building code.

STMP (Business Park) Policy 4:

A landscaped buffer or its successor use shall be designed to screen the Samoa Processing Center or its successors use from the business park and from other public coastal viewing locations, and to minimize the odor, noise, light and other impacts that may be generated by the industrial use.

STMP (Business Park) Policy 5:

Land divisions of lands subject to the STMP-LUP, including redivisions and lot line adjustments shall be permitted only if all resulting parcels can be demonstrated to be buildable and consistent with the requirements of the STMP (Business Park) policies.

STMP (Business Park) Policy 6:

To the extent feasible based on future locations of authorized railroad parcel crossings, access to the Business Park and adjacent lands designated Public Facilities shall be primarily via New Navy Base Road

so that service and delivery truck traffic associated with these areas is not ordinarily routed through downtown Samoa.

## **Hazards**

### STMP (Hazard) Policy 1:

Prior to approval of the coastal development permit for the comprehensive division of Master Parcel 2 or any other development of the lands subject to the STMP-LUP, a site-specific geologic study and review of proposed lot lines and development plans shall be prepared by and accompanied by the written determination of a California licensed professional civil engineer or California licensed professional engineering geologist stating specifically that the proposed lots would support a buildable site for the proposed development, and that a structure so located, if constructed in accordance with the expert's recommendations, will be safe from hazards posed by landslide, slope failure, or liquefaction, and safe from catastrophic failure in the event of the maximum credible earthquake or tsunami. The pertinent decision-makers shall require as a condition of the coastal development permit for such development that the pertinent licensed expert review the final plans and designs and affix the appropriate engineering stamp thereby assuring that the plans and designs fully incorporate the licensed expert's recommendations.

### STMP (Hazard) Policy 2:

The best available and most recent scientific information with respect to the effects of long-range sea level rise shall be considered in the preparation of findings and recommendations for all geologic, geo-technical, hydrologic, and engineering investigations prepared in support of coastal development applications for development of the lands subject to the STMP-LUP. Development at nearshore sites shall analyze potential coastal hazards from erosion, flooding, wave attack, scour and other conditions, for a range of potential sea level rise scenarios, from three to six feet per century. The analysis shall also consider localized uplift or subsidence, local topography, bathymetry, and geologic conditions. A similar sensitivity analysis shall be performed for all critical facilities, energy production and distribution infrastructure, and other development projects of major community significance using a minimum rise rate of 4.5 feet per century. These hazard analyses shall be used to identify current and future site hazards, to help guide site design, development location, and hazard mitigation requirements, and to identify sea level rise thresholds after which limitations in the development's design and siting would cause the improvements to become significantly less stable. For design purposes, development projects shall assume a minimum sea level rise of three (3) feet per century and significant or critical infrastructure development of community-wide significance, such as sewage waste treatment facilities or emergency response facilities, shall assume a minimum of 4.5 feet per century; greater sea level rise rates shall be used if development is expected to have an exceptionally long economic life, if the proposed development has few options for adaptation to sea level higher than the design minimum, or if the best available scientific information at the time of review supports a higher design level.

### STMP (Hazards) Policy 3:

New development associated with the provision of critical or significant community support functions (such as waste water treatment, provision of potable or fire fighting water, or fire and life safety command and equipment centers) or that may be converted into critical community shelter facilities in an emergency, or structures that house vulnerable populations that cannot be readily evacuated, including hospitals, schools, and care facilities for the elderly and/or disabled, shall be designed and located in a manner that will be free of the risk of catastrophic failure associated with earthquake or tsunami hazard, taking into account a minimum of 4.5 feet of sea level rise per century. The final approved plans for such facilities shall be reviewed and stamped as conforming

to this standard by a California licensed professional civil engineer or a California licensed professional engineering geologist.

STMP (Hazards) Policy 4:

Prior to the approval or issuance of a CDP for the comprehensive division of Master Parcel 2 or other development of lands subject to the STMP LUP, the landowner/developer shall demonstrate compliance with the Final Tsunami Safety Plan incorporating into the County's "Draft Tsunami Safety Plan for the Town of Samoa" dated September 2007 (see Exhibit 19) all of the recommended tsunami hazard mitigation, design, safety, and other pertinent recommendations, including recommendations for vertical or horizontal evacuation options throughout the lands subject to the STMP-LUP, as set forth in:

- (a) the "Revised Tsunami Vulnerability Evaluation, Samoa Town Master Plan, Humboldt County, California" prepared by GeoEngineers, dated October 17, 2006 (see Exhibit 18); and
- (b) the additional recommendations set forth in the "Third Party Review" of the GeoEngineers October 17, 2006 document prepared for Humboldt County by Jose Borrero, Fredric Raichlen, Harry Yeh, copy submitted to Coastal Commission by Humboldt County March 8, 2007 (see Exhibit 17); and
- (c) the Final Plan for the tsunami hazard map prepared for "Emergency Planning Purposes" by Humboldt State University for reference as an indicator of site areas and evacuation routes subject generally to tsunami hazard (Exhibit 16); and
- (d) a plan prepared by the landowner/developer and approved by the County for the orderly evacuation from the Samoa Peninsula of the maximum estimated number of occupants and visitors of STMP-LUP lands at full buildout of the development approved in the master subdivision of Parcel 2 in response to warnings of tsunami hazard with time to evacuate to safer mainland areas. The plans shall take into consideration total peninsula traffic evacuation capacity.

All new development, shall be required to prepare and secure approval of a plan showing consistency with all of the requirements of the Final tsunami safety plan required herein as a condition of approval for the required Coastal Development Permit for the subject development. The County's Final Samoa tsunami safety plan shall be distributed by the County Planning Department to the Humboldt County Department of Emergency Services, Sheriff's Office, and City Police Department, and shall contain information guiding the emergency actions of these emergency responders in relaying the existence of the threat of tsunamis from both distant- and local-source seismic events, the need for prompt evacuation upon the receipt of a tsunami warning or upon experience seismic shaking for a local earthquake, and the evacuation route to take from the development site to areas beyond potential inundation. The Final tsunami safety plan information shall be conspicuously posted or copies of the information provided to all occupants.

STMP (Hazards) Policy 5:

New residential development within lands subject to the STMP-LUP shall be sited and designed in a manner that places the lowest habitable floor at an elevation not lower than thirty-two (32) feet above mean sea level. Additionally, all such structures containing permanent residential units shall be designed to withstand the hydrostatic and hydrodynamic loads and effects of buoyancy associated with inundation by storm surge and tsunami waves up to and including the maximum credible tsunami runup without experiencing a catastrophic structural failure. For tsunami-resilient

design purposes, a minimum sea level rise rate of 3 feet per century shall be used when combined with a maximum credible tsunami condition. For purposes of administering this policy, “permanent residential units” comprise residential units intended for occupancy as the principal domicile of their owners, and do not include timeshare condominiums, visitor-serving overnight facilities, or other transient accommodations.

STMP (Hazard) Policy 6:

Prior to any conveyance of title to lands and prior to the issuance of a coastal development permit for any development within the lands subject to the STMP-LUP, including either new development or improvement of existing structures, evidence shall be submitted for the review and approval of the reviewing authority that a Deed Restriction has been recorded against the legal title of such lands, and against title of lands containing the subject development, setting forth the following disclosures,

1. Disclosure that the lands situated within the STMP-LUP are subject to extraordinary hazards posed by earthquake and tsunamis, and by future sea level rise, which may also increase the risks posed by coastal erosion, storm surge, and wave attack; and
2. Disclosure of the existence of an approved final Tsunami Safety Plan pertinent to the subject property, including the date of the plan and how a copy may be obtained; and
3. Disclosure that no shoreline armoring structures are approved now, nor are such structures authorized in the future for the protection of development within the STMP-LUP against future hazards that may arise due to the coastal setting of the Samoa lands, and the prospect of increased sea level rise in the future, and that the present landowners have taken future sea level rise into consideration and have warranted that no such protective structures will be necessary to protect the proposed development of the STMP-LUP, and further, have acknowledged the possibility that no such protective structures would secure approval for construction.

Prior to filing as complete a CDP application for the comprehensive division of Master Parcel 2 or other development of lands subject to the STMP LUP, a Phase II archaeological resources assessment of all known archaeological sites shall be submitted that defines the resultant boundaries of such sites if not formerly known, or if the boundaries of the sites are fully recognized, shall ensure that the former Wiyot village sites and all five of the sites noted previously by County studies or referenced in the County’s environmental impact reports for the “Samoa Town Master Plan” are protected from further development and disturbance. Prior to approval of the CDP for the comprehensive division of Master Parcel 2 or other development of lands subject to the STMP LUP, the landowner and County shall confer with designated Wiyot representatives to ensure that the cultural resources identified herein are protected in accordance with the Wiyot representative’s recommendations. The CDP shall be conditioned to ensure the continuing protection of the archaeological resources identified in accordance with these requirements.

**Archaeological**

STMP (Archaeological Resources) Policy 1:

Prior to the approval or issuance of the CDP for the division or other development of the Master Area parcels generally depicted on Exhibit 25, a Phase II archaeological resources assessment of all known archaeological sites shall define the resultant boundaries of such sites if not formerly known, or if the boundaries of the sites are fully recognized, shall ensure that the former Wiyot village sites and all five of the sites noted previously by County studies or referenced in the County’s environmental impact reports for

the “Samoa Town Master Plan” are protected from further development and disturbance. Prior to undertaking any further division or other development, the landowner and County shall confer with designated Wiyot representatives to ensure that the cultural resources identified herein are protected in accordance with the Wiyot representative’s recommendations. The Coastal Development Permit for any land division or other development that is undertaken on lands subject to the resultant restrictions shall be conditioned to ensure the continuing protection of the archaeological resources identified in accordance with these requirements.

### **STMP Master Parcel**

#### STMP Master Parcel 1 (APN 401-031-67, Samoa Processing Center) Policy 1:

The Coastal Development Permit for any future development of APN 401-031-67, Samoa Processing Center, generally depicted on Exhibit 25 as Master Area Parcel 1 shall include conditions incorporating the following requirements:

- A. Deed restriction disclosing that any further division or other development of Master Parcel 1 is subject to the requirements of the certified Humboldt County LCP, including, but not limited to the requirements of the STMP-LUP overlay designation; and
- B. Deed restriction setting forth the following disclosures,
  1. Disclosure that the lands situated within Master Parcel 1 are subject to extraordinary hazards posed by earthquake and tsunamis, and by future sea level rise, which may also increase the risks posed by coastal erosion, storm surge, and wave attack; and
  2. Disclosure that no shoreline armoring structures are approved now, nor are such structures authorized in the future for the protection of development within Master Parcel 1 against future hazards that may arise due to the coastal setting of the Samoa lands, and the prospect of increased sea level rise in the future, and that the present landowners have taken future sea level rise into consideration and have warranted that no such protective structures will be necessary to protect the proposed development of the STMP-LUP, and further, have acknowledged the possibility that no such protective structures would secure approval for construction.

### **Coastal Permit Appeal Jurisdiction**

#### STMP (Coastal Permit Appeal Jurisdiction) Policy 1:

Notwithstanding any other local ordinances including, but not limited to, provisions of the County’s uncertified subdivision ordinance requiring that roads within subdivisions be offered for dedication to the County, the roads developed within the STMP Overlay area depicted on Exhibit 25 shall not be accepted by the County and thereafter publicly maintained in order to ensure that, in addition to any other independent basis for appeal to the Commission, future development within the STMP overlay area will remain appealable to the Commission pursuant to Section 30603(a)(1) of the Coastal Act and 14CCR 13577(i) defining the first public road paralleling the sea.

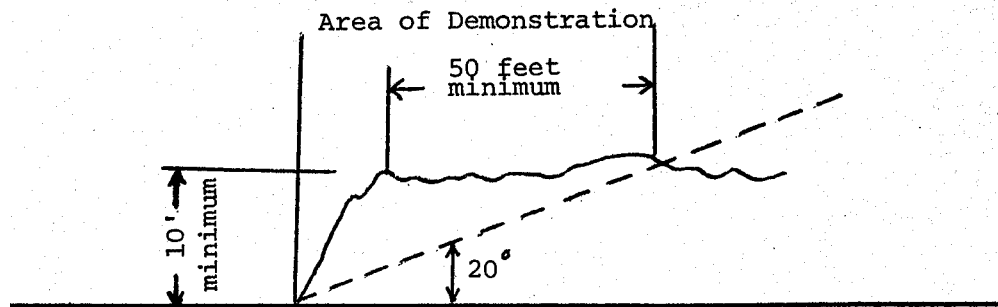


## CHAPTER 5

### DEFINITIONS

**“AREA OF DEMONSTRATION OF STABILITY”** – As a general rule, the area of demonstration or stability (illustration A) includes the base, face and tops of all bluffs and cliffs. The extent of the bluff top considered should include the area between the face of the bluff and a line described on the bluff top by the intersection of a plane included at a 20 degree angle from horizontal passing through the toe of the bluff or cliff, or fifty feet inland from the edge of the cliff or bluff whichever is greater. However, the county may designate a lesser area of demonstration in specific areas of known geologic stability (as determined by adequate geologic evaluation and historic evidence) or where adequate protective works already exist. The county may designate a greater area of demonstration or exclude development entirely in areas of known high instability.

ILLUSTRATION A



**“BOUNDARY OF A TRANSITIONAL AGRICULTURAL LAND”** – Either:

- 1) the boundary of the area which would be below tidal elevations (+5 feet above mean sea level) if tide gates, dikes, or other drainage works were not in place;
- 2) the boundary of a clearly defined slough which is periodically covered with standing water; or
- 3) the boundary of the wetland prior to its alteration for agricultural use, as indicated by soils maps, elevation, or historic information, including maps and photographs.

Areas with drained or filled hydric soils which are no longer capable of supporting hydrophytes are not considered wetlands.

**“BOUNDARY OF A WETLAND”** – Either:

- 1) the boundary between land with predominately hydrophitic cover and land with predominately mesophytic or xerophytic cover;
- 2) the boundary between soil that is predominately hydric and soil that is predominately nonhydric; or in the case of wetlands without vegetation or soils,
- 3) the boundary between land that is flooded or saturated at some time during years of normal precipitation and land that is not; or
- 4) the boundary between wetland and riparian habitats. Areas with drained or filled hydric soils which are no longer capable of supporting hydrophytes are not considered wetlands.

**“BLUFF OR CLIFF AREAS”**

A bluff or cliff is a scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding or excavation of the land mass. The cliff or bluff may be simple planar or curved surface or it may be steplike in section. For the purposes of this guideline, “cliff” or “bluff” is limited to those features having vertical relief of ten feet or more, and “seacliff” is a cliff whose toe is or may be subject to marine erosion.

“Bluff edge” or “cliff edge” is the upper termination of a bluff, cliff or seacliff. When the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the edge shall be defined as that point nearest the cliff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the cliff. In a case where there is a steplike feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge.

**“COMMERCIAL-RECREATIONAL FACILITIES”** – means facilities serving recreational needs but operated for private profit, (e.g., riding stable, chartered fishing boats, tourist attractions and amusement or marine parks.)

**“COASTAL COMMERCIAL TIMBERLAND”** – means:

- 1) Within a Timberland Preserve Zone (TPZ), privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.
- 2) Outside a TPZ, land, other than land owned by the federal government or land designated by the Board as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce timber and other forest products including Christmas trees (Public Resources Code Section 4526).

**“COASTAL-DEPENDENT DEVELOPMENT OR USE”** – means any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

**“COASTAL-RELATED DEVELOPMENT”** – means any use that is dependent on a coastal-dependent development or use.

**“DEVELOPED”** – Developed with a structure that is a principle or conditional use permitted under a parcel’s land use designation in the applicable are plan.

**“DEVELOPMENT”** – means, on land, in or under water, the placement or creation of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; grading, removing, dredging, mining or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66-410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z’berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

**“DIKES”** – A bank constructed to control or confine tidal waters.

**“ENVIRONMENTALLY SENSITIVE AREAS”** – means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Coastal Act Section 30107.5),

including: areas of special biological significance as identified by the State Water Resources Control Board; rare and endangered species habitat identified by the State Department of Fish and Game; all coastal wetlands and lagoons; all marine, wildlife and education and research reserves; nearshore reefs; tidepools; sea caves; islets and offshore rocks; kelp beds; indigenous dune plant habitats; and wilderness and primitive areas.

**“EXISTING DEVELOPED AREAS”** – that may be appropriate for infilling and redevelopment include: lands upon which urban development presently exists; lands generally developed to a density of two or more units per acre; and lands within rural communities that constitute distinct, identifiable towns or villages because they are substantially more developed than surrounding lands and contain a variety of services common to rural centers which serve large surrounding areas (such as a post office, stores, restaurants, bars and service stations).

Other areas that may be appropriate for carefully-phased expansion from such developed areas include lands adjacent or closely proximate to developed areas where development would provide a logical, resource-conserving extension of the present developed area because

- (1) coastal resources within the expansion area would be permanently protected;
- (2) the lands are relatively near employment centers;
- (3) adequate necessary services (i.e. roads, water, sewage disposal) are either available or can be provided without significant damage to coastal resources or to access to the coast by the general public;
- (4) alternative sites for urban development would involve greater damage to natural resources, coastal or inland; and
- (5) development proposed for the area is consistent with other Coastal Act requirements.

**“FEASIBLE”** – means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

**“FEED LOT”** – A large yard with pens or stables, other than those part of a typical livestock ranch, where cattle, sheep, etc. are kept for finishing shipment or slaughter.

**“FILL”** – means earth or other substance or material, including piling placed for the purpose of erecting structures thereon, placed in a submerged area.

**“FIRE HAZARD AREA”** – No acceptable definition in common use. Local planners should use the Fire Hazard Severity Classification System developed by the State Division of Forestry.

**“FLOOD HAZARD AREAS”** – Those areas subject to inundation by a 100-year flood.

**“GEOLOGIC HAZARDS”** – include the following:

- 1) seismic hazard areas delineated on fault maps as subject to potential surface rupture, on soil maps indicating materials particularly prone to shaking or liquefaction and in local and regional seismic safety plans;
- 2) tsunami runup areas identified on U.S. Army Corps of Engineers 100-year recurrence maps, by other scientific or historic studies and other known areas of tsunami risk;
- 3) landslide hazard areas delineated on slope stability maps and in local and regional geologic or safety plans;
- 4) beach areas subject to erosion; and
- 5) other geologic hazards such as expansive soils and subsidence areas.

**“HAZARDOUS INDUSTRIAL DEVELOPMENT”** – is any development that handles toxic, flammable, or explosive materials in such quantities that would, if released or ignited, constitute a significant risk to adjacent human populations or development.

**“HIGHLY SCENIC AREAS”** – generally include:

- 1) landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan;
- 2) open areas of particular value in preserving natural land-forms and significant vegetation, or in providing attractive transitions between natural and urbanized areas; and
- 3) other scenic areas and historical districts designated by cities and counties.

**“INCIDENTAL PUBLIC SERVICE PURPOSES”** – Projects, such as burying cables and pipes, inspection of piers, etc. which temporarily impact the resources of a habitat area.

**“LATERAL ACCESS”** – A recorded dedication or easement granting to the public use the right to pass and repass over dedicator’s real property generally parallel to, and up to 25 feet inland from, the mean high tide line, but in no case allowing the public the right to pass nearer than five feet to any living unit on the property.

**“LEVEE”** – A bank constructed to control or confine floodwaters.

**“MODE”** – in any group of numbers, that number which is found most frequently is the mode.

**“LOW INCOME”** – includes both “very low” and “low” income, meaning households whose income does not exceed 50% and 80%, respectively, of the median household income of the Standard Metropolitan Statistical Area (SMSA) the jurisdiction is located in, or the county where there is no SMSA, in accordance with Chapter 13339 of the California Health and Safety Code.

**“NEIGHBORHOOD COMMERCIAL”** – Retail services which provide convenient sales facilities to residential areas, such as coin operated laundries, food markets and variety stores.

**“NON-PRIME AGRICULTURAL”** – means other coastal agricultural lands that are now in use for crops or grazing, or that are suitable for agriculture.

**“NON-TIDAL SLOUGH”** – Any portion of a slough which is not inundated with sea water by the daily ebb and flow of the tides.

**“PLANNED UNIT DEVELOPMENT”** – A development which, on an individual parcel, permits variable parcel sizes but an overall density consistent with the gross densities permitted in the area plan in order to provide development compatible with environmental, geologic or topographic features of a parcel.

**“PRIME AGRICULTURAL LAND”** – (per California Government Code Section 51201 (c) means:

- 1) all land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.
- 2) land which qualifies for rating 80 through 100 in the Storie Index Rating.
- 3) land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the U.S.D.A.
- 4) land planted with fruit or nut bearing trees, vines, bushes or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200.00 per acre.
- 5) land which has returned from the production of unprocessed agricultural plant products on an annual gross value of not less than \$200.00 per acre for three of the five previous years.

**“PRIVATE INSTITUTIONS”** – The rooming or boarding of any aged or convalescent person whether ambulatory or non-ambulatory, for which a license is required by a county, state or federal agency. Private institution shall include sanitarium, rest home and convalescent home.

**“PUBLIC WORKS”** – means:

- 1) all production, storage, transmission and recovery facilities for water, sewage, telephone and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.
- 2) all public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, mass transit facilities and stations, bridges, trolley wires and other related facilities. For purposes of this division, neither the Ports of Hueneme, Long Beach, Los Angeles, nor San Diego Unified Port District nor any of the developments within these ports shall be considered public works.
- 3) all publicly financed recreational facilities and any development by a special district.
- 4) all community college facilities, (Public Resources Code, Section 30114).

