

Due to the ongoing COVID-19 issues, the Governor of the State of California has issued Executive Order N-29-20 and Order N-25-20 establishing social distancing measures and suspending provisions of the Brown Act. For this reason we ask that you:

PLEASE SUBMIT ANY PUBLIC COMMENTS AHEAD OF TIME IF AT ALL POSSIBLE. Please visit <http://www.co.del-norte.ca.us/> for a public comment form. Your comment will be limited to 3000 characters. Your comment will be read during the public comment period. Please submit only one comment per agenda item and only one general public comment.

VIEW THE MEETING AND COMMENT REMOTELY. A link to view the meeting will be posted on <http://www.co.del-norte.ca.us/>. Public comment on ALL agenda items as well as general public comment will be taken at the prescribed time for public comment via instructions provided on the website. Please submit only one comment per agenda item and only one general public comment.

IF YOU REQUIRE AN ACCOMMODATION DUE TO DISABILITY under the Americans with Disability Act that does not allow you to participate remotely or provide written comment ahead of the meeting YOU MUST notify the Planning Commission Secretary at least 24 HOURS in advance of the meeting and a reasonable accommodation will be made.

AGENDA

DEL NORTE COUNTY PLANNING COMMISSION
Board of Supervisors Chambers
981 H Street, Suite 100
Crescent City, CA 95531
VIA Zoom (media.co.del-norte.ca.us)

Special Meeting
Wednesday,
March 8, 2023
6:00 p.m.

1. Roll Call
2. Order of the Day

PUBLIC HEARINGS

ALL PUBLIC HEARINGS SHALL COMMENCE NO SOONER THAN THIS TIME AND SHALL BE HEARD CHRONOLOGICALLY IN THE BELOW ORDER:
(Refer to each attached staff report)

NOTE: If you challenge the decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing (Govt. Code 65009). There is a 90-day statute of limitations relating to decisions rendered after a public hearing of the Planning Commission.

A. CONSENT AGENDA –

NONE.

B. PUBLIC HEARING

- 1) SEDGWICK, DANIEL – Use Permit for an Overheight Accessory Structure – UP2309C – APN 116-290-027 located at 1655 Bethesda Way, Crescent City, CA 95531
- 2) DREYFUSS, NATHAN – Minor Subdivision – MS2302 – APN 122-020-019 & 122-030-029 located on Low Divide Road, Smith River, CA 95567

3. ADJOURNMENT

NOTE: There is a 60-day statute of limitations relating to ministerial actions of the Planning Commission.

STAFF REPORT

APPLICANT: Sedgwick, Dan

APPLYING FOR: Use Permit for an Overheight Accessory Building

APN: 116-290-027

LOCATION: 1655 Bethesda Way, Crescent City, CA

PARCEL(S)
SIZE: .42 Acres

EXISTING
USE: Residential

EXISTING
STRUCTURES: Residence

PLANNING AREA:

GENERAL PLAN: UR

ADJ. GEN. PLAN: Same

ZONING: R-1

ADJ. ZONING: Same

- 1. PROCESSING CATEGORY:
 NON-COASTAL
 APPEALABLE COASTAL
 NON-APPEALABLE COASTAL
 PROJECT REVIEW APPEAL

2. FIELD REVIEW NOTES: DATE: February 3, 2023

- ENVIRONMENTAL HEALTH
- BUILDING INSP
- PLANNING
- ENGINEERING/SURVEYING

ACCESS: Bethesda Way

ADJ. USES: Residential

TOPOGRAPHY: Flat pad with driveway sloping gently to street

DRAINAGE: West toward street generally

DATE OF COMPLETE APPLICATION: February 9, 2023

3. ERC RECOMMENDATION: Application complete. Project exempt from CEQA as Class 3 Categorical Exemption (CCR Title 14, §15033). Post Public Hearing Notice. Approve with conditions.

4. STAFF RECOMMENDATION:

Dan Sedgwick has applied for a Use Permit to construct an overheight detached accessory structure on his 0.42-acre parcel, which is currently developed with a single-family residence. The project is located at 1655 Bethesda Way, Crescent City, CA. Zoning for the parcel is Residential, Single Family with a minimum lot size of 7,200 square feet. The General Plan Land Use designation for this area is Urban Residential. The parcel is served by public water and sewer.

The applicant proposed to construct an accessory building that would measure 32' long by 16' wide by 19'6" tall. The structure includes 512 sq. feet of indoor storage space. Within residential

zone districts, accessory structures are limited to 1,200 square feet in area coverage and 16' in height without procurement of a Use Permit pursuant to Del Norte County Code (DNCC) 21.04.140. The proposed location of the structure would comply with applicable setbacks for the R-1 zone district, including a required five foot setback from the side property line, a 5 foot required setback from the rear property line, and a 25 foot setback from the front property line.

On February 3, 2023, the Environmental Review Committee conducted field review of the parcel to evaluate conditions, physical limitations of the project area, and the compatibility of the project with the surrounding area. No contraindications for the proposed project were noted. The project application was subsequently held complete at the Environmental Review Committee meeting on February 9, 2023 and a recommendation to approve the project with conditions was made.

Staff and the Environmental Review Committee recommend that the Planning Commission adopt the findings and approve the project with the conditions listed below.

5. FINDINGS:

- A. The project is consistent with the provisions of Title 21 of the Del Norte County Code;
- B. The project is exempt from requirements of the California Environmental Quality Act as a Class 3 Categorical Exemption (CCR 14 §15033); and,
- C. The project will not be detrimental to the conditions of the neighborhood or persons working or residing therein.

6. CONDITIONS:

1. This Use Permit is for the development of an overheight accessory structure on a parcel already developed with a residence;
2. A Building Permit shall be required for the development of the accessory structure. Issuance of the Building Permit shall be subject to final review by the Building Inspection Division;
3. Development for the accessory building shall be pursued in a diligent manner and shall be completed in a reasonable amount of time in a substantial accord with the submitted plans. If development has not commenced, the Use Permit will expire one (1) year from the date of final approval. Any extension of time shall be made prior to the date of expiration;
4. The Development shall comply with the California Fire Code applicable at the time of complete application (February 9, 2023);
5. The accessory structure shall not be utilized for commercial uses beyond those principally allowed in the R-1 Zone District;
6. A Notice of Conditional Approval shall be recorded prior to the issuance of the Building Permit at the applicant's expense;
7. This entitlement is specifically conditioned on the applicant agreeing to indemnify and hold harmless the County of Del Norte, the Planning Commission of the County of Del Norte, the Board of Supervisors of the County of Del Norte, their officers, employees and agents against any and all claims arising out of the issuance of the entitlement and specifically against any expense arising from defending any legal action challenging the issuance of the entitlement, including but not limited to the value of time devoted to