**“RECREATION, PRIVATE AND NONCOMMERCIAL”** – clubs or recreation facilities operated by a nonprofit organization and open only to bona fide members of such nonprofit organizations and their guests.

**“RIPARIAN VEGETATION”** – refers to vegetation commonly occurring adjacent to stream banks and includes such plants as willows, alders, cottonwood, wax myrtle, big leaf maple, California laurel, red elderberry, etc.

**“ROAD STANDARDS”** (Appended by Reso. No. 85-55)

- 1) The **“Rural Principal Arterial”** system consists of a connected rural network of continuous routes which have trip length and travel density characteristics indicative of substantial statewide or interstate travel.
- 2) The **“Rural Minor Arterial”** road system, in conjunction with the rural principal arterial system, links cities and towns above 5,000 in population and other major traffic generators, and forms an integrated network providing interstate and inter-county service.
- 3) **“Rural Connectors”** provide connections between the higher-order system and have low-volume/long trip length characteristics.
- 4) The **“Rural Collector”** routes generally serve travel of primarily regional importance rather than statewide importance and constitute those routes on which (regardless of traffic volume) predominant travel distances are shorter than on arterial routes. The collector road system is sub-classified into two categories:
  - a) **“Major Collectors”** are spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road.
  - b) **“Minor Collectors”** are spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road.
- 5) The **“Rural Local Road”** system serves primarily to provide access to adjacent land and accommodate travel over relatively short distances as compared to higher systems. (Not shown individually on circulation map.)
- 6) **“Urban Principal Arterials”** in conjunction with Rural Principal Arterials, provide the highest level of conventional street service to virtually all area traffic generators.

**“SAMOA TOWN MASTER PLAN LAND USE DESIGNATION OVERLAY (STMP-LUP)”** – The Samoa Town Master Plan Land Use Designation Overlay (abbreviated as “STMP-LUP”) governs how development of the lands comprising the Town of Samoa will be authorized. The STMP-LUP overlay area comprises the

entirety of the legal parcel(s) containing APN 401-031-036, APN 401-031-38, APN 401-031-46, APN 401-031-55, APN 401-031-059, APN 401-031-65, APN 401-031-67, and APN 401-031-44, generally depicted on Exhibit 25.

The overlay designation directs the phased restoration and further development of the lands subject to the STMP-LUP designation and supplements the base land uses allowed under the principal land use designation. All use limitations and development policies for the principal land use designation shall also apply in the STMP-LUP overlay designation except insofar as they are inconsistent with the use limitations and development policies set forth in the STMP-LUP overlay designation. Where a conflict arises between the policies of the STMP-LUP overlay designation and any other policies of the certified LUP, including the policies of Chapter 3, "Humboldt Bay Area Development and Resource Policies," the policies of the STMP-LUP overlay designation shall take precedence. (Amended by Res. 12-62 and Res. 12-63, 7/17/2012)

**"SEA"** – means the Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to tidal action through any connection with the Pacific Ocean, excluding non-estuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

**"SELF HELP HOUSING SPONSOR"** – an existing entity that is willing and able to assist in applying for and carrying out a grant under the Self Help Housing Program of the Farmers House Administration as provided in Section 1933.403(k), Title 7, Code of Federal Regulations (Department of Agriculture).

**"SPECIAL COMMUNITIES AND NEIGHBORHOODS"** – include the following:

- 1) areas characterized by a particular cultural, historical or architectural heritage that is distinctive in the coastal zone;
- 2) areas presently recognized as important visitor destination centers on the coastline;
- 3) areas with limited automobile traffic that provide opportunities for pedestrian and bicycle access for visitors to the coast;
- 4) areas that add to the visual attractiveness of the coast.

**"SPILLWAYS"** – an alteration of a dike or levee above the level of mean higher high water for the purpose of drainage of flood waters.

**"SPECIAL DISTRICT"** – means any public agency other than a local government ... formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. "Special District" includes, but is not limited to, a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for a service or improvement benefiting that area. (Public Resources Code Section 30118).

**"STREAM TRANSITION LINE"** – that line closest to a stream where riparian vegetation is permanently established.

**"STRUCTURE"** – includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. (Public Resources Code Section 30106).

**"TIMBER PRODUCTS PROCESSING"** – commercial processing of raw wood and wood products, including sawmills, lumber mills and plywood mills, but not including pulp mills.

**“TIMBER HARVEST”** – The cutting and removal of timber or other solid wood forest products from timberlands for commercial purposes together with all of the work incidental to the harvest including, but not limited to: construction and maintenance of roads, fuel breaks, fire breaks, stream crossings, landings, skid trails, beds for the falling of trees, and fire hazard abatement.

**“TIMBER MANAGEMENT”** – The cutting and/or removal of timber, other solid forest wood products, or other vegetation from timberlands for the purpose of improving the productivity of commercial species on the site together with all of the work incidental to this activity, such as construction and maintenance of roads, fuel breaks, fire breaks, stream crossings, and fire hazard abatement. Timber management activities include, but are not limited to: pre-commercial thinning, removal of non-preferred species (release), pruning, site preparation, protection practices, and incidental follow-up treatments. Pruning, protection practices (including such activities as placement of protective devices around trees and trapping), and incidental follow up treatments do not constitute development as defined by the 1976 Coastal Act. (See definition of “Development”).

**“TRANSITIONAL AGRICULTURAL LAND”** – A wetland which has been altered for production of crops, including pasture, hay, or other forage, but where hydrophytes typical of non-farmed wetlands will predominate if farming is discontinued. In Humboldt County, these areas are typically diked former tidelands or clearly defined non-tidal sloughs used for hay or pasture.

**“USABLE PARCEL”** – A parcel that can be developed for the principle use permitted under its land use designation and other policies of the applicable area plan.

**“VISITOR-SERVING FACILITIES”** – means public and private developments that provide accommodations, food and services, including hotels, motels, campgrounds, restaurants, and commercial-recreation developments such as shopping, eating and amusement areas for tourists.

**“WETLANDS”** – lands which may be covered periodically or permanently with shallow waters, including salt marshes, freshwater marshes, swamps, mudflats, fens and transitional agricultural lands. The County will use the U.S. Fish and Wildlife Service’s Classification of Wetland and Deepwater Habitats of the United States as a guide to wetland identification. In general, lands which meet the classifications definition of subtidal estuarine aquatic beds, estuarine intertidal flats and emergent habitats, and palustrine emergent and non- riparian palustrine shrub-scrub and forested habitats will be considered wetlands.

**“Wetland, farmed”** – same as transitional agricultural land.

## APPENDIX A

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California Coastal Commission, Local Coastal Program Manual, San Francisco, CA, July 22, 1977.

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Access

Recreational Demand

Agriculture

Timber

Commercial Fishery and Beach Use

Urban Services

Habitat Sensitivity

Visual

Housing

Water Quality

Industrial Siting

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U.S. Army Corps of Engineers, North and South Pacific Divisions, West Coast Deepwater Port Facilities Study, June 1973, U.S. Army Corps of Engineers, San Francisco, CA and Portland, OR.

Ordinance #7, Humboldt Bay Harbor Conservation and Recreation District.

**APPENDIX B**

**HUMBOLDT COUNTY GENERAL PLAN DOCUMENTS  
APPLICABLE TO THE  
HUMBOLDT BAY AREA PLAN**

<b>PLAN/DOCUMENT</b>	<b>BOARD OF SUPERVISORS</b>	<b>STATUS IN RELATIONSHIP TO THE HBAP</b>
Mid-Humboldt County General Plan 2020 (Four Volumes)	2/4/73 (Public Hearing)	Approved in principle subject to "Revisions of Land Use Information, Current Census and Other Pertinent Data."
Housing Element	Adopted 1/3/78 Resolution # 78-6	By reference included
Noise Element (Two Volumes)	Adopted 8/3/77 Resolution # 77-134	Where Applicable
Open Space/Conservation Element	Adopted 12/27/73 Resolution # 73-164	To date there has been no opportunity for a Conservation policy comparison. The TAP has satisfied habitat protection, conservation requirements, of the CA Coastal Act. Other types of policies contained in the OS-C Element are supplementary to the HBAP and are at local discretion. Some OS-C policies have been superseded by subsequent documents – i.e. Seismic/Safety, Noise.
Recreation Element	Adopted 7/12/76	Where applicable
Seismic Safety and Public Safety Elements (Two Volumes)	Adopted 7/21/79	By reference included
NOTE: All County planning documents are currently in the process of being consolidated into a single General Plan framework document.		

**APPENDIX C**

**HAZARDS/LAND USE RISK RATING MATRIX**

**TABLE I**

**EXPLANATION**

X Site investigation required

A Site investigation required if located in Area of Demonstration

BUILDING TYPE/LAND USE	Landslide Zone <sup>1</sup>				Liquefaction Zone <sup>2</sup>					
	0	1	2	3	N	L	M-L	M	H	VH
Nuclear power plants, major dams, hazardous chemical storage		X	X	X		X	X	X	X	X
Hospitals, fire and police stations, civil defense headquarters, life line utility systems (non-redundant facilities), emergency broadcast stations, ambulance stations		X	X	X		X	X	X	X	X
Schools, theaters, auditoriums, hotels, motels, office buildings, high and medium density residential, redundant utility systems, major highway bridges		X	X	X		X	X	X	X	X
Single-family residences, normal commercial, industrial, warehousing, and storage			A	X			X	X	X	X

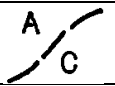
<sup>1</sup> Landslide Zones: 0 = Negligible; 1 = Low Instability; 2 = Moderate to Moderately High Instability, 3 = High Instability

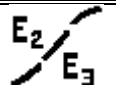
<sup>2</sup> Liquefaction Zones: N = Nil; L = Low Potential; M-L = Moderate to Low Potential; M = Moderate Potential; H = High Potential; VH = Very High Potential


**APPENDIX D**

Plate III  
Humboldt Bay and Vicinity

SEISMIC SAFETY MAP<sup>1</sup>  
North Sheet July 1979

<b>EARTHQUAKE GROUND SHAKING:</b>		
	Boundary & designation (letters) of zone based on response of earth material at site	
<b>ZONE</b>	<b>CHARACTERISTIC</b>	<b>CHARACTERISTICS OF EARTHQUAKE SHAKING</b>
A	Deep alluvium with recent deposits at surface	Moderate alterations, but predominately of longer periods (ie: high energy content) with longer duration of shaking.
B	Deep alluvium with older deposits at surface	Moderate to lower accelerations, but predominately of longer periods (ie: higher energy content) with intermediate duration of shaking.
C	Shallow alluvium with recent deposits at surface	High acceleration of short to intermediate periods (ie: moderate energy content) with intermediate duration of shaking.
D	Shallow alluvium with older deposits at surface.	Moderately high accelerations of short to intermediate periods (ie: moderate energy content) with intermediate duration of shaking.
E	Bedrock	Higher accelerations but of relatively short periods (ie: lower energy content) and shorter duration of shaking.

<b>SLOPE STABILITY (<i>Landslides &amp; Mudflows</i>):</b>	
	Numerical subscript indicates relative slope stability.
3	High Instability
2	Moderate Instability
1	Low Instability
0	Relatively Stable

<b>LIQUEFACTION:</b>	
	Area of potential liquefaction on hachured side of boundary.

<sup>1</sup> Maps on pages D-2 through D-8 use these charts to reflect seismic safety.

Plate III  
Humboldt Bay and Vicinity

SEISMIC SAFETY MAP  
North Sheet July 1979

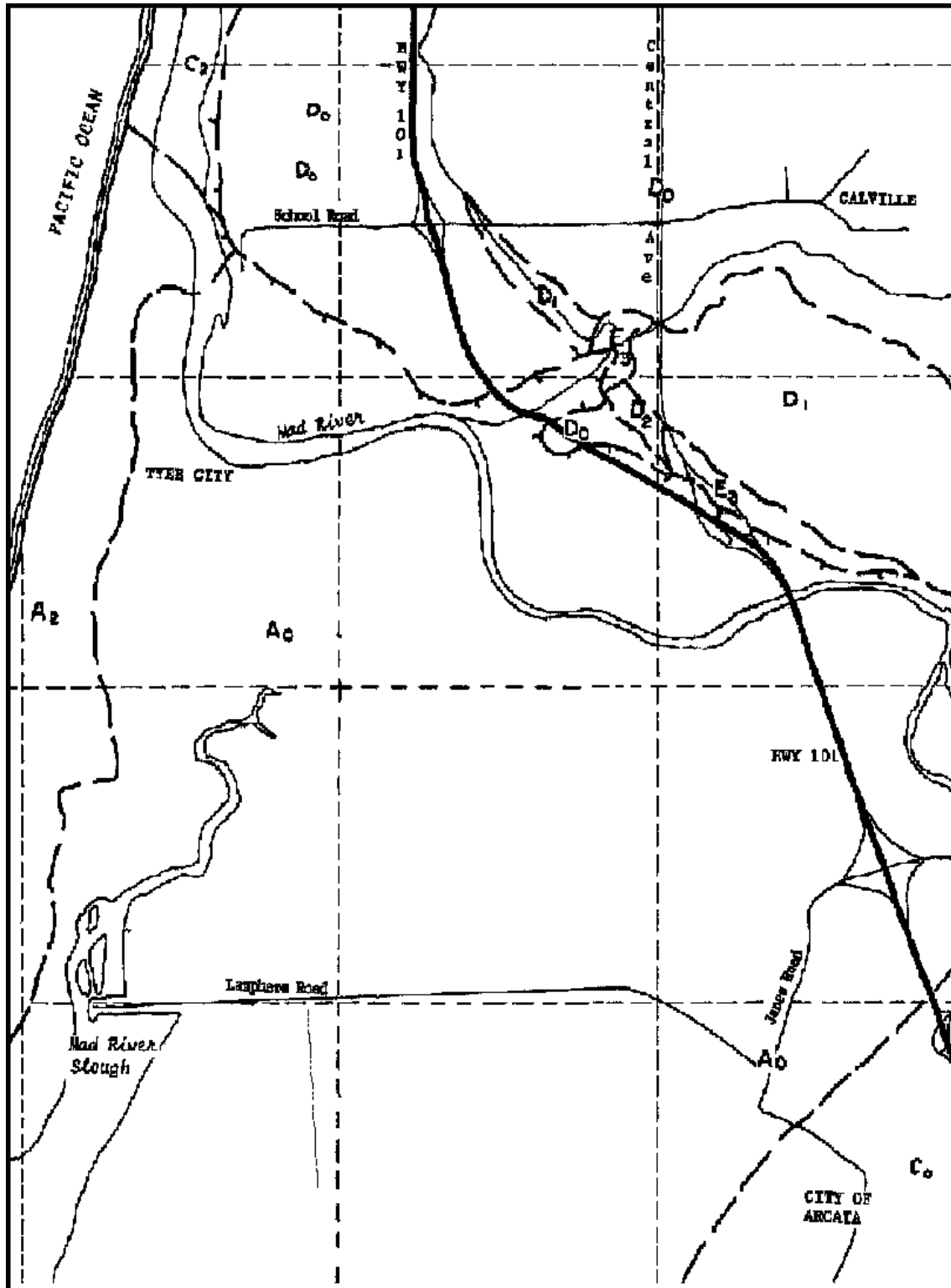


Plate III  
Humboldt Bay and Vicinity

SEISMIC SAFETY MAP  
North Sheet July 1979

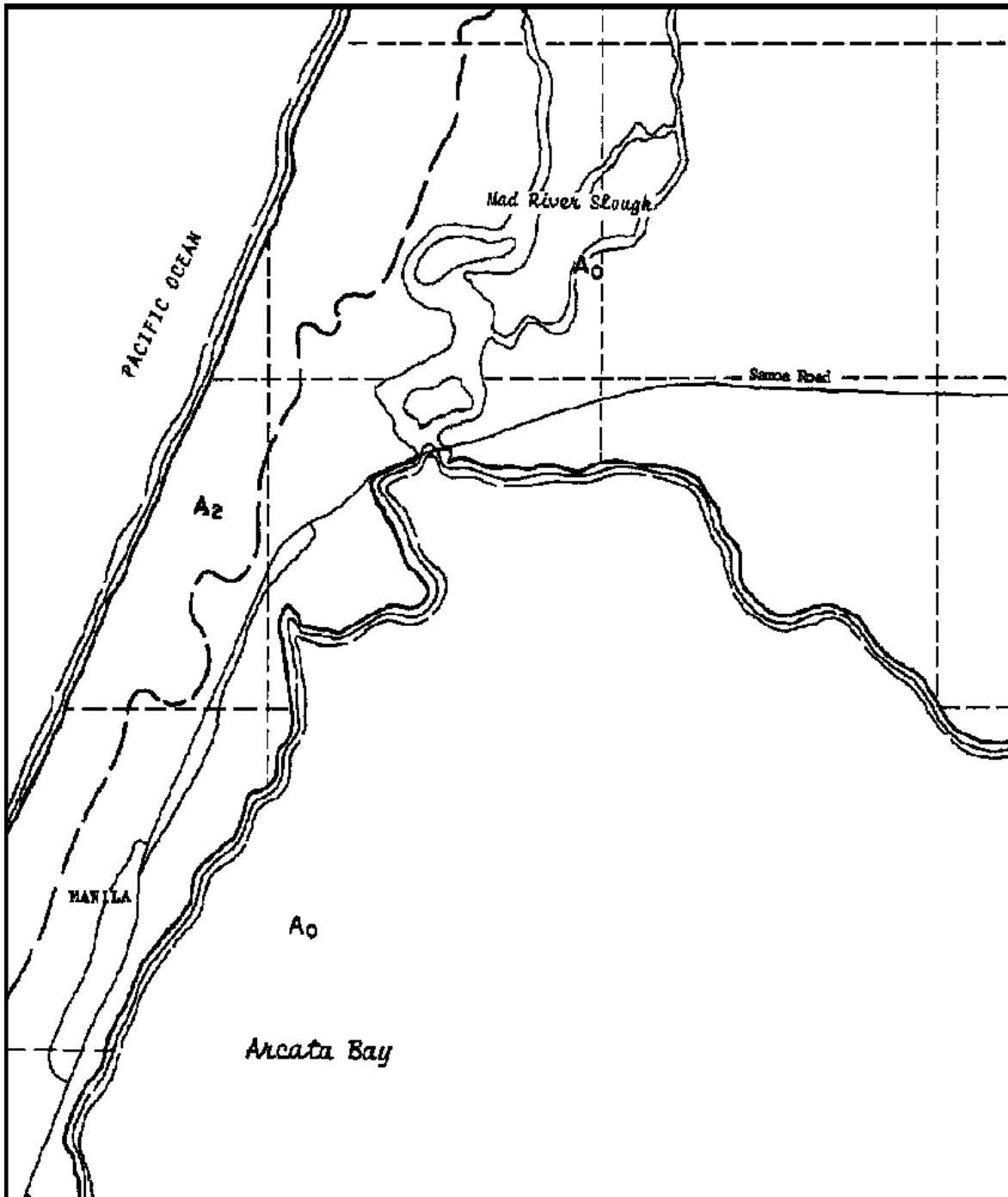


Plate III  
Humboldt Bay and Vicinity

SEISMIC SAFETY MAP  
North Sheet July 1979

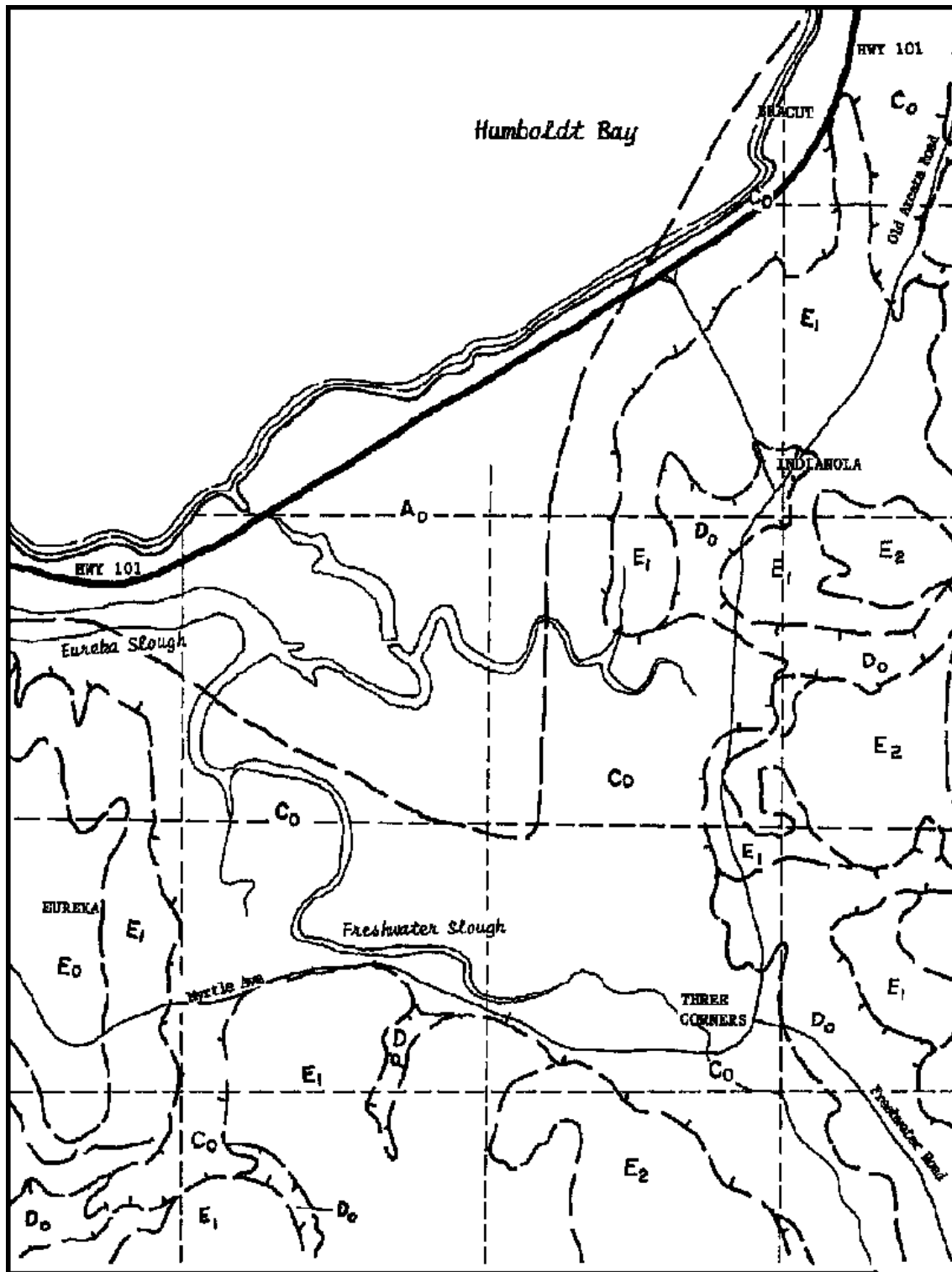


Plate III  
Humboldt Bay and Vicinity

SEISMIC SAFETY MAP  
North Sheet July 1979

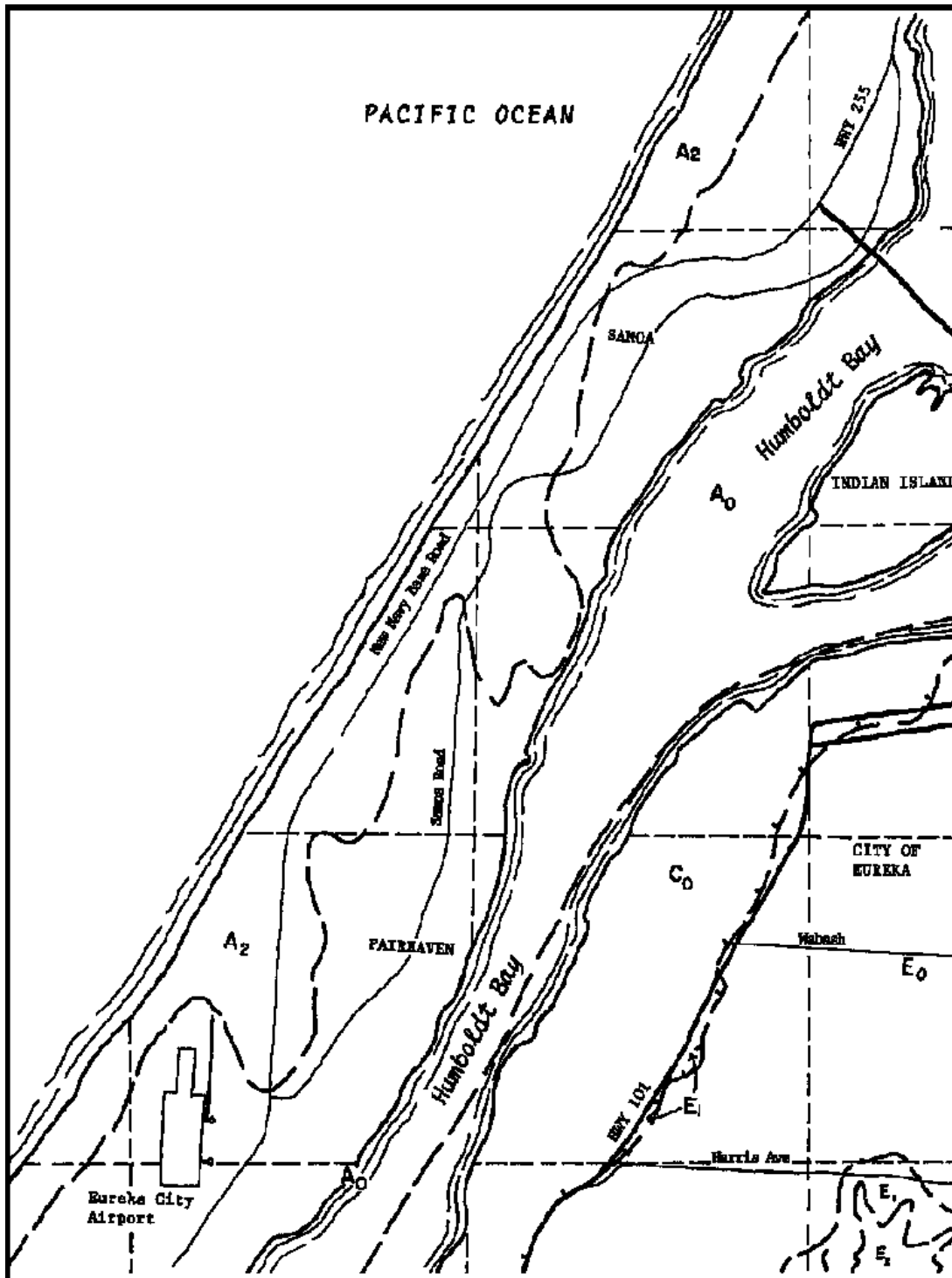


Plate III  
Humboldt Bay and Vicinity

SEISMIC SAFETY MAP  
North Sheet July 1979

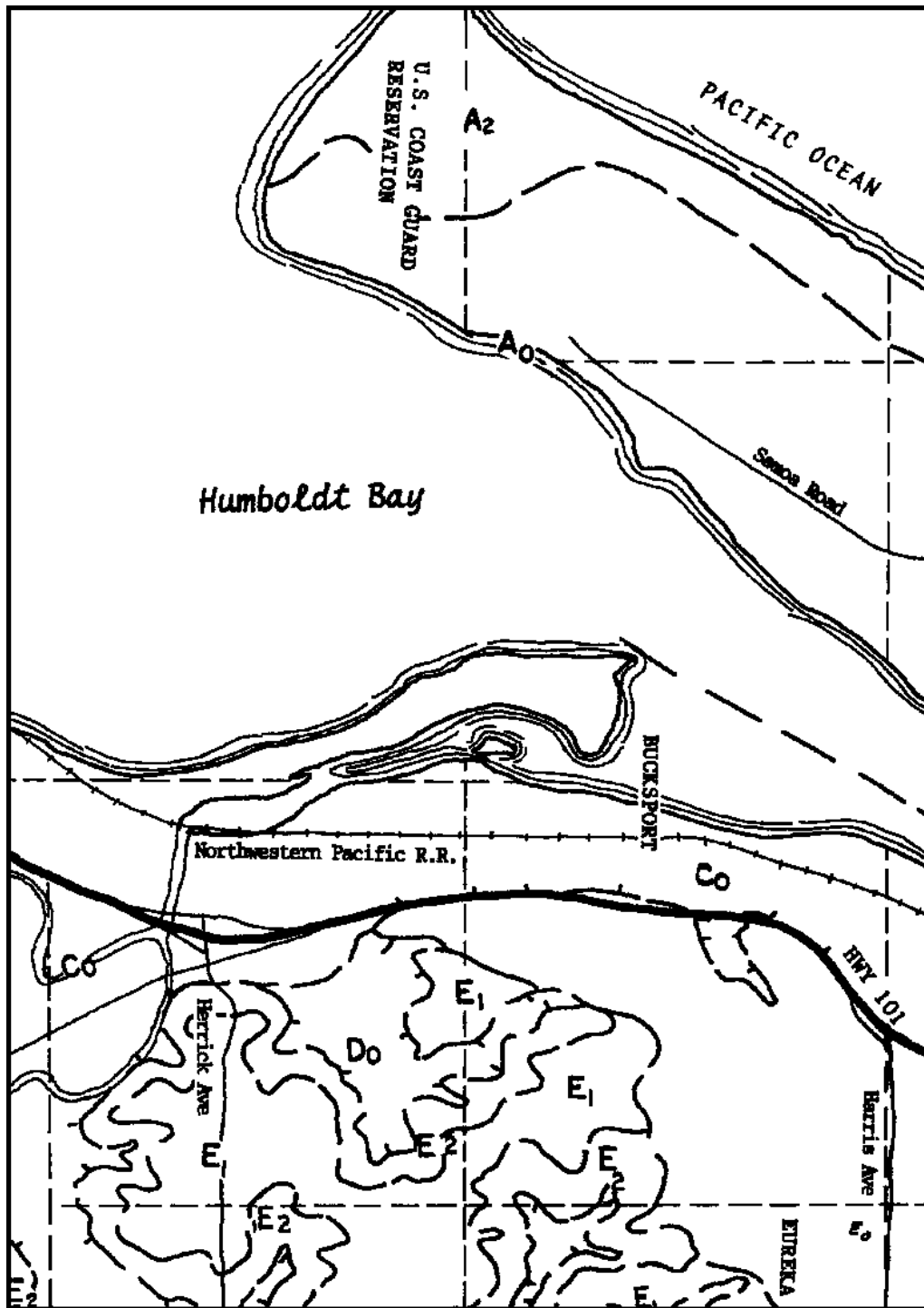


Plate III  
Humboldt Bay and Vicinity

SEISMIC SAFETY MAP  
North Sheet July 1979

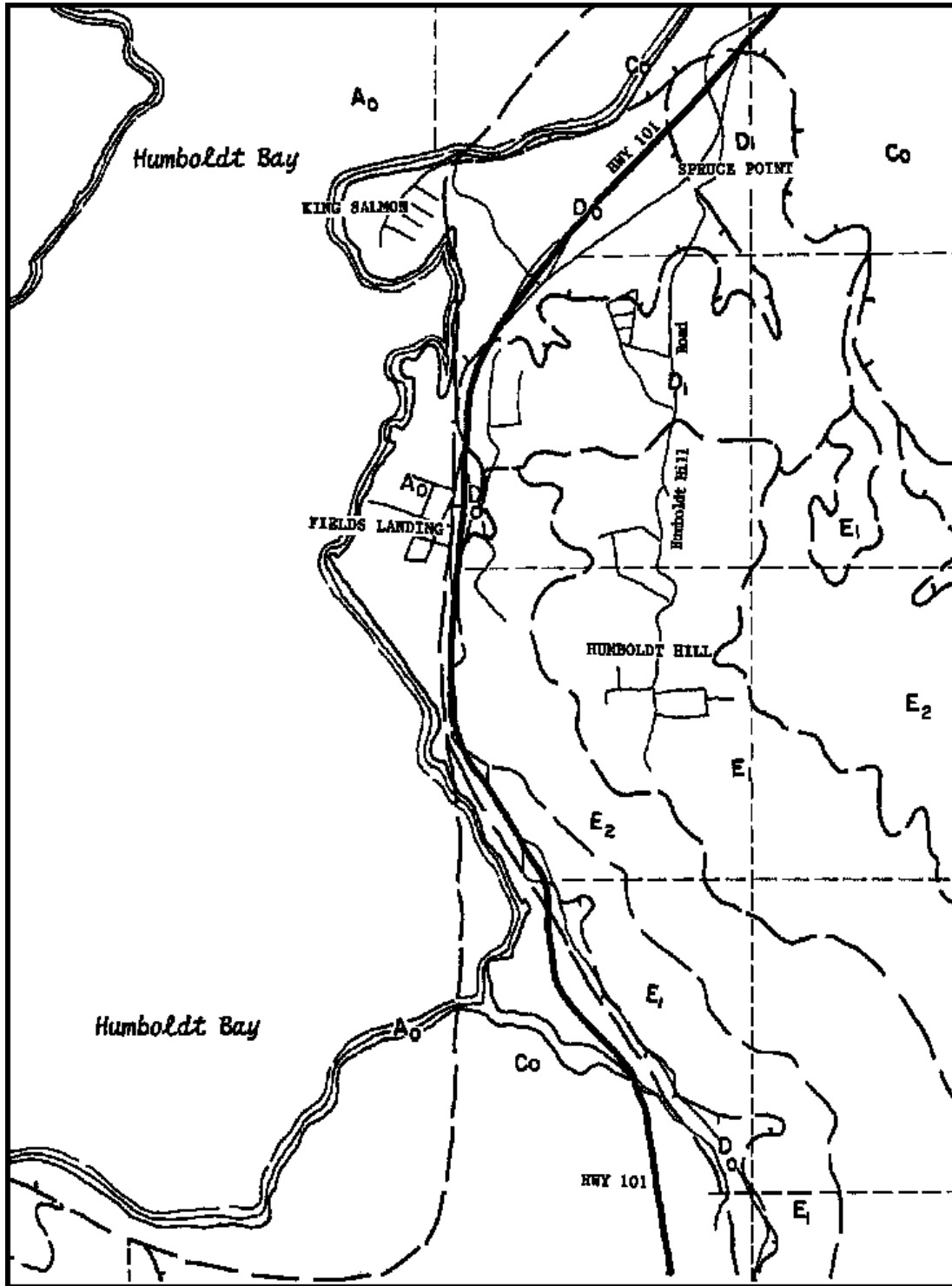
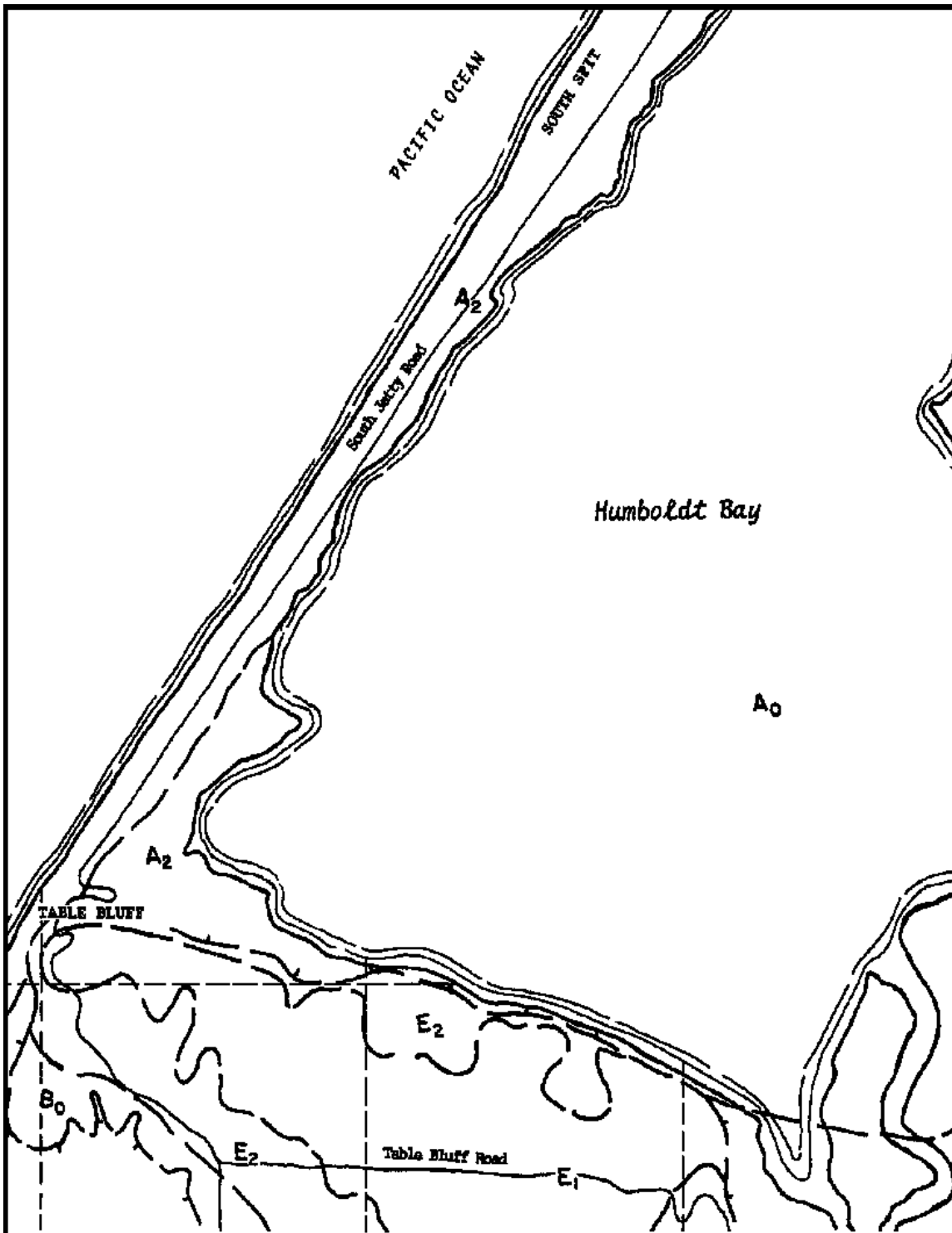


Plate III  
Humboldt Bay and Vicinity

SEISMIC SAFETY MAP  
North Sheet July 1979



## APPENDIX E

### XII. HUMBOLDT COUNTY SHORELINE CONDITION<sup>1</sup>

#### A. GENERAL

This information was developed by the California Department of Navigation and Ocean Development. The description of the existing shoreline and erosion problems was based upon a review of the Coast from project reports, cooperative beach erosion studies, aerial photographs, previous inventories, on-site photographs and DNOD staff inspections over many years.

#### B. CLASSIFICATION OF SHORELINE CONDITION

In order to plan and manage future shoreline development, the California shoreline has been classified into six types of shoreline conditions. The shoreline classifications do not reflect the geology of the area or the rate of erosion. The rate of erosion can change over time and the maps should be updated periodically to show any changes.

Descriptive notes are provided to give the reader additional information regarding the erosion conditions and existing physical characteristics not specifically covered by the classifications or apparent on the base maps.

A description and explanation of each shoreline classification is as follows:

Present Use Critical: Shoreline facilities exist which are subject to damage from wave action. They may be buildings, roads, recreational facilities, parking lots or other works of man that are in danger of suffering economic loss. Damage may not have occurred recently, but there is evidence that a danger exists.

Present Use Noncritical: Shoreline development has occurred, but the existing facilities are not now in danger of wave damage. Additional improvements could be subject to damage if proper precautions are not exercised.

Artificial Protection: Shoreline has been modified with some type of shore protection such as seawalls, rock revetment, bulkheads or artificial nourishment of beach sand. The shoreline is subject to wave damage and the protection system may require maintenance, reinforcement or complete reconstruction to protect the existing facilities.

Future Use Critical: The shoreline is undeveloped and is eroding. The present use may be agriculture, grazing or forests that are not significantly being economically damaged under existing conditions. An investigation of the danger of erosion, shoreline stability, and wave climate should be made before an economic investment is made in a more intensive land use.

Protective Beach: The shoreline consists of a sand beach which advances and retreats on a seasonal basis, but has sufficient width to protect the backshore against wave damage through one or two storm periods. These beaches are usually dependent upon a natural supply of sand to maintain their alignment and position under the prevailing wave climate. If the sand supply is significantly reduced or the wave climate altered, either naturally or artificially, the shoreline may change, thereby losing its protective characteristics.

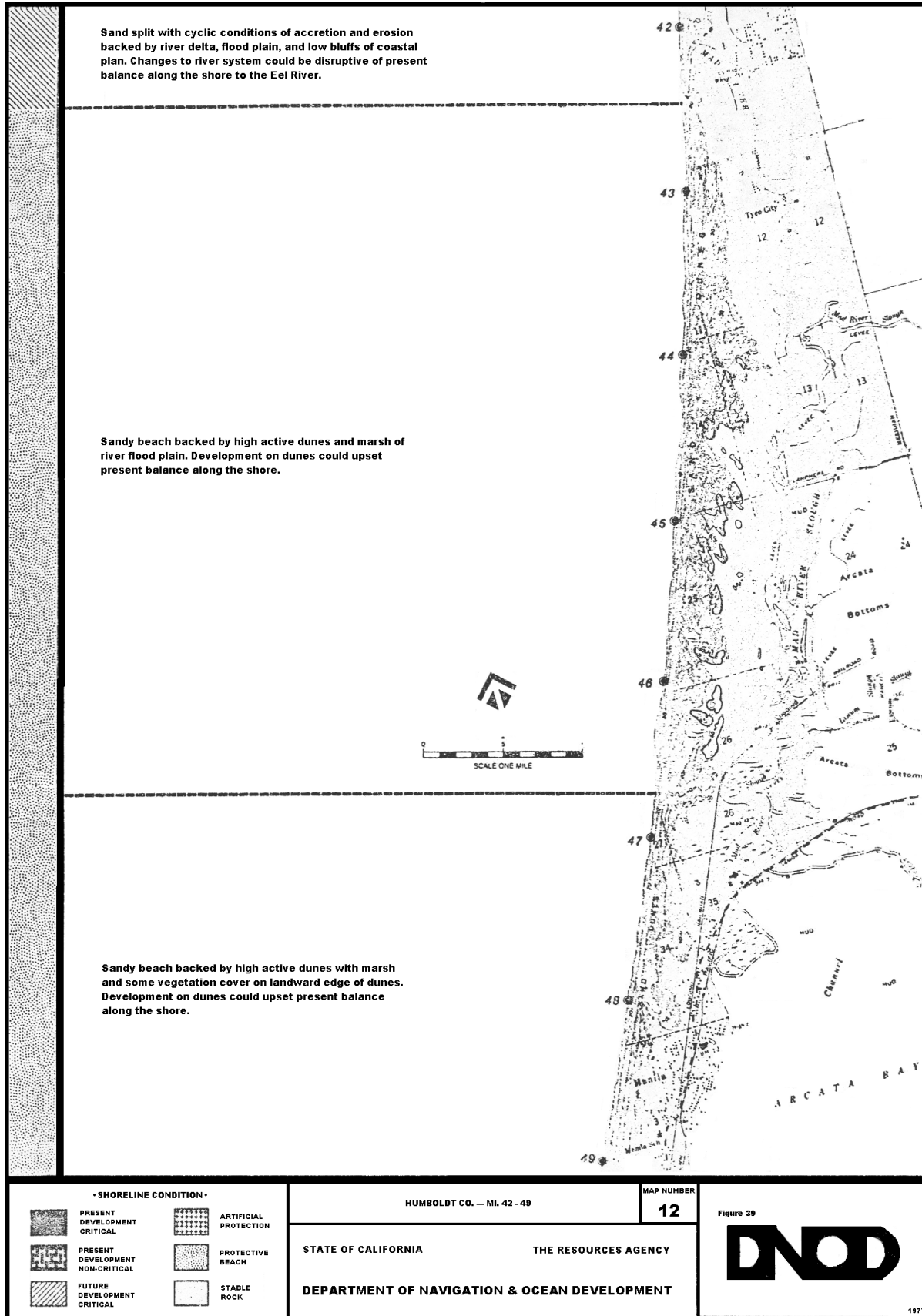
Stable Rock: The shoreline is a rock formation which shows little or no sign of wave damage.