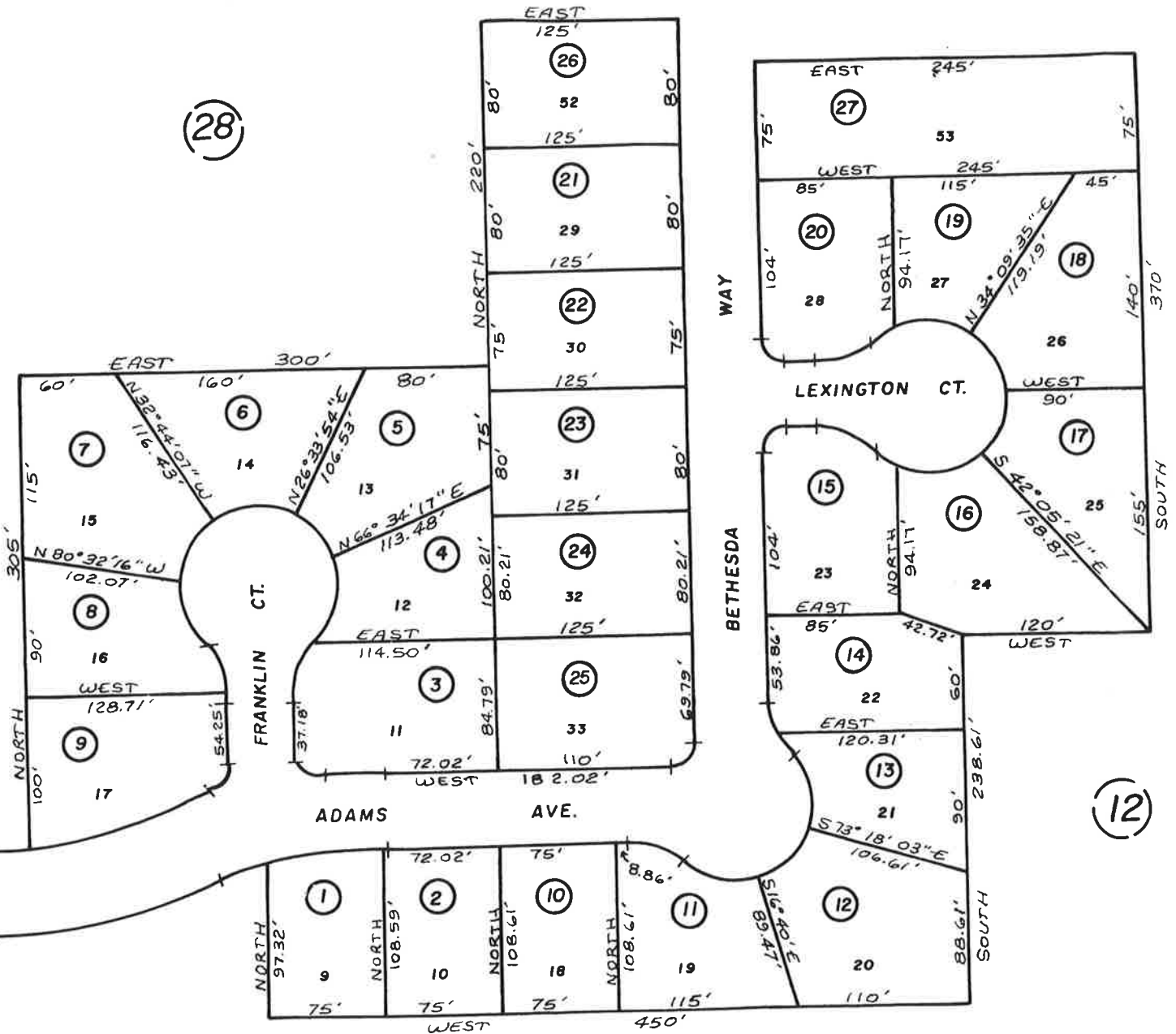
such defense by County officers, employees and agents and the amount of any judgment, including costs of suit and attorney fees, recovered against the County or any of its officers, employees or agent in such legal action. The County of Del Norte reserves the option to either undertake the defense of any such legal action or to tender such defense to the applicant. Should the County tender such defense to the applicant and the applicant fail or neglect to diligently defend such legal action, the County may consider such failure or neglect to be material breach of this conditions and forthwith revoke this entitlement;

8. The activities associated with this permit are not within the State Responsibility Area, therefore, Title 19 – SRA Fire Safe Regulations does not apply.
9. The applicant shall submit an erosion and runoff control plan to the Engineering and Surveying Division for review and acceptance. The erosion and runoff control plan shall demonstrate that during and post construction, erosion and runoff on the site will be controlled to avoid adverse impacts to adjacent properties and water resources. The erosion and runoff control plan shall include arrows showing the direction of flow from the construction site, temporary erosion and runoff control methods (e.g. silt fence), and permanent erosion and runoff control methods (e.g. grass seed and straw). An engineered plan is not required unless requested by the County Engineer.

POR. SW ¼ SEC. 17, T.16N., R.1W., H.B. & M.
 WASHINGTON PARK SUBD. UNIT 2B
 BK. 10 PG. 126 R.S.