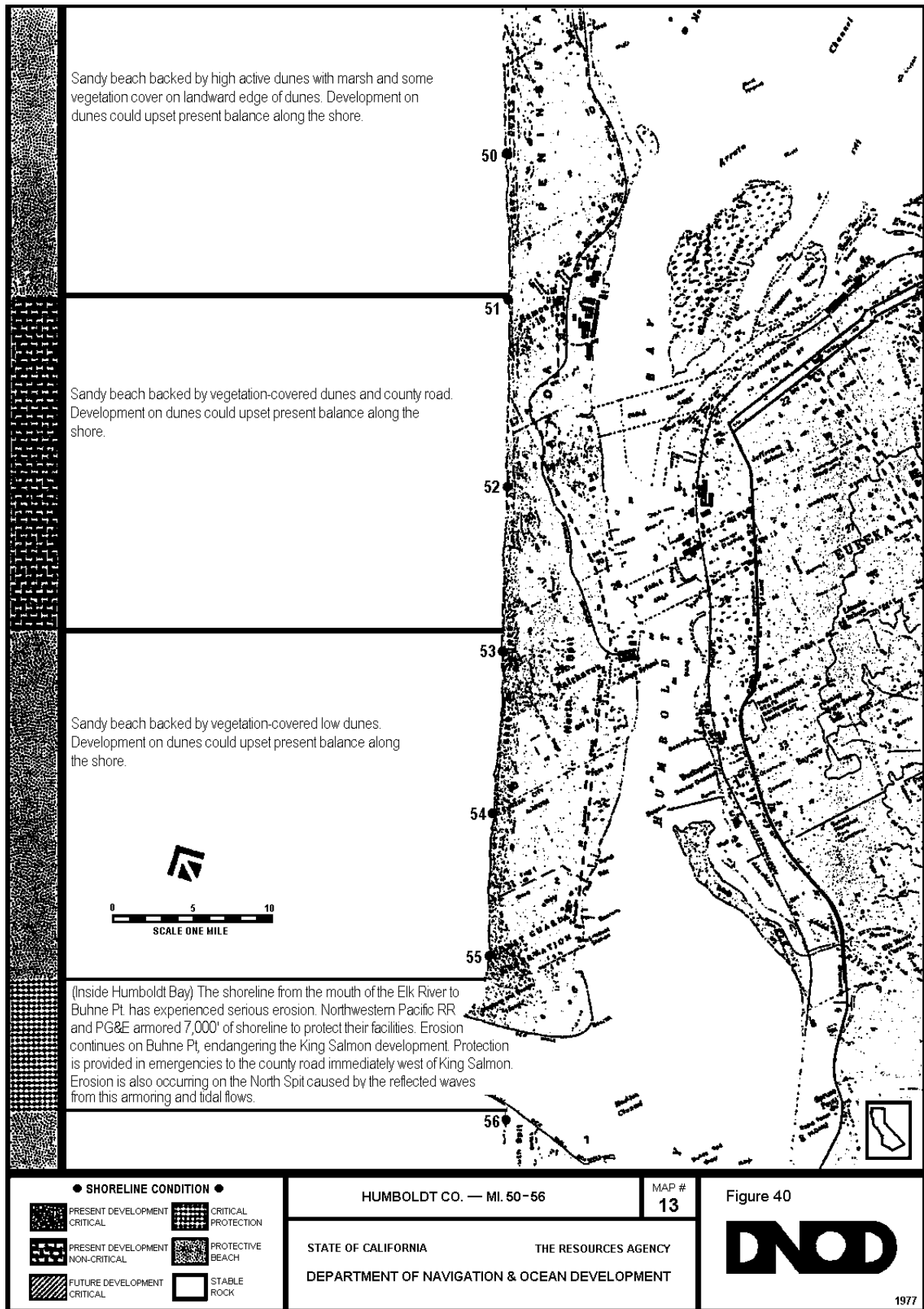
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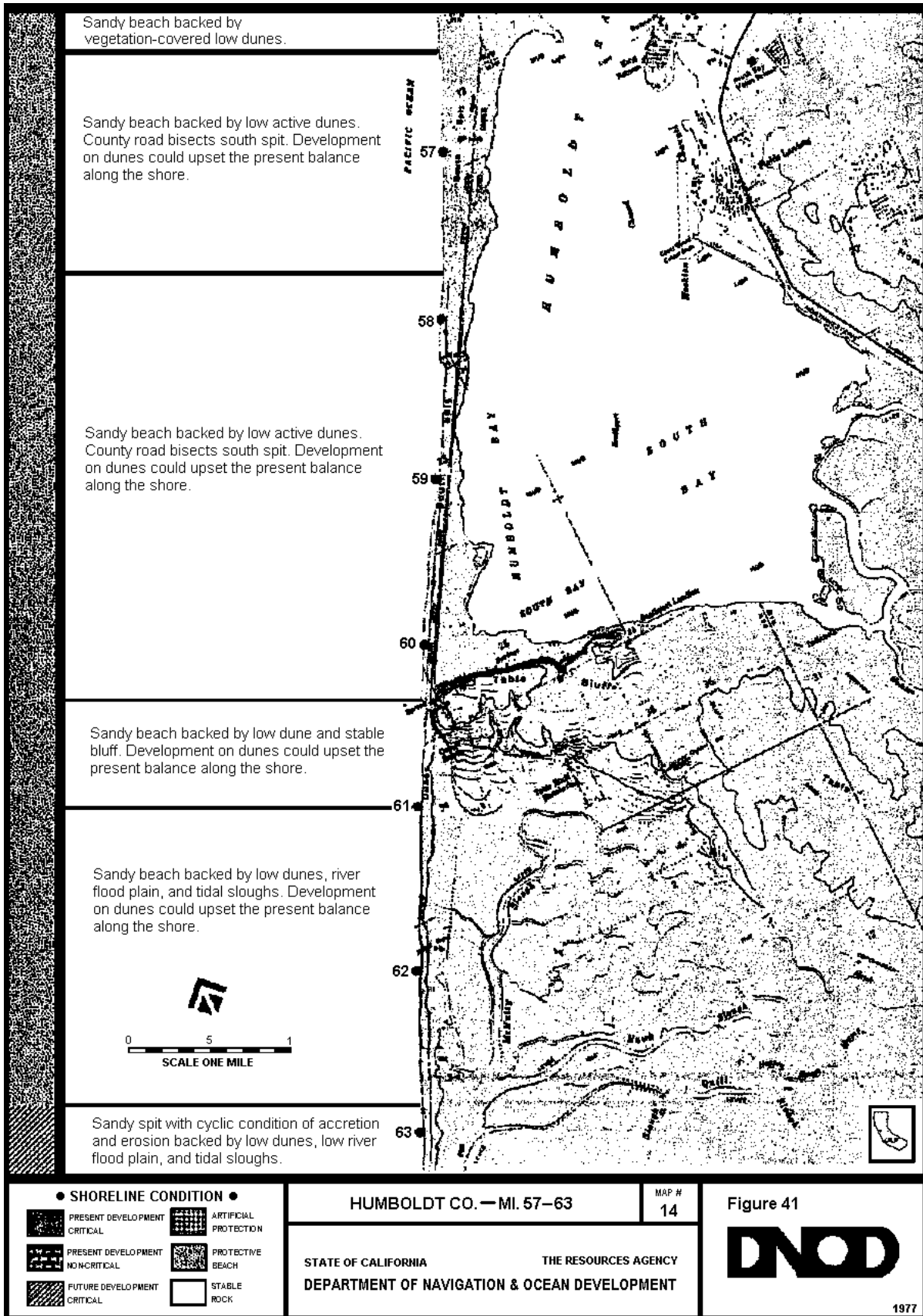
<sup>1</sup> SOURCE: Adopted Seismic Safety Element - Volume II

C.      FORMAT OF THE MAPS

The base maps used were prepared from U.S. Geological Survey 7½ minute quad sheets with a scale of 1:24000 (1 inch equals 2000 feet). The maps cover a somewhat smaller area than the USGS quad sheet in order to reproduce them at half scale (1:48000) on an 8-1/2 X 11 standard sheet, and publication of a standard-size volume. The maps have been laid out with the shoreline approximately along the vertical, center-line of the sheet. As a result, some maps may have an orientation other than north at the top of the sheet. Information on the erosion conditions is on the left or seaward side. The landside features remain intact for ease of identification and the reader's orientation. The land area shown varies from one to three miles in width, which, in most cases, covers the California coastal zone.







**APPENDIX F**

**SERVICE PROVIDERS INFORMATION**

Humboldt Bay Municipal Water District (amended Res. 92-15, 2/07/92)

Humboldt Community Services District (amended Res. 92-15, 2/07/92)

Fields Landing Water Company (amended Res. 92-15, 2/07/92)

Humboldt Number 1 Fire Protection District

Manila Community Services District

Appendix F

Amended Resolution 92-15, 2/07/92

HUMBOLDT COUNTY PLANNING DEPARTMENT  
LOCAL COASTAL PROGRAM  
SERVICE PROVIDERS WORKSHEET

(If additional space is needed for completing answers, please feel free to write on the back or to attach additional sheets.)

- I. A. FULL TITLE/NAME of SERVICE PROVIDER:  
Humboldt Community Services District
- B. NAME OF INDIVIDUAL (DIRECTOR, ENGINEER, OR CONSULTANT MOST FAMILIAR WITH YOUR SYSTEM TO SERVE AS FOLLOW-UP CONTACT, IF NECESSARY):  
James L. Peoples, General Manager
- C. TYPES OF SERVICES CURRENTLY PROVIDED:  
Water, sewer, and street lighting.
- D. OTHER SERVICES THE DISTRICT IS AUTHORIZED TO PROVIDE, BUT CURRENTLY DOES NOT:  
Numerous latent powers authorized by Community Services District Law, however, only the above are currently authorized.
- E. PLEASE RETURN WITH THIS WORKSHEET A MAP OF THE DISTRICT BOUNDARY AND CURRENT AND PROPOSED SERVICE LINES. (BASE MAPS WITH PROPERTY LINES FOR DELINEATING THIS INFORMATION ARE AVAILABLE UPON REQUEST FROM THE LCP OFFICE AT TWO SCALES; USGS 7.5' QUADS FOR RURAL AREAS AND 1" = 600' FOR COMMUNITIES OF FIELDS LANDING, KING SALMON, MYRTLETOWN, MANILA, INDIANOLA, SAMOA, FAIRHAVEN.

- F. WITHIN THE COASTAL AREAS, DOES YOUR DISTRICT RECOGNIZE WHETHER FORMALLY OR INFORMALLY, ANY "SUBDISTRICTS" WITHIN YOUR JURISDICTION? IF SO, WHAT IS THE PURPOSE OF THIS DELINEATION (I.E.: DOES IT REFLECT PRIORITIES FOR IMPROVEMENT, EXPANSION, OR SERVICES, ETC)?

Pine Hill and Worthington (Myrtle town) are sewer assessment districts formed to finance sewer systems that have been constructed.

- G. BRIEFLY DESCRIBE THE METHOD OF FINANCING FOR YOUR DISTRICT, CURRENT SOURCES OF REVENUES (I.E. USER FEES) AND ANTICIPATED SOURCES OF FUTURE REVENUES AND FUNDING OPPORTUNITIES:

Currently, 92% of revenues come from user fees. Approximately 8% from ad valorem taxes. Occasional State and Federal loans and grants have been used for improvements and expansion.

II. WATER SERVICE PROVIDERS

- A. WHAT IS THE SOURCE OF YOUR WATER (NATURAL OR WHOLESALE)?

Purchased from Humboldt Bay Municipal Water District and City of Eureka; District also owns 3 deep wells in Humboldt Hill area that supplies one third of total requirement.

- B. PLEASE PROVIDE A BRIEF EXPLANATION OF YOUR STORAGE AND PUMPING CAPACITY ALONG WITH SPECIFIC INFORMATION ON THE OVERALL CAPACITY OF THE SYSTEM WITH RESPECT TO CAPACITY OF ADDITIONAL HOOK-UPS WITHIN AND OUTSIDE THE AREA CURRENTLY SERVICED AND INCLUDING AN EXPLANATION OF HOW THIS IS DETERMINED, CURRENT LEVELS OF USE, AND SEASONAL VARIATIONS IN SUPPLY IF APPLICABLE:

District currently supplies 2.57 million gallons per day on a yearly average to approximately 16,000 residents (6,000 water services). Reservoir capacity is currently 3.77 million gallons. Summer peak water demand is in excess of 3 million gallons per day.

Water distribution systems are normally sized to meet fire flow requirements which is in excess of potable water uses.

An estimated 90% of the District's service area is outside the Coastal Zone.

The District currently has contracts to purchase 1.9 MGD directly from Humboldt Bay Municipal Water District. We also have a contract with the City of Eureka to purchase 1 MGD of Mad River water. In addition to these two sources, the District owns 3 deep wells in the Spruce Point/Humboldt Hill area that, combined, are capable of producing 2.36 MGD of water for a total capability of 5.26 MGD. The Humboldt Community Services District calculates it has sufficient capacity available to serve an additional 3,450 single family homes.

- C. WITHIN THE NEXT FIVE YEAR PERIOD BRIEFLY WHAT PLANS IF ANY DOES YOUR DISTRICT HAVE FOR IMPROVEMENTS, MODIFICATION, EXPANSION OF SERVICES, OR SERVICE DISTRICT BOUNDARY?

See attached five year plan.

III. WASTEWATER DISPOSAL PROVIDERS

- A. WHAT IS THE CURRENT LEVEL OF USE OF YOUR SYSTEM, INCLUDING CURRENT NUMBER OF HOOKUPS AND AVERAGE ANNUAL FLOWS (DRY AND WET WEATHER)?

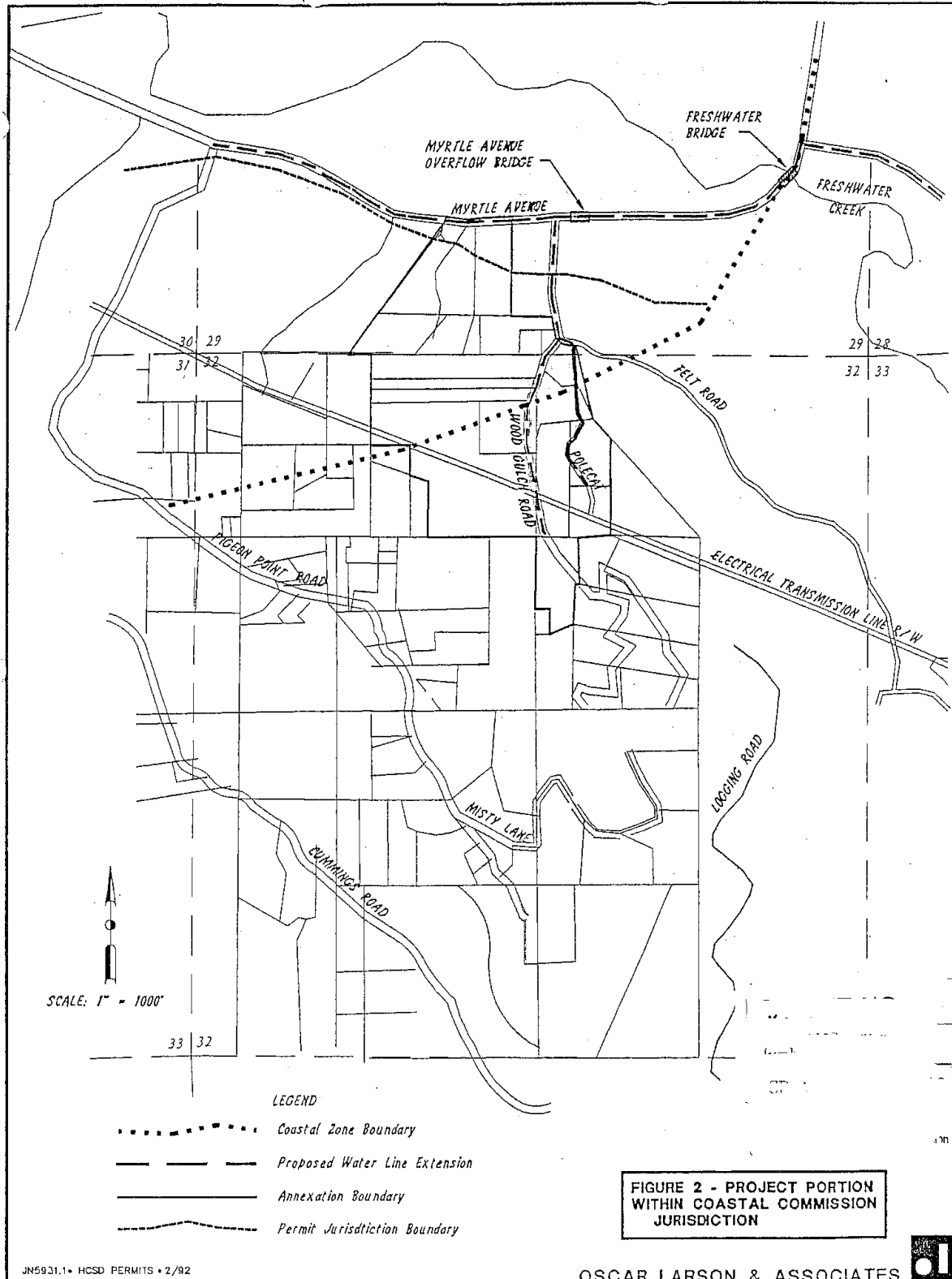
The District currently has in excess of 4,000 sewer services. Average daily flow is slightly over 1.5 MGD. System overall has a capacity for at least twice the existing number of connections. City of Eureka provides sewage treatment under contract with the District. District owns reserve capacity equivalent to 1/3 of City Elk River treatment Plant.

- B. WHAT IS THE CAPACITY OF THE PRESENT SYSTEM FOR ADDITIONAL CONNECTIONS AND HOW IS THIS DETERMINED?

Based upon treatment plant reserve capacity owned by Humboldt Community Services District, 10,300 sewer connections can be accommodated. This information developed for current Eureka General Plan under development.

- C. WHAT PLANS, IF ANY, DOES YOUR DISTRICT HAVE FOR THE NEXT FIVE YEARS FOR IMPROVEMENTS, EXPANSION, OR MODIFICATION OF SERVICES, OR EXTENSION OF THE SERVICE DISTRICT BOUNDARY?

Possible expansion of sewer service to Eggert Road and Westgate Road areas.





HUMBOLDT No. 1  
FIRE PROTECTION DISTRICT  
3455 HARRIS ST., EUREKA, CA. 95501  
PHONE (707) 442-9041

December 11, 1980

RECEIVED

DEC 16 1980

HUMBOLDT COUNTY  
PLANNING COMMISSION

Mr. Clifford Kraft  
Planning Department  
County of Humboldt  
3015 H Street  
Eureka, Ca. 95501

Dear Sir:

The following is intended to provide the information requested on the Service Providers Worksheet recently sent to this District. The order is the same as requested and number and letter identification is also consistent for ease in reading.

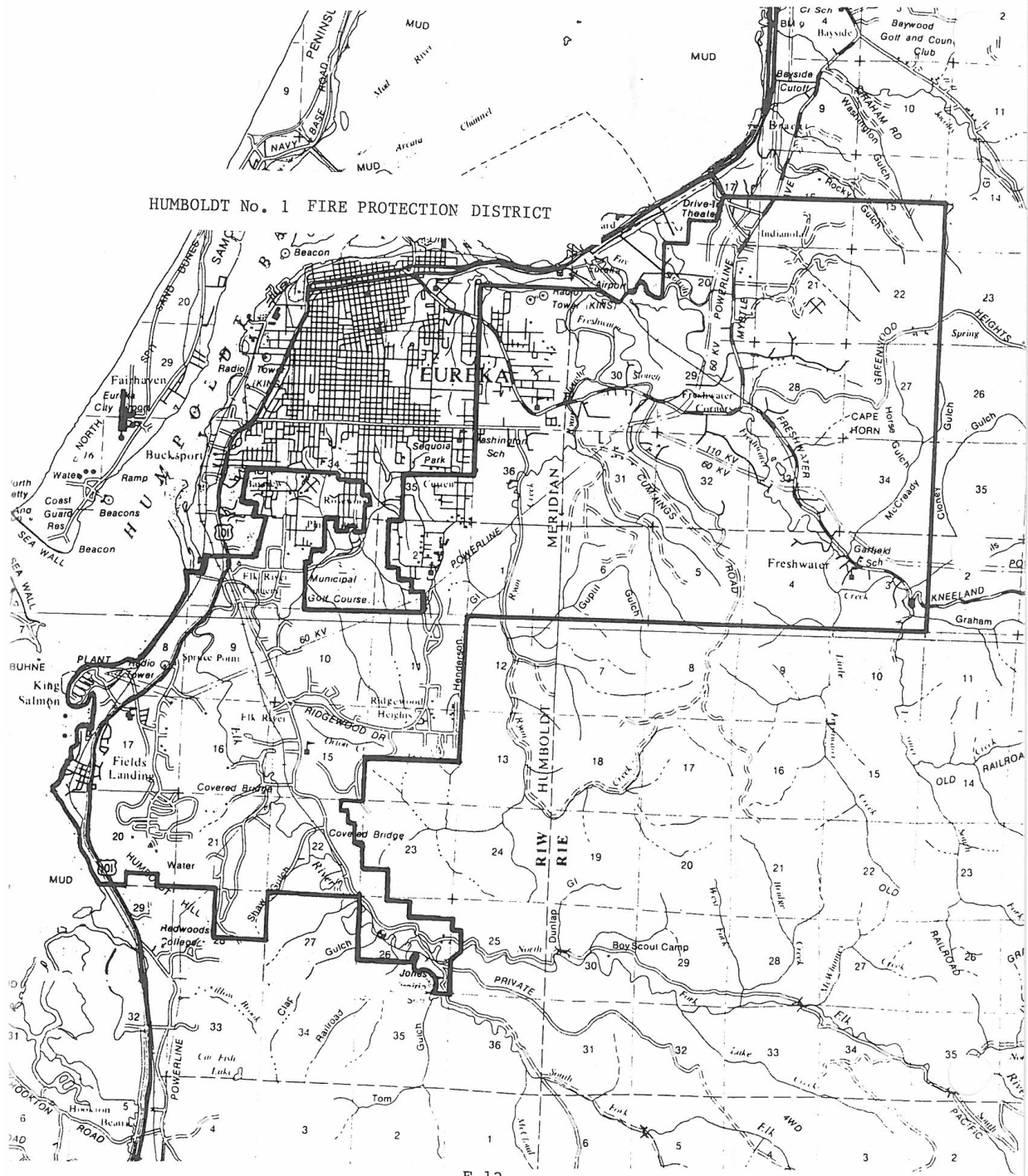
- I. A. Humboldt No. 1 Fire Protection District,  
3455 Harris Street, Eureka, Ca. 95501
- B. John A. Vieira, Fire Chief - Telephone (707) 442-9041
- C. Fire suppression, rescue, firstaid, fire prevention, site inspections, building and grounds maintenance inspection, disaster response and planning.
- D. Ambulance, paramedic
- E. Map enclosed
- F. Sub-districts would relate to those areas which do not have water (fire hydrants) for fire protection. These areas are rated in Fire Class 8 as opposed to Class 4 where fire hydrants exist. Class 8 areas are served by water tanker which requires roads and bridges suitable for all weather load limits. Should additional growth be transferred to other areas because of Coastal Zone restrictions (ie. high rise buildings, planned unit development, increased density and industrial growth) how will fire protection facilities, equipment and man power be addressed?
- G. Operating revenue is currently controlled by allocation by the Board of Supervisors. It is anticipated that this will change to some degree in the near future.

I trust the above will be what is required. If additional information is needed please contact this District.

Sincerely,  
*John A. Vieira*  
John A. Vieira, Fire Chief

/tc

F-11



F-12

**WINZLER & KELLY**  
CONSULTING ENGINEERS

JOHN R. WINZLER - CE 9878  
ROBERT F. KELLY - CE 11005  
RONNIE N. CLIFFORD - CE 14071

A Corporation

633 THIRD STREET • P.O. BOX 1345 • EUREKA, CALIFORNIA 95501 • PHONE (707) 443-8326

Refer to: 79-015-A83

February 12, 1981

RECEIVED

FEB 17 1981

HUMBOLDT COUNTY  
PLANNING COMMISSION

Clifford Kraft  
Local Coastal Program  
Humboldt County Planning  
3015 H Street  
Eureka, California 95501

Subject: Manila Utility Capacity

Dear Sir:

This letter is being written in response to your recent telephone request regarding the capacity of the water and sewage system in Manila.

As you know, we designed both systems and are intimately familiar with their capabilities. The facts are as follows:

1. The water system was basically designed so that we can get 1,000 gallons a minute to the most remote hydrant and in small systems the design is controlled by fire flow, not domestic use. Domestic use during the day runs along in the vicinity of 35 to 50 gallons per minute. Average per capita use is something in the vicinity of about 80 gallons per capita day. The 1970 census indicated there were about 3.2 persons per home. I have not yet seen the 1980 census data. We are currently serving about 360 customers and the system would not be at all taxed to serve 1,000 customers, although I am not sure if there is room within the existing boundaries of the community for this number. Service could be extended to the north, south, or west, if desired.
2. The sewage collection system pumps and controls were designed for approximately 750 customers. As this was a new innovative design, there isn't any background on pressure sewers, especially the number of individual pumps that could come on at any one time, creating potential limitations. We thus erred on the high side. We have monitoring equipment in that now shows flows at any time and the number of pumps that come on simultaneously. Both are lower than expected, thus it is my opinion that we could likely serve 1,000 customers with the sewer collection system also.

CONSULTING ENGINEERS

INDUSTRIAL • MECHANICAL • ELECTRICAL • STRUCTURAL • CIVIL • PLANNING  
REPORTS • DRAINAGE • ROADS • SURVEYS • ENVIRONMENTAL • COASTAL

**WINZLER & KELLY**  
CONSULTING ENGINEERS

Clifford Kraft  
February 12, 1981  
Page 2

There is currently one unknown. That is the ultimate capacity of the leachfield. Criteria we used was very conservative and at the time we felt that we could likely double the existing 360 customers. We are now not as sure of this fact and I suppose we would want to acquire some additional land for this purpose if any large subdivisions, trailer courts, or etc. were to be added to the system at any one time. We are currently investigating the leachfields and may have a better answer for you this summer. At this point it appears the leachfields might have a limitation in the vicinity of 500 homes without expansion.

If you have need of any further information do not hesitate to call.

Sincerely,

WINZLER AND KELLY

*R. F. Kelly*  
Robert F. Kelly

RFK:pm

cc: Manila Community Services District

## APPENDIX G<sup>1</sup>

### SCENIC ROUTE STUDY CONTENTS

The Scenic Route Study shall include text, maps, charts and other necessary information describing the following items:

- I. The California Department of Transportation shall be primarily responsible for:
  - a. describing the routes or realignments proposed for the highway if such are known;
  - b. describing the scenic elements adjacent to the roadway;
  - c. describing the relationship of the roadway to the surrounding environment and to the preservation and visibility of the scenic elements;
  - d. identifying potential areas for public or commercial information sites, roadside rests and vista stations;
  - e. analyzing the highway facility to determine if roadway, right of way and appurtenant structures meet aesthetic standards;
  - f. identifying other State jurisdictional or resource management responsibilities in the corridor.
- II. Caltrans and the Planning Department shall be jointly responsible for:
  - g. identifying the proposed route boundary for each segment or route. At least one workshop shall be held to elicit public comments on the route boundary.
- III. The Planning Department shall be primarily responsible for:
  - h. identifying and evaluating existing local regulatory controls and describing any additional local regulatory controls that may be included in the Plan;
  - i. assessing potential impacts of regulatory controls on property rights, timber harvesting, farming, ranching, construction and other commercial activities;
  - j. developing a work program for the completion of the Scenic Route Plan including a description of the work elements, a time table and staffing requirements.
  - k. one or more workshops shall be held during the preparation of the Scenic Route Study to inform the public that the study is being prepared and to elicit public comments. A notice advertising the workshop shall be run in a publication that serves the affected area.
  - l. written comments shall be requested from any incorporated City when a portion of its Sphere of Influence is included in a Scenic Route Study.

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<sup>1</sup> Humboldt County Scenic Highways Element Appendix A

APPENDIX H

APPENDIX H

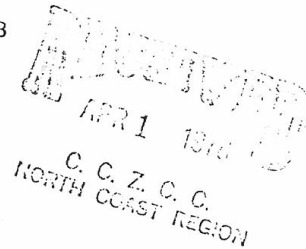


United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Division of Ecological Services  
2800 Cottage Way, Rm. E-2727  
Sacramento, California 95325

March 31, 1978

Mr. Richard G. Rayburn,  
Executive Director  
California Coastal Zone  
Conservation Commission  
North Coast Region  
P.O. Box 4946  
Eureka, California 95501



Dear Mr. Rayburn:

This letter provides general guidance for the compensation of fish and/or wildlife resources resulting from projects in the Humboldt Bay area. It is being sent to you to assist your staff in its role in local coastal planning and because of your probable early contact with project sponsors. The U.S. Fish and Wildlife Service is seriously concerned about developments that destroy the nation's waterways and adjacent wetland areas. Commercial interests are putting heavy pressure on these resources as they seek low cost land for development. This specific problem is particularly acute in the Humboldt Bay area because of local geography.

In our opinion manmade developments that encroach into the nation's waters and wetlands should be limited to those uses which require such a location such as selected wharves and docks, navigation improvements, navigational safety aids, etc. or those uses that require the water or wetland resources. Facilities must stress compatibility with the total environment and versatility to serve multiple uses and industries.

Some definitions we are using regarding water and waterfront uses are:

Water-dependent use: Water location is necessary for its physical function--such as handling goods and services for transportation on water, i.e., port facilities.



*Save Energy and You Serve America!*

Multi-purpose/shared-use facilities should be stressed over single-purpose uses.

**Water-oriented use:** Facing the shoreline or water--does not require a location on the waterfront or shoreline; i.e., restaurants, clubhouses, housing, apartments. There should be adequate setbacks.

**Water-related use:** Requiring access to water or water itself as a resource, but does not require a waterfront location. Most industries requiring cooling water or industries that receive raw material via navigable waters for manufacture or processing.

New developments should increase access and the opportunities for pleasurable and leisurely physical and visual contact with Humboldt Bay and the associated wetlands, their resources and associated values.

Before permits are issued for approvable projects that develop or utilize one or more facets of the resource under Federal control or jurisdiction, certain factors of public interest consistent with the environmental and resource protection must be considered. In order to optimize resource protection it must be clearly demonstrated that the works or activities proposed are in the public interest.

1. Is the proposed work necessary for the health, safety or welfare of the public?
2. Describe how the proposed activity is consistent with the public trust in such areas.
3. Describe what private interests are being served.
4. Describe what public interests are being served.
5. Describe how the public benefits.
6. Describe how public resources and the total environment will be protected from adverse effects of the work proposed.

7. What are the singular and cumulative impacts of the proposed work?

A project developer, as an integral part of permit processing, should prepare a resource conservation plan for the fish and wildlife resources to be affected by the proposed project. This plan should be prepared after consultation and in cooperation with the Fish and Wildlife Service and the California Department of Fish and Game; and in the case of public lands or public trust easements reserved in such lands, the State Lands Commission also should be involved. It may be necessary to have other agencies, such as your own, involved in this effort. The plan should describe the effects of the project upon fish and wildlife resources and their support habitat in the project vicinity and measures considered necessary to protect, restore, compensate, or replace these resources. The plan should contain proposals for project modification, land acquisitions, facilities, and other developments as may be necessary for the compensation of fish and wildlife resource losses.

It has come to our attention that very few planners outside the Service fully understand our policies with regard to projects and necessary compensation of fish and/or wildlife resources. Basically what we want to provide is a short description of the Service's general policies on compensating Federally permitted or funded projects in or adjacent to the coastal zone so that planners may better anticipate potential project requirements and more effectively work with us as well as other conservation agencies.

The resources of the bay can be categorized into habitat types, both aquatic and terrestrial. Each has a value relative to the other which we cannot and do not attempt to evaluate. In general, however, a scarce resource is more valuable than a common resource. To illustrate, the saltmarsh is valued more than mudflat, tidal habitat is valued more than nontidal, wetlands valued more than uplands, etc. The assemblage of all habitat types constitutes a complexly interrelated ecosystem of which no component is expendable.

When it is unavoidable that a resource be altered or destroyed we recommend that replacement habitat be provided. The position of the Fish and Wildlife Service has long been that resources lost or displaced should be made whole in their new situation to the greatest extent possible and reasonable. This effort is most often accomplished by implementing fish and wildlife habitat management measures on adjacent lands or waters. It is the net

fish and/or wildlife values that accrue that are a measure of the resource compensation provided. The existing values must be subtracted from the gross values after habitat management is implemented to reflect the net increases. Simply acquiring and dedicating habitat for preservation has no habitat replacement value onto itself. Obviously it is desirable for project sponsors to seek lands or waters with the greatest improvement capability upon which to attempt habitat replacement. In the Humboldt Bay area creating saltmarsh, open water, or a freshwater marsh is the preferred and often time the only acceptable forms of compensation. Restoring tidal action to an existing nontidal area, develops fishery values which maximize net habitat replacement benefits for the project sponsor.

One method whereby we measure the existing or future quality of a habitat type or resource is the Habitat Evaluation Procedures (HEP). These procedures have been standardized by the Service for use throughout the nation. A copy of the procedures are attached for your information. To apply the procedures requires trained personnel and an integrated approach. The Service must be a party to the application of HEP if we are to accept the results.

Rather than attempting to identify specific plots of lands around Humboldt Bay that would be suitable for habitat management as compensation areas we prefer to identify general characteristics so project sponsors themselves can consider the widest possible array of choices. To compensate for lost tidal habitats we generally recommend that areas behind dikes be restored to tidal action. To compensate for the loss of nontidal wetland habitats we often recommend creation of freshwater marsh. Generally any habitat replacement should take place as near the loss site as possible and take place prior to or concurrent with project construction.

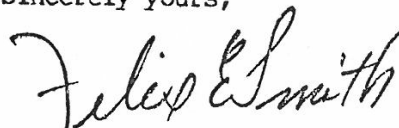
When looking for sites to compensate for the loss of tidal areas it is to the project sponsors advantage to look for areas to develop a saltmarsh because (1) net compensation benefits are highest, (2) most sites are suitable with only minimum amounts of habitat manipulation, and (3) the probable success of the compensation measure is greatest. Creating a tidal marsh is accomplished by restoring full tidal action and generally requires the construction of structures (i.e., ditches and dikes) to allow entry of tide water and restrict flow onto nontarget areas. Sites for such restoration around the bay are almost unlimited. The presence of isolated areas of tidal saltmarsh adjacent the bay is proof of this potential. Saltmarsh creation does not occur instantaneously, however, and full value might not be realized for several years after initiation of management.

From a strict fish and wildlife standpoint the best sites for compensation are characteristically those with the greatest industrial or agricultural values as these have the lowest wildlife values and thus the greatest management potential. For practical reasons it will often be necessary to choose lands based on low economic value as sites for compensation. For the establishment of saltmarsh there are optimum land elevations, geographical locations, tidal exchange rates, adjacent land uses, etc. Elevations in the upper one or two feet of the normal tidal range are best for supporting marsh. Lands of lower elevation will result in open water or mud flats which will generally be of far less value than saltmarsh. Any structure to allow tidal entry should be sufficiently large to permit a full tidal prism and pass juvenile fishes. Without a good tidal prism the marsh may not develop tidal meanders which enhance both fish and wildlife values. Ideally, adjacent land uses should be compatible with wildlife. A fringe of woody riparian vegetation on dikes is always valuable as a buffer strip as well as providing habitat in itself.

The freshwater marsh resource is very scarce in the Humboldt Bay area. The creation of a freshwater marsh requires a properly shaped basin and an adequate drainage area or inflow. Because freshwater marshes are so valuable to water oriented birds they must be located in areas where high utilization by a variety of wildlife can be realized to attain maximum compensation benefits.

Humboldt Bay is a unique ecosystem on the California coast and specific management practices for Humboldt Bay may not be applicable elsewhere. The basics we have provided you in this letter are generally applicable to the Humboldt Bay area but are only intended as an orientation guide for lay users. Although a commonly used formula is 2 units of compensation to be provided for each unit of resource lost there is no hard and fast rule and any such generalization would be highly unreliable. Any formal position of the Service can only come through official channels on a project specific basis.

Sincerely yours,



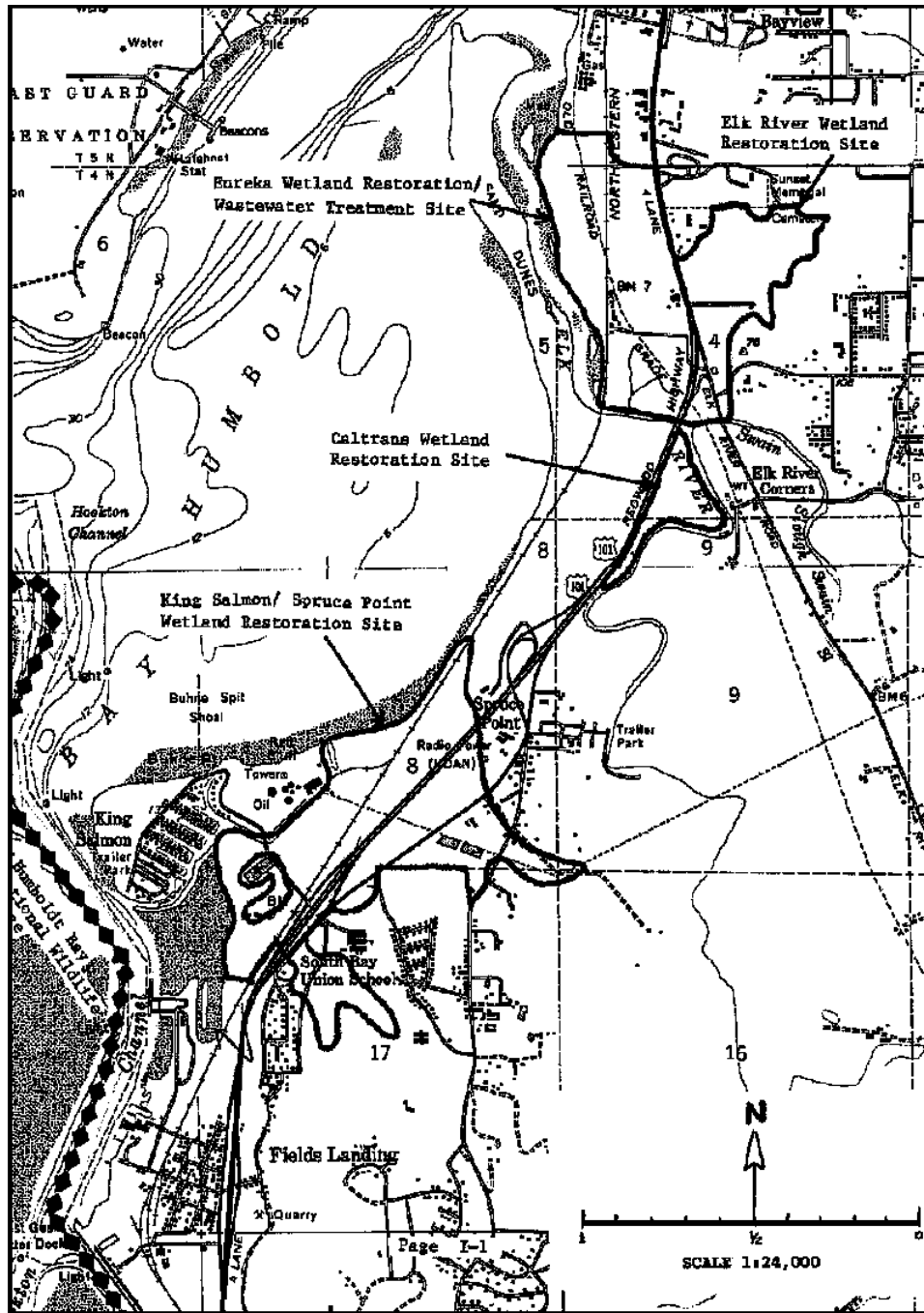
Felix E. Smith  
Field Supervisor

Attachment

cc: Area Manager, Sacramento, California  
NMFS, Tibouron  
Paul Springer, USFWS, Arcata  
Roger Barnhart, USFWS, Arcata  
Humboldt Bay NWR, Eureka  
District Engineer, CE, San Francisco  
Director, CDF&G, Sacramento  
Reg. Mgr., CDF&G, Reg. I, Redding  
HBHRCO, Eureka

### APPENDIX I

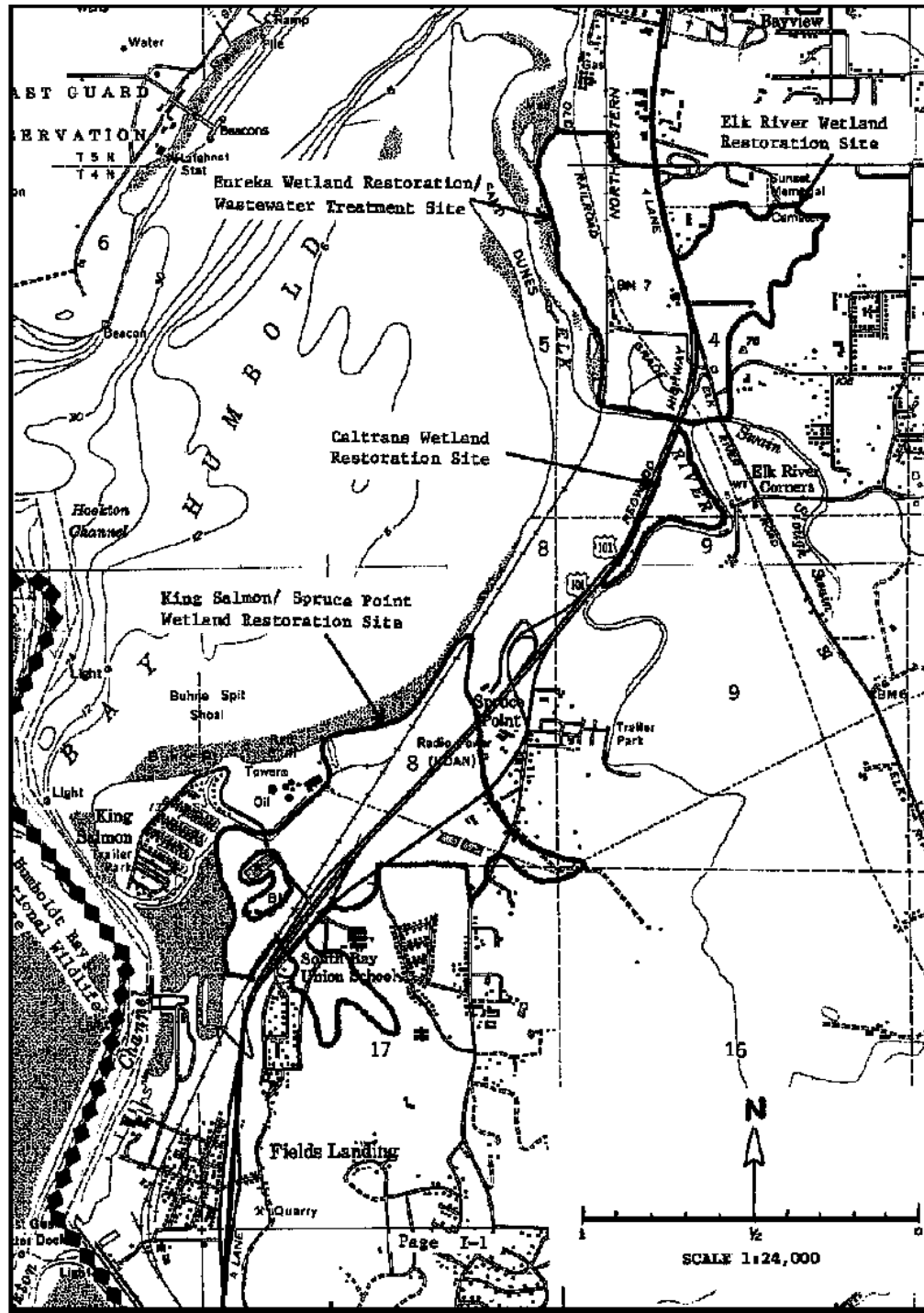
### WETLAND RESTORATION SITES<sup>1</sup>



<sup>1</sup> Elk River and King Salmon/Spruce Point

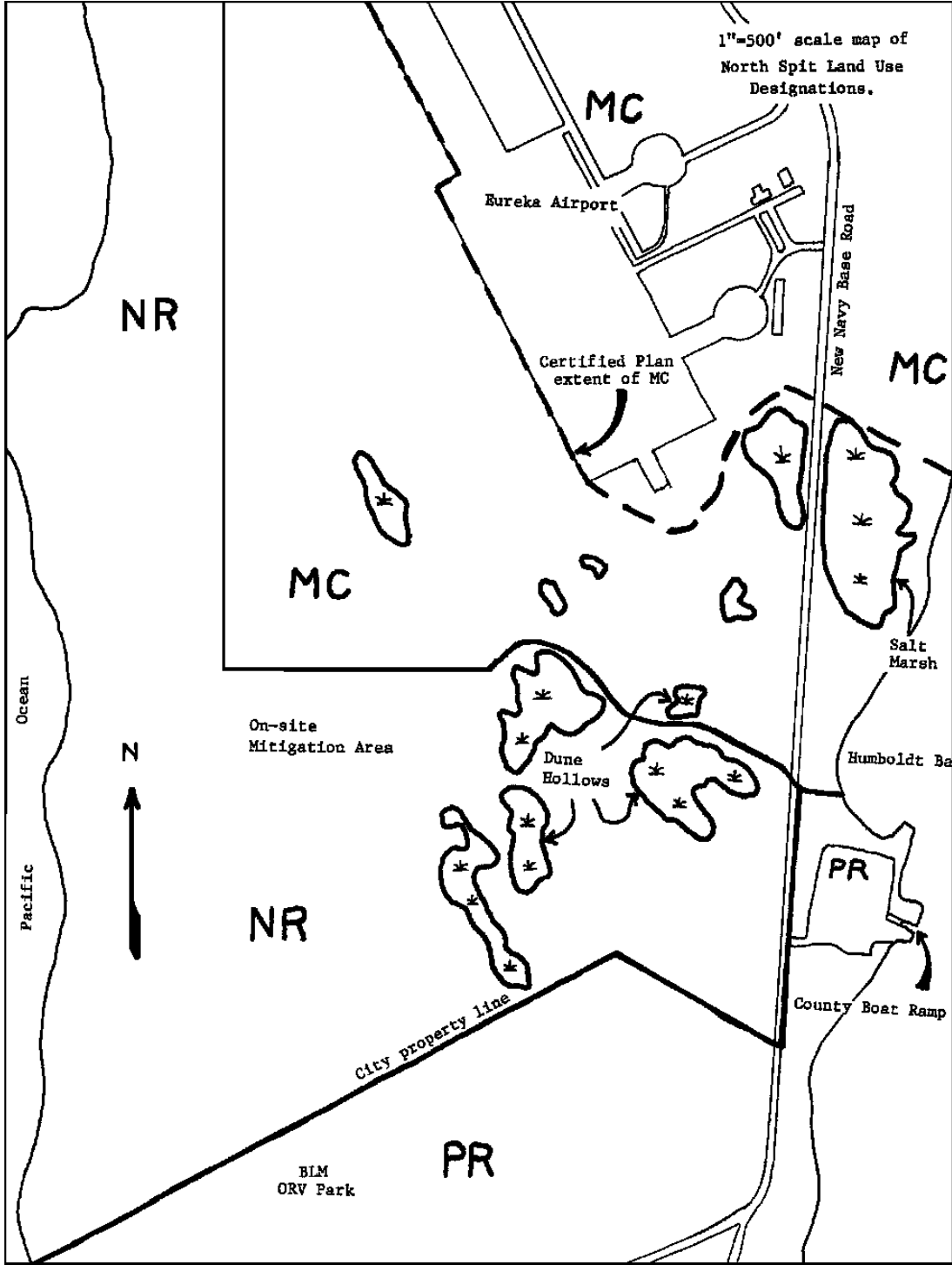
### APPENDIX J

### DUNE RESTORATION STUDY AREA



APPENDIX K

NORTH SPIT LAND USE DESIGNATIONS



**APPENDIX L**

**NATIONAL OCEANIC AND ATMOSPHERE ADMINISTRATION**

**STORM READY RECOGNITION PROGRAM**



**The StormReady Recognition Program**

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## **1 The StormReady® Program Objective**

The National Weather Service's (NWS) "Weather-Ready Nation" initiative is about building community resilience in the face of increasing vulnerability to extreme weather and water events. Roughly 98% of all presidential disaster declarations are weather and flood related, leading to over 500 deaths, 2,500 injuries and nearly \$24 billion in damages each year (*sources: Federal Emergency Management Agency(FEMA), National Climatic Data Center (NCDC) and Munich Reinsurance Company*).The devastating impacts of extreme events can be reduced through improved readiness. The StormReady® program ([www.stormready.noaa.gov](http://www.stormready.noaa.gov)) is a partnership with emergency management that helps reduce risk and increases community resilience to hazards.

Since the program's inception in Oklahoma in 1999, over 2,000 counties, cities, towns, universities, Indian Nations, commercial sites, government facilities and military installations have been recognized as StormReady. The program recognizes emergency management programs that meet the StormReady guidelines, demonstrating outstanding preparedness for hazardous weather and flooding. StormReady ensures jurisdictions have a standard level of emergency planning and communication capabilities. An effective StormReady Program is essential for NWS to fulfill its mission of protecting life and property, and enhancing our Nation's economy.

By participating in StormReady, emergency managers can earn recognition for their jurisdiction by meeting the program's guidelines. The StormReady Program is intended to:

- Reduce fatalities, injuries and minimize property damage through timely distribution, receipt and effective communication of hazardous weather and flood warnings between the NWS, emergency managers and public
- Provide detailed and clear recommendations emergency managers may use to establish or improve hazardous weather and flood planning, operations and public response
- Empower Americans to make better decisions before and during weather and flood hazards through community preparedness

StormReady communities have made a strong commitment to implement the infrastructure and systems needed to save lives and protect property when hazardous weather and flooding strikes. StormReady is a voluntary program that directly supports NWS' strategic vision of a "Weather-Ready Nation."

*NOTE: Implied or explicit references to "guidelines" or "requirements" are made only with regard to the voluntary participants in the StormReady program and should not be construed as being state, tribal or federal mandates.*

## 1.1 StormReady Program Definitions

**StormReady Community:** An Indian tribal government\*, local government† entity or facility‡ that has the authority and ability to adopt the StormReady recognition guidelines within its jurisdiction.

\***The term “Indian tribal government” means** the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 [25 U.S.C. 479a et seq. January 3, 2012].

†**The term “local government” means –**

- a) A county, parish, borough, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government.
- b) An Indian tribe or authorized tribal organization, or Alaska Native village or organization that is not an Indian tribal government.
- c) A rural community, unincorporated town or village, or other public entity, for which an application for assistance is made by a State or political subdivision of a State.

*[From Stafford Act, 42 U.S.C. 5121 et seq.; section 5122, as amended by Public Law 113-2, January 29, 2013]*

‡**The term “facility” for a StormReady community includes but is not limited to:** universities, colleges, military installations, state/national parks, power plants/utilities, major transportation centers (i.e., airports, harbors, ports, railroad stations and other large transit complexes), theme parks/entertainment complexes, corporate business complexes, factories and large event venues (i.e., stadiums, arenas, race tracks, convention centers and other venues that temporarily host large gatherings of people).

**StormReady Supporter:** An organization, business, facility, or local government entity that has authority to adopt the StormReady recognition guidelines within its purview, actively promotes the principals of StormReady, but does not have the ability to meet all of the recognition guidelines.

Some examples of potential StormReady Supporters might include, but are not limited to: businesses, churches, hospitals, shopping centers, malls, utilities, museums, aquariums, individual schools, villages, small communities and broadcasters/broadcast stations.

StormReady Supporter participation and eligibility is based on the determinations (e.g., by-laws, charters, agreements, implementation plans) of the Local or State StormReady Boards. An entity applying for StormReady “Supporter” status should also receive endorsement from local emergency management within the applying entity’s county or parish jurisdiction.

**StormReady Sites:** A generic term used to collectively identify all categories of StormReady communities except Supporter entities.

**Communications/Dispatch Center:** Agency or interagency dispatch centers, 911 call centers, emergency control or command dispatch centers, or other facility and staff who handle emergency calls from the public and communication with emergency management/response personnel.

**Emergency Operations Center (EOC):** The physical location at which the coordination of information and resources to support incident management (on-scene operations) activities normally takes place. An EOC may be a temporary facility, a permanently established facility or located at a higher level of organization within a jurisdiction. EOCs may be organized by major functional disciplines (e.g., fire, law enforcement, medical services), by jurisdiction (e.g., federal, state, regional, tribal, city, county), or by some combination thereof.

**24-Hour Warning Point (WP):** A communication facility at a state or local level, operating 24 hours a day, which has the capability to receive NWS alerts and warnings, plus has the authority and ability to activate the public warning systems in its area of responsibility.

**Emergency Operations Plan (EOP):** A document maintained by various jurisdictional levels setting procedures for responding to a wide variety of potential hazards. It should:

- a) Describe how people and property will be protected
- b) Detail who is responsible for carrying out specific actions
- c) Identify the personnel, equipment, facilities, supplies, and other resources available
- d) Outline how all actions will be coordinated

**Emergency Management/Response Personnel:** Includes federal, state, territorial, tribal, sub-state regional, and local governments, nongovernmental organizations (NGOs), private sector organizations, critical infrastructure owners and operators, and all other organizations and individuals who assume an emergency management role.

**Incident:** An occurrence, natural or manmade, that requires a response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, civil unrest, wildland and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, tsunamis, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response.

**Integrated Warning Team:** A local or state level team that consists of emergency management, America's Weather and Climate Industry (typically the broadcast media), and the NWS, that shares the common goal and responsibility of improving the warning system and reducing fatalities, injuries and property damage due to natural hazards.

## 1.2 StormReady Recognition Guidelines

The StormReady Guidelines have been modified to better align with the National Incident Management System (NIMS). The goal of this NIMS-StormReady integration is to enhance collaboration between emergency managers and the NWS by creating more consistency in terminology and standards. NIMS provides a consistent nationwide framework and approach to enable all levels of government, the private sector, and NGOs to work together while responding to an incident regardless of its cause, size, location or complexity. The StormReady guidelines best align with three of the five components of NIMS:

1. **Command and Management:** Designed to enable effective and efficient incident management and coordination by providing a flexible, standardized incident management structure.
2. **Communication and Information Management:** Creates a standardized framework for communications and emphasizes the need for a common operating picture
3. **Preparedness:** Involves an integrated combination of assessment, planning, procedures and protocols, training and exercises, personnel qualifications, licensure, certification, evaluation, and revision.

[Reference: Department of Homeland Security, [National Incident Management System](#), December 2008.]

Since the tax base typically dictates the resources applied to public programs, the guidelines for StormReady recognition are based on four population categories. StormReady guidelines include:

- Maintaining a Communication/Dispatch Center that serves as the 24-hour Warning Point (WP)\* and an EOC with redundant methods for receiving NWS warnings and relaying them to the public, including Public Alert™ certified NOAA Weather Radios placed in key facilities (for more information on Public Alert certified NOAA Weather Radios, please go to: [www.nws.noaa.gov/nwr/nwrrecvr.htm#pad](http://www.nws.noaa.gov/nwr/nwrrecvr.htm#pad))
- Ensuring the WP and EOC are able to monitor local weather and flood observation data for increased situation awareness
- Ensuring hazardous weather and flooding are addressed in formal emergency management plans
- Conducting community preparedness programs (e.g., training, exercises, safety campaigns) on hazardous weather and flooding, including training a network of SKYWARN® weather spotters
- Establishing an effective working relationship between the emergency management agency/organization and the local NWS Forecast Office, including an understanding of the decision support provided by key NWS offices such as River Forecast Centers, Storm Prediction Center, National Hurricane Center, Hydrometeorological Prediction Center, Aviation Weather Center and the Space Weather Prediction Center.

**\*Note:** It is only necessary for “facilities” that are designated as “StormReady Communities” (reference definition in [section 1.1](#)) to have WP and EOC capabilities during business operations and/or when the facility is open to the public. See [Appendix A](#) for a detailed listing of the StormReady guidelines.

### **1.3 America’s Weather and Climate Industry**

America’s Weather and Climate Industry (AWCI) is a key partner in helping the NWS fulfill its mission. AWCI includes all elements of the private sector (including media, consultants, equipment providers, etc.) which provide services to the public in the areas of climate, water, and weather. StormReady guidelines may be satisfied by incorporating products, data, and services provided by AWCI.

## **2 Authorities and Responsibilities**

### **2.1 Weather Forecast Offices**

It is the responsibility of each Weather Forecast Office’s (WFO) Warning Coordination Meteorologist (WCM) or designee, as overseen by the Meteorologist-in-Charge (MIC), to implement and manage the StormReady Program within his or her county warning and forecast area (CWFA). This includes the following:

- Works with interested emergency managers by:
  - Assisting with application process
  - Archiving StormReady applications
  - Arranging for an optional recognition ceremony
  - Planning for and following up on renewal process
  - Working with, where applicable, the Local, State and/or Regional StormReady Boards
  - Arranging for, when appropriate, StormReady Awards (see [sections 6.2 and 6.3](#))
- Reviews all StormReady applications, verifies the information, and coordinates their approval with Local, State and/or Regional StormReady Boards
- Coordinates the prioritization of StormReady applicants with the Local/State StormReady Board based on available resources. The National StormReady Board recommends the following prioritization:
  - County (or the geopolitical equivalent) recognitions
  - Other full StormReady recognitions
  - StormReady Supporters
- Coordinates news releases with the Regional NOAA Public Affairs Officer
- Adds recognitions to the NWS Headquarters Office of Climate, Water, and Weather Services StormReady database
- Mentors and trains WFO staff in the StormReady Program
- Promotes the StormReady Program
- Implements service improvements to the StormReady Program
- Coordinates StormReady Award nominations with Local, State and/or Regional Boards

- Reports StormReady activities (e.g., meetings with emergency managers, hazards preparedness education in communities, verification visits, ceremonies) through the NWS Outreach and Education Event System as per [NWSI 10-1804](#)
- Administers other aspects of the program as necessary

WCMS/designees are required to inform StormReady and StormReady Supporter applicants who represent large event venues of information regarding NWS support of special events and the role of AWCI in providing weather information in support of their operations. For more information, please reference:

- [NWSI 10-1806 NWS Support for Special Events](#)
- [www.stormready.noaa.gov/resources/specialevents.pdf](http://www.stormready.noaa.gov/resources/specialevents.pdf)

WCMS/designees should also inform applicants that StormReady guidelines may be satisfied by incorporating data/services provided by AWCI.

## **2.2 Regional Headquarters**

The Regional Director is the first-line supervisor of the Regional Division Chiefs, River Forecast Center Hydrologists-In-Charge (HIC) and, WFO MICs, and assigns StormReady Program responsibilities for the region. It is the responsibility of the Regional StormReady Program Manager, typically the Regional WCM, to manage the StormReady Program on a Regional basis. This includes the following:

- Coordinating StormReady programmatic, budgetary, and policy issues with NWS Headquarters on behalf of their region's WFOs/WCMs
- Representing the region on the National StormReady Board
- Directing and overseeing service improvements to the StormReady Program
- When available, managing the Regional budget and other resources for the StormReady Program
- Coordinating news releases with NOAA Public Affairs
- Promoting the StormReady Program
- Coordinating StormReady Award nominations between Local, State and the National StormReady Boards
- When applicable, coordinating the Regional StormReady Board
- Reports StormReady activities through the NWS Outreach and Education Event System as per [NWSI 10-1804](#)
- As necessary, developing and maintaining regional supplements to this national directive

## **2.3 NWS Headquarters - Office of Climate, Water, and Weather Services**

The National Weather Service Headquarters' (NWSH) Office of Climate, Water, and Weather Services (OCWWS) is responsible for a variety of activities supporting the StormReady Program. The OCWWS Director assigns StormReady Program responsibilities for OCWWS.

### **2.3.1 OCWWS Awareness Branch**

It is the responsibility of the National WCM and WCM Program Coordinator to manage the StormReady Program on a national basis. This includes the following:

- Coordinates StormReady programmatic, budgetary, and policy issues within National Headquarters on behalf of our Regional Headquarters and local WCMs/designees
- Chairs and coordinates the National StormReady Board
- Directs and oversees service improvements to the StormReady Program
- Manages the national budget and other resources for the StormReady Program
- Procures and manages national resources such as StormReady recognition signs, brochures, templates and other tools
- Coordinates news releases with NOAA Public Affairs
- Oversees the national StormReady database and website
- Promotes the StormReady Program
- Coordinates StormReady Award nominations between Local, State and/or Regional StormReady Boards and the National StormReady Board
- Serves as the OPR for this procedural directive
- Reports StormReady activities through the NWS Outreach and Education Event System as per [NWSI 10-1804](#)
- Coordinates with the OCWWS Tsunami Program Manager/designee on TsunamiReady®
- Serves as the WCM for emergency managers on U.S. military installations located in other countries that are interested in StormReady and/or TsunamiReady
- As necessary, develops and maintains memorandums of understanding or memorandums of agreement with national partners

### **2.4 StormReady Applicants**

StormReady applicants are responsible for working with their local WCM/designee throughout the StormReady recognition process. This includes:

- Completing the application
- Working with the local WCM/designee on the verification of the application (section 3.2.1 below)
- Coordinating information for the optional recognition news release and ceremony
- Maintaining or improving on the site's compliance with StormReady guidelines throughout the valid period of the StormReady recognition
- Apprising the local WCM/designee about candidates for StormReady Awards
- Working with the local WCM/designee on renewal of the StormReady recognition

### **2.5 StormReady Board Organizations**

StormReady Boards implement and oversee the StormReady Program. Since StormReady is a partnership with emergency managers, it is critical to have their participation in the administration of the program. The longstanding success of StormReady has proven this approach effective. Boards should be set up on a regional, multi-state, state and/or local WFO

level. NWS will also maintain a National StormReady Board. StormReady Boards should routinely communicate on the administration of the program and meet at least once a year.

### **2.5.1 Local/State StormReady Board**

StormReady is collaboratively administered through a Local and/or State StormReady Board with representatives from a local and/or state emergency management agency and association as well as the NWS. The Local/State StormReady Board can enhance StormReady guidance to fit local and state situations. Examples may include an enhanced set of guidance for schools, universities, large event venues, etc. or to deal better with natural hazards within the state, e.g., wildfires, winter weather, tropical cyclones, extreme temperatures, etc. The “StormReady®” branding will remain intact when implementing such efforts. Similarly, the StormReady administration and application forms may not be altered. NWS recommends enhanced StormReady or StormReady Supporter guidance be implemented through a toolkit, check list and/or other guidance maintained by the Local/State and/or Regional StormReady Boards and promoted through the national StormReady website. WCMs/designees and emergency managers should use these resources to enhance the standard national StormReady guidelines when pursuing their StormReady or StormReady Supporter recognitions. Each Local/State StormReady Board consists of at a minimum:

- NWS MIC or designee
- NWS WCM or designee
- Local/State emergency management agency director or designee
- State emergency management association president or designee

The Local/State StormReady Board may oversee all steps leading to a jurisdiction’s StormReady recognition. This may include:

- Determining and documenting the Board’s activities
- Providing incentives such as grant funding
- Promoting mitigation and preparedness best practices
- Implementing procedures for application review
- Coordinating ceremonies and awards
- Resolving state-specific issues

### **2.5.2 Regional StormReady Board**

Each of the NWS six regional offices may have Regional StormReady Boards. The NWS Regional Director or designee determines team membership. Regional StormReady Boards support the activities of the State Boards and ensure the national guidelines are maintained. This may include

- Providing incentives such as grant funding
- Promoting mitigation and preparedness best practices
- Implementing procedures for application review
- Coordinating ceremonies and awards

- Resolving regional specific issues
- Coordinating recommendations for change to the national guidelines, programmatic issues and nominations for awards with the National StormReady Board

### **2.5.3 National StormReady Board**

StormReady is collaboratively administered through a National StormReady Board that includes representatives from the International Association of Emergency Managers (IAEM), National Emergency Management Association (NEMA), and the NWS. The National StormReady Board is responsible for general oversight of the program. It maintains a minimum set of recognition guidelines consistent across the country. The National Board reviews existing and proposed guidelines at its annual meetings. It addresses challenges, determines projects, publishes guidance, prioritizes funding when available and identifies future goals for the program. A long standing goal for the Board is to establish more incentives such as a StormReady grant to help jurisdictions become StormReady or maintain their capacity for dealing with hazardous weather and flooding. The National StormReady Board includes:

- National WCM (Chair)
- NWS Regional WCMs
- President or designees of the NEMA
- President or designees of the IAEM

## **3 StormReady Application Process**

The application for StormReady recognition is a formal process requiring the following:

- Emergency Manager submitting an application form
- Local WCM/designee verifying the information
- Local/State and/or Regional Boards reviewing the information
- WCM/designee providing formal notification of site recognition

StormReady application forms are cleared through the White House's Office of Management and Budget and will not be modified. StormReady application forms are available on the NWS StormReady website at: [www.stormready.noaa.gov/apply.htm](http://www.stormready.noaa.gov/apply.htm).

### **3.1 Application Submission**

StormReady and StormReady Supporter applications should be sent to the local WCM/designee. If a hard copy is utilized, it should be scanned into an electronic format by the WCM/designee and stored locally. While much of the application is a basic accounting of technology, a brief narrative describing preparedness and planning activities is necessary and will help assess how hazardous weather and flooding are addressed in the emergency operations plan, exercises, and public safety programs.

Note: Coastal communities that apply for StormReady recognition may also satisfy many of the guidelines for becoming TsunamiReady, and are therefore strongly encouraged to jointly apply for TsunamiReady recognition as well.

Some applicants may have jurisdiction over a community and surrounding unincorporated areas. In these cases, a single application is sufficient, with the combined populations used to determine the appropriate guideline categories. If a community earns StormReady recognition, the unincorporated communities will be included in the recognition, but are not individually recognized. The Local/State or Regional StormReady Board coordinates how unique StormReady recognitions are implemented.

### **3.2 Application Review**

The local WCM/designee reviews all StormReady and StormReady Supporter applications for the office's area of responsibility. The WCM/designee verifies the information with the applicant. For StormReady applicants, the WCM/designee then coordinates the approval with the Local/State or Regional (if applicable) StormReady Board. For StormReady Supporter applicants, the local WCM/designee may immediately approve the application. In either case, if an application indicates the guidelines are not met, the WCM/designee notifies the applicant about changes needed to meet the guidelines. After these changes are made, the applicant should submit an updated application for additional review by the local WCM/designee.

The Local/State or Regional StormReady Board may review a jurisdiction's StormReady application and discuss the verification of the information with the local WCM/designee. The Local/State or Regional StormReady Board may approve an application for recognition after this first review.

If the recognition is not approved, the Local/State or Regional StormReady Board will list improvements needed for the community to achieve recognition. If a community disputes a decision made by the Local/State StormReady Board, the dispute is forwarded to the Regional StormReady Board or, if one does not exist, the Chair of National StormReady Board, for resolution. Similarly, disputes at the Regional StormReady Board level should be forwarded to the Chair of National StormReady Board for resolution.

#### **3.2.1 Verification of Application Information**

The local WCM/designee verifies application information with the applicant. Historically, this process included a site verification visit. Due to the travel costs, the growth of the StormReady Program, and the emergence of effective web tools, the program now allows a virtual site verification visit. Tools such as video teleconference, Webinar, Go-To-Meeting, etc., may be used to verify an application's information. In extreme cases for very remote communities, the verification may be accomplished via email and phone correspondence.\*

In general, verification of an application by the WCM/designee includes the following:

- Verify WP and EOC equipment listed on application
- Confirm suitable location and readiness of equipment
- Review how hazardous weather and flooding are addressed in the community's Emergency

Operations Plan including review of the following:

- How the site identifies hazardous weather and flooding and assesses risk
  - How flood prone areas are identified and what procedures exist to prevent citizens from entering those areas or to evacuate such areas when necessary
  - SKYWARN weather spotter activation criteria and reporting procedures
  - Communication/Dispatch Center procedures relating to hazardous weather and flooding
  - EOC activation criteria and deactivation procedures
  - Criteria and procedures for activating the public warning system in its area of responsibility
  - Contact information for all jurisdictional agencies and response partners including the NWS
  - Ability of the site to assess significant hazardous weather and flood incidents through an After Action Review, or similar, identify lessons learned and best practices, and evolve emergency response planning accordingly
- Understanding of how hazardous weather and flooding are addressed in the community's mitigation and preparedness program(s), including activities such as safety campaigns, public education projects and exercises.

\*In instances where remote verification is necessary, at a minimum verify the following through documentation and photographic evidence provided by the applicant to the local WCM/designee and/or Local/State StormReady Board:

- EOC/Warning Point facilities
- Equipment used to receive & disseminate NWS warnings and information
- Equipment used to monitor hazardous weather and flood conditions
- Emergency Operations Plan addressing hazardous weather and flooding
- Training and exercises
- Community preparedness activities

Ultimately it is the responsibility of the local NWS office and its Regional Headquarters to ensure that the principles of StormReady are being properly applied and the NWS mission is being served.

#### **4 StormReady Recognition Process**

Once the StormReady Site or StormReady Supporter application is approved, the local WCM/designee enters the information in the national StormReady database. The applicant is notified through a formal recognition letter from the local MIC or WCM. A site is recognized for 3 years from the date the official letter of recognition. This date is the one the WCM/designee enters into the OCWWS national StormReady database as the recognition date.

When the WCM/designee enters the new site into the database, the site has the option to request a StormReady Recognition sign ([Appendix B](#)). (Note: signs are only available through OCWWS when funding is available for procurement.) In addition the site will receive:

- StormReady Certificate of Recognition
- Authorization to use the StormReady logo
- Instructions for acquiring additional signs
- Information concerning possible adjustment to insurance rates under the National Flood Insurance Program ([section 6.1](#))

Recognition signs are suitable for display on or in buildings (e.g., courthouses, libraries, town halls, EOCs, etc.). Some communities have posted their signs along roadways; however, it is recommended that officials first consult county or state road departments regarding restrictions. StormReady recognition signs are not approved by the Federal Highway Administration.

Once the site is approved, the local WCM/designee may work with the successful applicant on an optional news release and/or recognition ceremony. The community will also now be listed on the national StormReady website.

#### **4.1 StormReady Recognition Ceremony**

The local WCM/designee will coordinate details of any recognition announcement and/or ceremony with the successful applicant. A typical ceremony includes a formal media announcement and should be a combination of the following:

- Unveiling of the official StormReady sign
- Presentation of a Certificate of Recognition
- Press conference

The local WCM/designee should work with the Regional NOAA Public Affairs Officer and the Regional StormReady Program Manager to prepare the news release and coordinate ceremony activities. The NWS StormReady website and the OCWWS Integrated Database for Education and Awareness (<https://verification.nws.noaa.gov/IDEA/index.aspx> - NOAA internal) offer more information and examples of recognition materials.

#### **4.2 StormReady Recognition Monitoring**

A formal plan to monitor a recognized jurisdiction is not necessary; however, if a formal concern is brought to the Local/State or Regional StormReady Board, it will review the issue and may suspend the recognition for 60 days while the review is conducted. If the Local/State and/or Regional StormReady Board's review indicates the community no longer meets StormReady guidelines, and the discrepancy cannot be resolved within a reasonable amount of time, the local WCM/designee, Local/State and/or Regional StormReady Board will revoke that jurisdiction's StormReady recognition status (see [Section 4.4](#)).

#### **4.3 Renewal of StormReady Recognition**

StormReady recognition will be valid for 3 years from the date of the official letter of recognition. This date will be entered in the national StormReady database as the recognition date. Three months prior to the expiration of the recognition, the StormReady database

automatically sends a renewal reminder to the local WCM/designee. Following the applicable guidelines published at the time of the notification, the local WCM/designee coordinates with the point of contact from the jurisdiction to verify the original application information is still in order. Once verified, the local WCM/designee notes this in the WFO's records and updates the renewal date in the StormReady database. The StormReady recognition renewal is then valid for an additional 3 years, 6 total years, from the date of the official letter of recognition. The local WCM/designee then notifies the site's point of contact regarding the approval of the renewal.

After the initial 3-year renewal, the subsequent renewal will require the community to renew the full application process ([Section 3](#)). This process helps ensure required equipment is in place, contact information is accurate, and technological advances in communications and warning dissemination are applied and documented as needed. Additional renewals will repeat the interval outlined above: after nine years, a contact renewal, after 12 years, a full application review, etc.

If the anniversary date for a renewal passes, a community will not immediately lose its StormReady status if it has communicated to the local WCM/designee it is ready and willing to accomplish the renewal. In these instances, the local WCM/designee should notify the WCM Program Coordinator in OCWWS for permission for a 6-month extension. A second six-month extension may be granted in extreme cases. Once the renewal is finally completed, the local WCM/designee updates the StormReady database indicating the renewal. The anniversary date from the date of the official letter of recognition will not change and the jurisdiction will simply have 6 months less time before their next renewal. For example, if the initial renewal was May 22, 2014, and the site does not renew until October 29, 2014, the renewal date would be May 22, 2017. The same rule applies to sites that are proactive and renew early.

#### **4.4 StormReady Recognition Status Revocation**

A jurisdiction will only lose its StormReady status if it fails to renew its recognition as outlined above. The following actions will be taken:

- The local WCM/designee, Local/State and/or Regional StormReady Board will provide notification to the jurisdiction.
- Notification will also be sent to the National Flood Insurance Program informing them of this action.
- The local WCM/designee should also notify the WCM Program Coordinator in OCWWS and update the national StormReady database and website.
- The Local/State and/or Regional StormReady Board may request StormReady signs be removed/returned.

#### **5 StormReady Supporter**

Businesses, schools, and other non-governmental entities often establish severe weather safety plans and actively participate in and promote severe weather safety awareness activities. Many of these entities do not have the resources necessary to fulfill the eligibility requirements for StormReady Site recognition status. An entity that promotes the principles and guidelines of the

StormReady Program, but does not meet the guidelines for StormReady Site recognition may be eligible to be designated as a StormReady Supporter. StormReady recognition of the county or community in which the entity resides is not a requirement to achieve the Supporter designation.

### **5.1 StormReady Supporter Applications, Recognitions and Renewals**

Entities interested in becoming a StormReady Supporter should first check with their local WCM/designee to ensure that optional StormReady Supporter recognitions are utilized based on the determinations of the Local/State StormReady Board. If the local WFO participates and supports the optional StormReady Supporter Program, then entities should complete the Supporter application on the national StormReady website ([www.stormready.noaa.gov/apply.htm](http://www.stormready.noaa.gov/apply.htm)) and submit it to their local WCM/designee for review. The WCM/designee and/or Local/State StormReady Board verify the information with the applicant and may immediately approve the application. If an application indicates the guidelines are not met, the applicant will be notified about changes needed to meet the respective guidelines. After these changes are made, the applicant should submit an updated application for review by the local WCM/designee and/or Local/State StormReady Board.

A StormReady Supporter receives a StormReady Supporter Certificate dated and signed by the local WCM/MIC and/or Local/State StormReady Board. The date printed on the StormReady Supporter Certificate will be considered the official date of the Supporter designation and is valid for up to 5 years (The Local/State StormReady Board may impose a shorter valid period based on their determinations). The local WCM/designee, in consultation with the local government emergency manager, may prepare an optional news release and/or ceremony. Upon request, the successful StormReady Supporter applicant will receive the following:

- StormReady Supporter Certificate of Recognition
- Authorization to use the StormReady logo
- Listing on the national StormReady website

Once approved, the local WCM/designee notes the site in the WFOs records and enters the Supporter into the national StormReady database.

Three months prior to the expiration of the Supporter recognition, the national StormReady database sends an automated email to the local WCM/designee. Following the applicable Supporter guidelines, the local WCM/designee coordinates with the point of contact from the Supporter entity to verify the original application is in order. Once verified, the local WCM/designee notes this in the WFO's records and updates the StormReady database. The local WCM/designee then notifies the point of contact from the jurisdiction for their records. If the local WCM/designee is unable to verify the Supporter's renewal or if the Supporter entity no longer wishes to participate, the local WCM/designee will delete the site from the national StormReady database.

## **6 StormReady Incentives**

StormReady communities are better prepared to save lives from hazardous weather and flooding through advanced planning, education, and awareness. No community is storm proof, but becoming StormReady can help communities save lives. Some incentives for participation in StormReady include:

- Proven to help save lives during severe weather and flood events
- Improves coordination and timeliness of hazardous weather and flood warning dissemination, reception and response
- Strengthens the working relationship between emergency managers and the NWS
- Provides a means for acquiring up to 30 Insurance Services Office/Community Rating System points to possibly lower National Flood Insurance Program premiums
- Helps emergency managers justify costs and purchases related to their hazardous weather and flood preparedness programs
- Rewards local hazardous weather and flood mitigation programs that have achieved a desired performance level
- Improves community image
- Recognizes emergency managers for their hard work helping their communities reduce vulnerability to hazards and cope with disasters
- Encourages better hazardous weather and flood preparedness programs in surrounding jurisdictions

### **6.1 National Flood Insurance Program**

FEMA's [National Flood Insurance Program](#) (NFIP) provides federally backed flood insurance within communities that enact and enforce floodplain regulations. To be covered by a flood insurance policy (for the structure and/or its contents), a property needs to be in a community that participates in the NFIP. To qualify for the NFIP, a community adopts and enforces a floodplain management ordinance to regulate development in flood hazard areas. The objective of the ordinance is to minimize the potential for flood damage to future development. The NFIP has been effective in requiring new buildings to be protected from damage by a 1% chance flood, also known as the 100-year or base flood. However, flood damage still results from floods that exceed the base flood, from flooding in unmapped areas, and from flooding that affects buildings constructed before the community joined the NFIP. Today, over 21,600 communities in 56 states and territories participate in the NFIP.

The goals of the NFIP are to provide flood insurance to property owners, to reduce flood losses by communities, and to save taxpayers money. As a part of the NFIP, FEMA developed the Community Rating System (CRS) to provide incentives and tools to further all-hazards, pre-disaster mitigation. Under the CRS, communities can be rewarded for doing more than simply regulating construction of new buildings to the minimum national standards. The 2013 CRS Coordinator's Manual (<http://crsresources.org>) spells out the credits and credit criteria for community activities and programs that go above and beyond the minimum requirements for participation in the NFIP.

The CRS recognizes the importance not only of effective flood warning and response in a comprehensive floodplain management program, but also of coordinating public information, regulatory programs, and flood protection with the efforts of emergency management. Emergency management is included in a number of CRS activities, but especially the three activities in the 600 series, which focus specifically on the principle that an ample warning combined with a flood response plan can prevent loss of life and damage to property.

Under section 610 — *Flood Warning and Response Activities* — of the CRS Coordinator's Manual, jurisdictions recognized by NWS as StormReady can receive **25** community rating points towards lowering their flood insurance rates. A community can participate in both the StormReady and TsunamiReady programs and receive credit for both elements, StormReady Community (SRC = 25) and TsunamiReady Community (TRC = 30) for up to **55** total community rating points. [Reference pp. 610-1 through 610-19, [2013 CRS Coordinator's Manual](#), FIA-15/2013 (Federal Insurance Administration)]

In addition, both the StormReady and TsunamiReady programs recognize communities that conduct community preparedness outreach and education on flood hazards. Those efforts can contribute to a community's earning of additional community rating points under the section 330 CRS — *Outreach Projects* — of the CRS Coordinator's Manual. [Reference pp. 330-1 through 330-21, [2013 CRS Coordinator's Manual](#), FIA-15/2013 (Federal Insurance Administration)]

CRS credits for StormReady are not automatically granted to each local jurisdiction that receives the StormReady designation. The 25 points are provided for obtaining and maintaining the designation as a NWS StormReady community AND meeting the following CRS prerequisites as outlined in section 611.b — *Activity Credit Criteria* — of the CRS Coordinator's Manual:

1. A Flood Threat Recognition (FTR) system that provides the community with the earliest possible detection that a flood is imminent. [Reference pp. 610-5 & 6]
2. Emergency Warning Dissemination (EWD) capability that provides emergency warning alerts and messages to the public when a flood is imminent. [Reference pp. 610-8 through 610-11]
3. A flood warning and response plan that details a Flood Response Operations (FRO) capability and that has been adopted by the community's governing body. This is likely addressed through the community's Emergency Operations Plan (EOP). [Reference pp. 610-3, 4 & 11-15]
4. Critical Facilities Planning (CFP) - The community has coordinated its warning and response program with its critical facilities. [Reference pp. 610-15 through 610-17]
5. The community has completed a risk assessment for flooding as part of their floodplain management or hazard mitigation plan, or completed the CRS Community Self-Assessment. [Reference pp. 610-3]
6. The community has a flood inundation map(s) that shows areas that are inundated by at least three different flood and/or storm surge levels. [Reference pp. 610-3 & 4]
7. The community implements one or more outreach projects that tells its residents and businesses how they will be warned and the safety measures they should take during a flood. [Reference pp. 610-4 & 5]

8. There is at least one exercise and evaluation of the flood warning and response plan each year. [Reference pp. 610-5]

Jurisdictions should notify their Insurance Services Office, Inc. (ISO)/Community Rating System (CRS) Specialist [Reference CRS contacts at <http://crsresources.org/100-2/>] once they are officially recognized as StormReady by the NWS. The ISO/CRS Specialist is an employee of Insurance Services Office, Inc. (ISO), FEMA's CRS management contractor. No documentation is required from the jurisdiction. The ISO/CRS Specialist will base this credit on the NWS listing of StormReady jurisdictions posted at [www.stormready.noaa.gov](http://www.stormready.noaa.gov).

## **6.2 StormReady Hero Award**

The StormReady Hero Award is a special national level recognition that may be presented by senior NWS officials to an individual(s) within a jurisdiction recognized as StormReady. The award formally recognizes individuals within a StormReady community in which lives have been saved as a direct result of those individuals' proactive actions, personifying the NWS StormReady Program. StormReady Hero Award guidelines are as follows:

- Award consideration will take place on a case-by-case basis
- The award may be given to a single individual or to several public safety officials within a community
- The impacted community has successfully implemented and is recognized as StormReady before the weather or flood event occurs
- Lives were saved as a result of the successful application of the Integrated Warning Team:
  - Detection of the weather hazard
  - Reception of the warning from NWS
  - Dissemination of the warning by emergency management officials to the at-risk community
  - Response/protective actions taken by the at-risk population
- There is clear and unambiguous evidence of proactive actions, *beyond the nominee's normal duties*, resulting in lives saved in the impacted community
- A community may still be eligible for the award even if there was loss of life as long as there were lives saved as a direct result of the StormReady Program.

### **6.2.1 StormReady Hero Award Protocol**

The StormReady Hero Award is nominated at the local level, either by an emergency manager or the local MIC/WCM. Typically the local WCM/designee prepares the nomination based on the award guidelines in [Section 6.2](#) within 1 month of the event. The nomination is then forwarded to the Local/State and/or Regional StormReady Board for its approval. Once cleared, the Regional WCM/StormReady Program Manager shares the nomination with the National WCM. The nomination is then shared with the National StormReady Board members who formally vote on the nomination. A majority vote is needed by the National StormReady Board for approval. The National WCM then communicates the decision of the National StormReady Board to all parties. If approved, the following should occur (depending on available funding):

- Generally, a high profile media event is scheduled for the award presentation ceremony
- The ceremony should be arranged with collaboration among the following:
  - NWS/NOAA Public Affairs
  - Regional Public Affairs Officer
  - Regional StormReady Program Manager
  - National WCM and WCM Program Coordinator
  - Local WCM/MIC
  - Local/State StormReady Board members
  - Sponsoring community/state organization
- A framed certificate(s) or plaque is presented to the recipient(s) at the award ceremony. The certificate/plaque should note StormReady Hero Award.
- The top NWS keynote speaker and presenter at the award ceremony will generally be determined by NWS leadership at the Regional or National Headquarters level.
- The news release from the StormReady Hero Award ceremony will be archived on the national StormReady website.
- The local WFO is encouraged to also submit an *Aware* newsletter article (<http://www.nws.noaa.gov/os/Aware/>) highlighting the StormReady Champion accomplishment to the *Aware* managing editor in OCWWS.

### **6.3 StormReady Champion Award**

The StormReady Champion Award is a special local or state level recognition presented by NWS officials to an individual(s) or organization for exceptional service, achievement and/or leadership through the StormReady program. StormReady Champions are individuals that have gone above and beyond their normal duties in advocating for and implementing StormReady. StormReady Champion Awards are approved by the Local/State StormReady Board. StormReady Champion Award guidelines are as follows:

- Award consideration will take place on a case-by-case basis.
- The award may be given to an individual(s) or an organization within a StormReady community or state.
- At least one of the following criteria should be achieved:
  - *Exceptional Service* – Through years of dedication has fostered a preparedness culture that personifies the StormReady program.
  - *Outstanding Achievement* – Has taken significant actions that have saved lives and/or property through the StormReady program.
  - *Visionary Leadership* – Through innovation and inspiration has led significant improvements in the effectiveness of the StormReady program.

#### **6.3.1 StormReady Champion Award Protocol**

The StormReady Champion Award is nominated at the local level, either by an emergency manager or the local MIC/WCM. Typically, the local WCM/designee prepares the nomination based on the award guidelines in [Section 6.3](#). The nomination is then shared with the Local/State StormReady Board for its approval. The MIC/WCM will communicate the decision of the

Local/State StormReady Board with all parties. The local WCM/MIC should keep both the Regional and National StormReady Program Managers informed throughout the process. If approved, the following should occur (depending on available funding):

- Generally, NWS will hold a media event in collaboration with the following:
  - NWS/NOAA Public Affairs
  - Regional StormReady Program Manager
  - Local MIC/WCM
  - Local/State StormReady Board members
  - Sponsoring community/state organization
- A framed certificate(s) or plaque is presented to the recipient(s) at the award ceremony. The certificate/plaque will note StormReady Champion Award.
- Generally, the top NWS keynote speaker and presenter at the award ceremony will be determined by NWS leadership at the Regional Headquarters level. Typically this would be the local MIC.
- Once approved, the Regional WCM/StormReady Program Manager shares the information with the National WCM and the National StormReady Board.
- The news release from the StormReady Champion Award ceremony will be archived on the national StormReady website.
- The local WFO is encouraged to also submit an *Aware* newsletter article (<http://www.nws.noaa.gov/os/Aware/>) highlighting the StormReady Champion accomplishment to the *Aware* managing editor in OCWWS.

## APPENDIX A - StormReady Recognition Guidelines\*

Population:	< 2,500	2,500 - 14,999	15,000 - 40,000	>40,000
<b>Component 1: Command and Management</b>				
<b>Guideline 1.1: Communication/Dispatch Center and Emergency Operation Center</b>				
Operate Communication/Dispatch Center that serves as the 24-hour Warning Point (WP)	X**	X**	X	X
Operate Emergency Operations Center (EOC)		X**	X	X
<b>Component 2: Communication and Information Management</b>				
<b>Guideline 2.1: NWS Warning and Information Reception</b>				
Maintain the required <b>number of ways</b> for the WP and EOC to receive NWS warnings and information	3	4	4	4
<b>Guideline 2.2: Warning Dissemination</b>				
Maintain the required <b>number of ways</b> for the WP and EOC to disseminate warnings	1	2	3	4
Operate Public Alert™ certified NOAA Weather Radio receivers in key public facilities	X	X	X	X
<b>Guideline 2.3: Hazardous Weather and Flood Monitoring</b>				
Maintain the required number of ways to monitor for hazardous weather and flood conditions	1	2	3	4
<b>Guideline 2.4: Communication</b>				
Ensure routine communication between NWS and the emergency management agency/organization	X	X	X	X
Able to communicate within and across jurisdictions through resilient and redundant methods	X	X	X	X
<b>Component 3: Preparedness</b>				
<b>Guideline 3.1: Planning</b>				
Address hazardous weather and flooding in formal Emergency Operations Plan (EOP)	X	X	X	X
<b>Guideline 3.2: Training and Exercises</b>				
Conduct an exercise relating to natural hazards every three years	X	X	X	X
Train spotters and dispatchers biennially	X	X	X	X
Host/co-host biennial NWS spotter training				X
<b>Guideline 3.3: Community Preparedness</b>				
Conduct the required <b>number of annual weather safety activities</b>	1	2	3	4

\* StormReady guidelines may be satisfied by incorporating data/services provided by America's Weather and Climate Industry.

\*\* For cities or towns with less than 15,000 people, a 24-hour WP and EOC capability are required; however, another jurisdiction within the county may provide that resource. Please reference † Note below in Guideline 1.1 for more details.

## **Component 1: Command and Management**

The Command and Management component of NIMS is designed to enable effective and efficient incident management and coordination by providing a flexible, standardized incident management structure. Most hazardous weather and flood incidents are managed locally with the response coordinated through the local Communications/Dispatch Centers and, if necessary, an EOC.

### **Guideline 1.1: Communication/Dispatch Center**

To receive recognition under the StormReady Program, an applying jurisdiction will need a Communication/Dispatch Center that serves as the 24-hour Warning Point (WP)†, has the capability to receive NWS alerts and warnings, and has the authority and ability to activate the public warning system in its area of responsibility. Typically, this WP is a law enforcement or fire department dispatching point, or a 911 call center. The Communication/Dispatch Center should have training on NWS decision support, the monitoring of hazardous weather and flood incidents, and the protocols for communicating reports to support the NWS warning decision-making process. This training can be accomplished through a variety of delivery methods (e.g., FEMA's Emergency Management Institute courses, COMET® MetEd courses, state or locally developed training, etc.). StormReady communities are expected to share hazardous weather and flood damage reports with their local NWS WFO. Using NWSChat or a similar communication tool is ideal for this type of coordination. At a minimum, these reports should include the type, location, and time of significant weather and flood events.

†**Note:** For jurisdictions without a local Communication/Dispatch Center that can serve as a 24-hour WP, another jurisdiction (e.g., county, adjacent community, state, etc.) may act in that capacity for the jurisdiction. This scenario is most likely in smaller jurisdictions (e.g., in Alaska and the U.S. territories) with less than 5,000 residents. This type of working arrangement should be addressed in both jurisdictions' plans and operational protocols. Such an arrangement might also require a standing mutual aid agreement through a memorandum of understanding (MoU) or some other formal means. The smaller jurisdiction should designate responsible officials who are able to receive warnings 24/7 from their surrogate 24-hour WP. NWS recommends the smaller jurisdiction designate several primary and backup points of contact as the responsible officials. These responsible officials should have the authority and ability to activate the public warning system in their jurisdiction in a timely manner. It is also recommended that the responsible officials in the smaller jurisdiction have a 24/7 redundant means to receive alerts, such as NOAA Weather Radio All Hazards, InteractiveNWS, and related services provided by AWCI.

### **Guideline 1.2: EOC**

To receive recognition under the StormReady Program, an applying jurisdiction with a population of 2,500 or more will need to establish an EOC capability. The EOC will need to be staffed during hazardous weather and flood incidents. When activated, the EOC will likely assume the Communication/Dispatch Center's warning coordination and dissemination functions. The following summarizes roles of an EOC for hazardous weather and flood incidents:

- Activated according to the EOP guidelines, which may include NWS decision support information
- May assume the Communication/Dispatch Center's warning coordination and

dissemination functions

- Staffed with trained and credentialed emergency management personnel
- Has alert and warning reception capability (Guideline 2.1)
- Has ability and authority to activate the public warning system in its area of responsibility
- Maintains ability to communicate within and across jurisdictions (e.g., with other EOCs including those maintained by private organizations, Incident Command Posts, etc.) through resilient and redundant methods. Should have communication capabilities equal to or better than the Communication/Dispatch Center
- Maintains established communication links with NWS (e.g., NWSChat, phone, etc.) to relay real-time weather and flood damage reports to support the warning decision making process.

The physical size, staffing, and equipping of an EOC will depend on the size of the jurisdiction, resources available and anticipated incident management workload. EOCs may be organized and staffed in a variety of ways. The efficient functioning of EOCs most frequently depends on the existence of mutual aid agreements and joint communications protocols among participating agencies.

For jurisdictions without an EOC capability, another jurisdiction may act in that capacity for them. This type of working arrangement should be addressed in both jurisdictions' plans and operational protocols. Such an arrangement might also require a formal standing mutual aid agreement through a Memorandum of Understanding. The surrogate EOC should be able to perform all of the above listed functions on the behalf of the jurisdictions without an EOC capability.

**Note:** It is only necessary for facilities that are designated as “StormReady Communities” (reference definition in [section 1.1](#)) to have WP and EOC capabilities during business operations and/or when the facility is open to the public.

## **Component 2: Communication and Information Management**

Emergency management and incident response activities rely on resilient and redundant communications and information systems to provide a common operating picture to all command and coordination sites. Effective communication is the key to incident management. This is especially true in natural hazard emergencies (e.g., floods, wildfires, tornadoes, etc.) where rapid changes may permit only short lead-time warnings requiring an immediate, educated response.

### **Guideline 2.1: NWS Warning and Information Reception**

To receive recognition under the StormReady Program, an applying jurisdiction's Communication/Dispatch Center and EOC each need multiple ways to receive NWS warnings. A combination of the following can be used by the Communication/Dispatch Center and EOC to fulfill this guideline:

- **Public Alert™ certified NOAA Weather Radio receiver:** Required for recognition *only* if within reliable reception range of a NWR transmitter
- **National Warning System (NAWAS) drop:** FEMA-controlled, 24-hour, continuous-private-line telephone system used to convey warnings to federal, state and

local governments, as well as the military and civilian population

- **NWSChat:** An instant messaging program available via the Internet used by NWS operational personnel to share critical warning decision expertise and other significant weather information
- **Emergency Management Weather Information Network (EMWIN) receiver:** Device that receives satellite feed and/or VHF radio transmission of NWS products
- **Statewide law enforcement telecommunications:** Automatic relay of NWS products on law enforcement systems
- **Wireless Emergency Alerts (WEA):** A service that allows public safety authorities to use FEMA's Integrated Public Alert and Warning System (IPAWS) Open Platform for Emergency Networks (IPAWS-OPEN) to send geographically targeted, text-like wireless emergency alerts to the public
- **Amateur Radio transceiver:** Potential communications directly to NWS office
- **Alerts received through America's Weather and Climate Industry:** Typically received from a provider via email, a texting service or app to a smartphone, tablet, or computer
- **Television:** Access to local network or cable TV
- **Local Radio:** Emergency Alert System, LP1/LP2
- **Internet monitoring capability, including social media such as Facebook and Twitter**
- **NOAA Weather Wire drop:** Satellite downlink data feed from NWS.
- **Other Communications channel:** For example, active participation in a state-run warning network, two-way, local emergency responder radio network, etc.

### **Guideline 2.2: Warning Dissemination**

To receive recognition under the StormReady Program, an applying jurisdiction's Communication/Dispatch Center and EOC each need the authority and ability to activate the public warning system in its area of responsibility. A combination of the following can be used to fulfill this guideline:

- Cable and/or broadcast television audio/video EAS overrides
- Local flood warning systems with no single point of failure
- Plan for siren/megaphone notification on emergency vehicles
- Outdoor warning sirens
- Other local alert broadcast system
- Local pager/texting system
- WEA capability throughout the jurisdiction
- Social media account and plan for usage
- Amateur Radio Operator network (Ham Radio)
- Telephone mass notification system
- Telephone tree to critical facilities
- Coordinated jurisdiction-wide radio network
- Service provided by AWCI
- Other, please explain
- *Counties, Parishes, Boroughs, etc.* - A countywide communications network that ensures the flow of information between all cities and towns within its borders. This

would include acting as the surrogate WP and/or EOC for jurisdictions without those capabilities.

In addition to the above, when in reliable range of a NWR transmitter, Public Alert™ certified NOAA Weather Radio receivers are required to be operated in key public facilities to be recognized as StormReady:

- **Required Locations:**

- Communication/Dispatch Center serving as the 24-hour WP
- EOC
- City Hall
- Public School Superintendent office

- **Recommended, but not required, Locations:**

- Courthouses
- Public libraries
- Hospitals
- All schools, usually located in principal's or designee office
- Fairgrounds, parks and recreation areas\*
- Public utilities\*
- Large-event venues, e.g., arenas, stadiums, etc.\*
- Transportation departments\*
- Nursing homes/Assisted living facilities\*
- Harbor Masters' Offices

\***Note:** Usually, the NWR receivers would be located in the primary management office/facility that has the authority to alter operations and the ability to order protective actions based on the NWS hazardous weather or flood warning received.

### **Guideline 2.3: Hazardous Weather and Flood Monitoring**

To receive recognition under the StormReady Program, an applying jurisdiction's Communication/Dispatch Center and EOC each need the ability to monitor for hazardous weather and flood conditions. Staff should have a basic understanding of weather and flood data, monitoring equipment, and information systems. Examples include Doppler weather radar data, the NWS Advanced Hydrologic Prediction System, roadway condition sensors, etc. Understanding how to use hazardous weather and flood monitoring tools enhances the situation awareness of the Communication/Dispatch Center and EOC. It also strengthens the coordination with the NWS, other jurisdictions, the news media and the public. A combination of the following can be used to fulfill this guideline:

- NWChat
- Hazardous weather and flood monitoring systems provided by AWCI
- Internet
- Video camera system
- Television/radio
- Two-way radio
- EMWIN

- Local systems for hazardous weather monitoring, e.g., roadway sensors
- Local systems for flood monitoring, e.g., levee/dam sensors, wildfire burn areas
- Locally owned and operated weather radar
- Lightning detection network
- Locally owned weather observing instruments, e.g., wind equipment
- Other, please explain

#### **Guideline 2.4: Communication**

To facilitate close working relationships, the jurisdiction's emergency management program leader should routinely communicate with his/her local NWS WFO. NWS officials should also routinely communicate with the emergency management officials in their CWFA. Typically this will occur during incident operations between the Communication/Dispatch Center and the local NWS WFO. This communication also might occur through joint preparedness activities, conferences or other events. Annual meetings are encouraged, in-person or virtually. If a jurisdiction chooses to use services provided by AWCI, the WFO will interact/coordinate with the jurisdiction's service provider in the same way it would interact with the applicant or StormReady community once recognized.

In addition to the above examples, jurisdictions should have an interoperable communications network that ensures the ability to communicate within and across jurisdictions through resilient and redundant methods. Resiliency is the ability of communications systems to withstand and continue to perform after damage or loss of infrastructure. Redundancy can be the duplication of services or the ability to communicate through diverse, alternative methods when standard capabilities suffer damage.

During an incident within a jurisdiction, this integrated approach links the operational and support units of the various organizations to maintain communications connectivity and situation awareness. When a single incident covers a large geographical area, multiple local emergency management and incident response agencies may be required. This may include nongovernmental organizations and private-sector organizations. Effective cross-jurisdictional coordination using processes and systems is critical in this situation.

#### **Component 3: Preparedness**

Effective emergency management and incident response activities begin with a host of preparedness activities conducted on an ongoing basis, in advance of any potential incident. Preparedness is achieved and maintained through a continuous cycle of planning, organizing, training, equipping, exercising, evaluating, and taking corrective action. Ongoing preparedness efforts among all those involved in emergency management and incident response activities ensure effective coordination during crisis. In developing, refining, and expanding preparedness programs and activities within their jurisdictions and/or organizations, emergency management/response personnel should leverage existing preparedness efforts and collaborative relationships to the greatest extent possible.

### **Guideline 3.1: Planning**

To receive recognition under the StormReady Program, an applying jurisdiction should address hazardous weather and flooding in its formal EOP. Ideally, hazardous weather and flooding is also addressed in the community's Local Hazards Mitigation Plan. If possible, the EOP should:

- Identify hazards and provide a risk assessment
- Detail Communication/Dispatch Center procedures relating to natural hazards
- Specify EOC activation criteria and deactivation procedures
- Identify flood prone areas, set procedures to prevent citizens from entering those areas, and set evacuation protocols and procedures
- Establish SKYWARN weather spotter activation criteria and reporting procedures
- Specify criteria and procedures for the activation of the public warning system in its area of responsibility
- Provide contact information for all jurisdictional agencies and response partners including the NWS
- Maintain the ability to assess significant hazardous weather and flood incidents through an After Action Review (or similar), identify lessons learned and best practices, and evolve emergency response planning accordingly

### **Guideline 3.2: Training and Exercises**

To receive recognition under the StormReady Program, an applying jurisdiction should conduct an exercise relating to natural hazards at least every three years. Participation in a multi- jurisdiction exercise (e.g., state, regional, federal, etc.) may fulfill this requirement. It is not necessary for your local NWS office to participate in the exercise but NWS participation is encouraged when feasible. Exercises should test and evaluate functions contained in the EOP. The following exercise types may be conducted to fulfill this guideline:

- **Tabletop:** Simulates an emergency situation in an informal, stress-free environment. The participants, —usually decision-makers—gather around a table to discuss general problems and procedures in the context of an emergency scenario. The tabletop focus is on training and familiarization with roles, procedures, or responsibilities.
- **Functional:** Simulates an emergency in the most realistic manner possible, short of moving real people and equipment to an actual site. As the name suggests, its goal is to test or evaluate the capability of one or more functions in the context of an emergency event.
- **Full-scale:** A lengthy exercise that takes place on location, using—as far as possible—the equipment and personnel that would be called upon in a real event. Typically a full-scale exercise will use most EOP functions, coordinate the efforts of several agencies, and include activation of the EOC.

To receive recognition under the StormReady Program, an applying jurisdiction should conduct training for Communication/Dispatch Center and EOC staff (e.g., dispatchers) at least once every two years. The Communication/Dispatch Center should receive training on the following:

- Understanding NWS decision support services
- Monitoring hazardous weather and flood incidents
- Using protocols for communicating hazardous weather and flood incident impacts and damage to inform the NWS' warning decision making.

Any training tool (e.g., web module, Webinar, presentation, instruction manual) can fulfill this guideline though local NWS WFO participation in the development and implementation of the training is desirable. Typically this training can be accomplished by attending a class for SKYWARN weather spotters conducted by the local NWS WFO. StormReady communities are expected to share hazardous weather and flood reports with their local NWS WFO. Using NWSChat or a similar communication tool is ideal for this type of coordination. At a minimum, these reports should include the type, location, and time of significant weather and flood events.

An applying jurisdiction also needs to conduct training for SKYWARN weather spotters at least once every two years. Typically this guideline is handled by the local NWS WFO through in- person training classes open to the public and with support from the emergency manager. All jurisdictions larger than 40,000 people are encouraged to host/co-host a spotter training session at least once every two years.

### **Guideline 3.3: Community Preparedness**

To receive recognition under the StormReady Program, an applying jurisdiction needs to conduct a number of hazardous weather and/or flood safety activities each year. Public education is vital in preparing citizens to respond properly to hazardous weather and flooding. An educated public is more likely to take steps to plan for hazardous weather and flooding, recognize potentially threatening weather situations, receive warnings, and to respond appropriately in those situations. A combination of the following preparedness activities can be used to fulfill this guideline:

- Conduct or facilitate safety talks/presentations for schools, hospitals, nursing homes, and industries regarding the identified weather hazards for the area. These talks may be a part of multi-hazard presentations affecting local communities/regions, e.g., floods, wildfires, tsunamis, tornadoes, hurricanes/typhoons, blizzards
- Offer weather-related safety awareness campaigns that include publicity for NOAA Weather Radio (where broadcast coverage exists), WEA, and other local public warning systems
- Assist schools, hospitals, businesses, industries, etc., with the development of risk assessments, mitigation measures and emergency planning, e.g., help determine effective sheltering and evacuation procedures
- Establish and maintain a community program that includes hazardous weather and flooding in its training, e.g., [Citizens Corps](#), [Community Emergency Response Teams](#)
- Participate in the [Emergency Management Accreditation Program](#) (EMAP). EMAP is a voluntary review process for state and local emergency management programs.

Accreditation is a means of demonstrating, through self-assessment, documentation and peer review, that a program meets national standards for emergency management programs

- Participate in a state, end-to-end communications test of the hazardous weather and flooding warning system. This includes activation of the EAS within your jurisdiction using a TOR or FFW real event code
- Conduct full-scale exercise for hazardous weather and/or flooding with community involvement
- Implement/maintain a program to help the special needs populations in your jurisdiction prepare for and respond to hazardous weather and flooding, e.g., neighbor helping neighbor program
- Post hazardous weather and flood safety information, including information on NOAA Weather Radio and WEA and other local public warning systems, on community websites, e.g., agency, organization, facility
- Issue Public Service Announcements (PSA) on hazardous weather and flood safety. PSAs could be sent through radio, TV, social media, etc.
- Post hazardous weather and flood safety information on signs in your jurisdiction, e.g., billboard, highway, large outdoor video screens
- Conduct mass mailings of hazardous weather and/or flood safety information to local residents and businesses
- Conduct workshops with local businesses (e.g., Chamber of Commerce, business associations) to help them develop their own hazardous weather and flood mitigation strategies, emergency operations, and recovery plans.
- Conduct presentations or workshops on hazardous weather and flooding with faith-based organizations, community, and civic groups, e.g., Rotary, Kiwanis, Moose, Elks, Ruritans, Scout Troops
- Provide hazardous weather and/or flood safety information through the local tourist industry, e.g., hotels, motels, camp grounds, restaurants, community visitor centers, recreational services, vehicle rental businesses, museums
- Incorporate hazardous weather and flood safety information into booths at community events, county fairs, trade shows, etc.
- Other, please explain

**APPENDIX B - StormReady Recognition Sign**



Above: NWS StormReady Recognition sign.