(28)

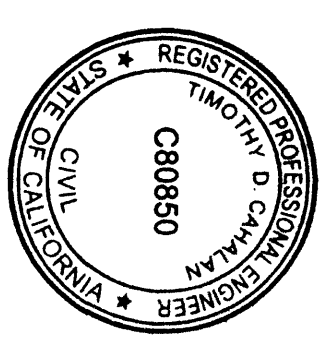
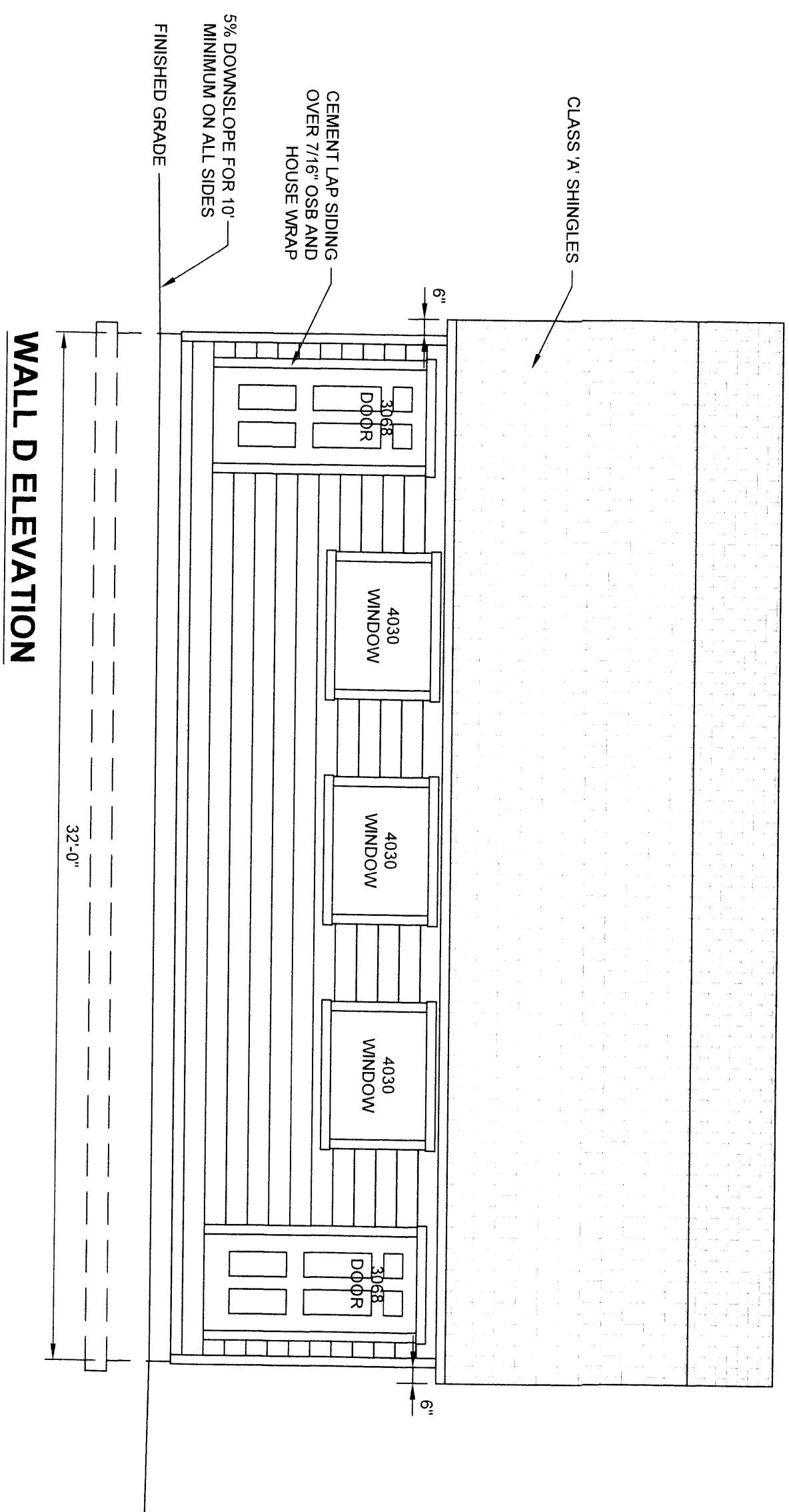
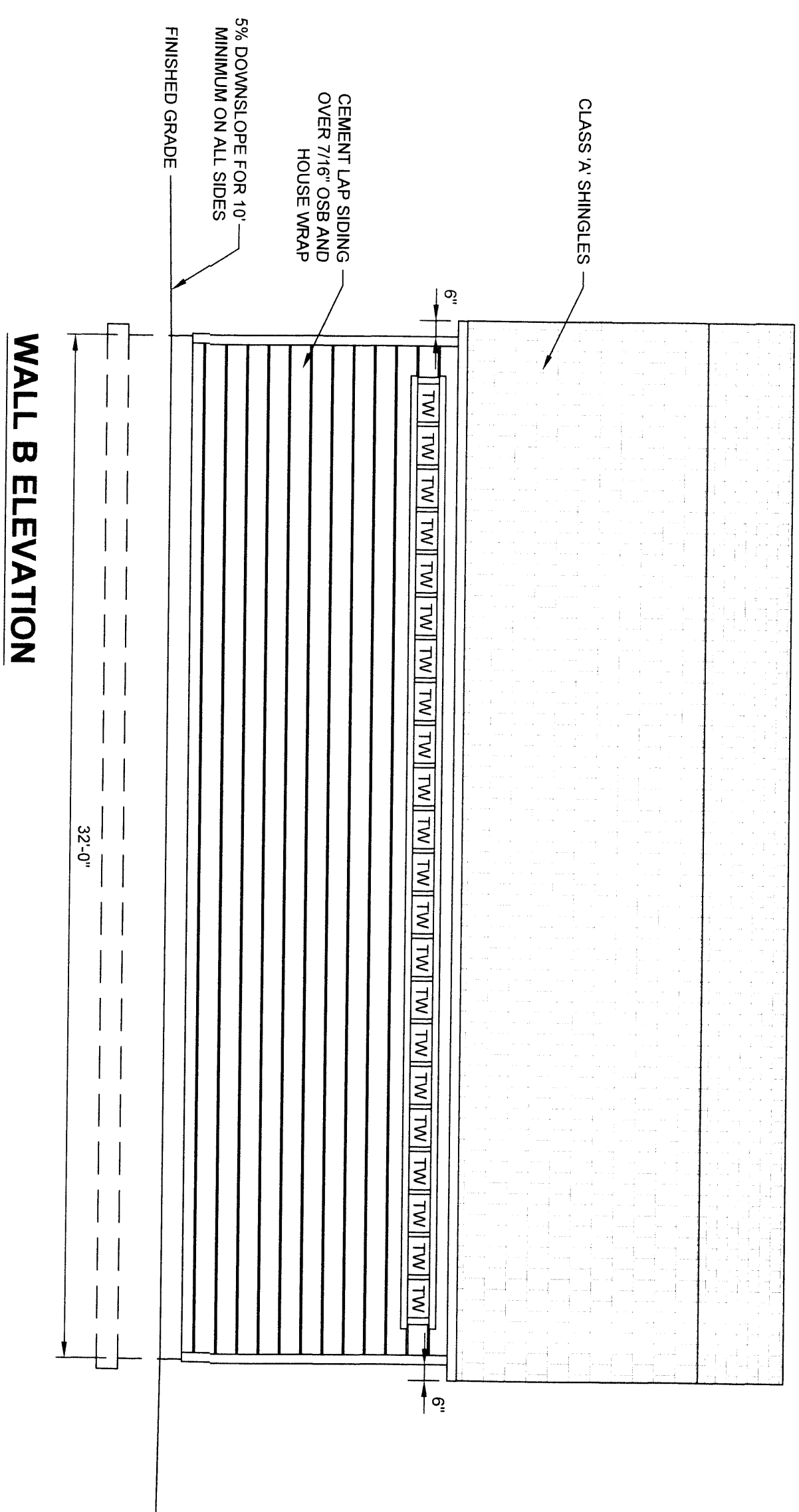
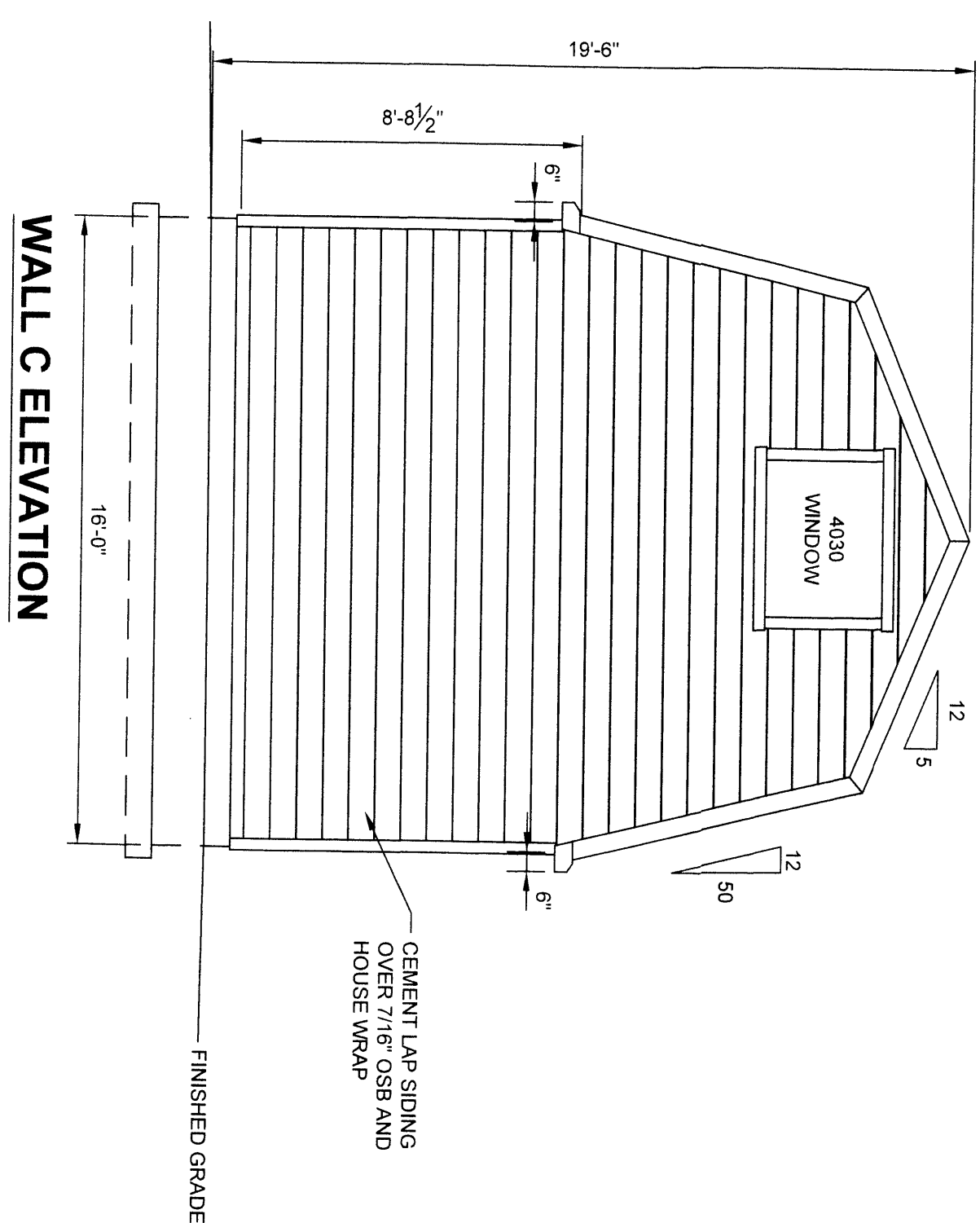
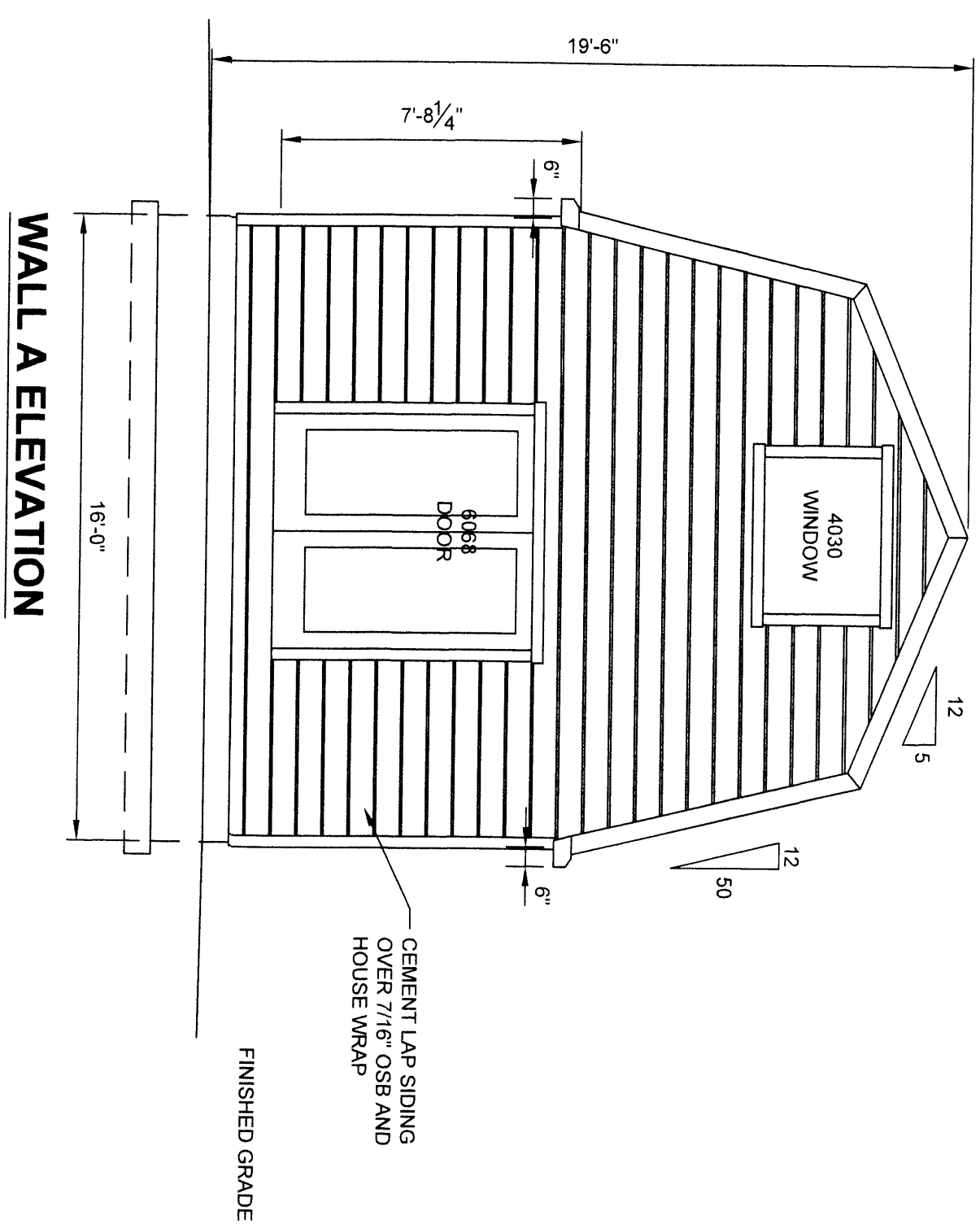
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(14)



Proposed location of 16x32 Storage building
5' from southern property line
50' from house
Est 60' from eastern property line



11/10/2022

TUFF SHED, INC.
ENGINEERING DEPARTMENT
TIMOTHY D. CAHALAN, P.E.
TCAHALAN@TUFFSHED.COM
1777 S. HARRISON STREET
DENVER, COLORADO 80210
(303) 753-8833 EXT. 96319

SO #: 1843886 EP #: 12334
Customer: DANIEL SEDGWICK
Description:
ACCESSORY BUILDING
16' X 32' = 512 SQ FT
Site Address:
1655 BETHESDA WAY
CRESCENT CITY, CA 95531

THESE DRAWINGS AND THE DESIGN ARE THE PROPERTY OF TUFF SHED, INC. THESE DRAWINGS ARE FOR A BUILDING TO BE SUPPLIED AND BUILT BY TUFF SHED ONLY. ANY OTHER USE IS FORBIDDEN BY TUFF SHED INC AND THE ENGINEER OF RECORD.

TUFF SHED
Storage Buildings & Garages
TUFF SHED, INC.
333 EHRMAN CIRCLE
MEDFORD, OR 97501
541-772-1183
STORE 620

Drawn By: PK
Date: 8/15/22
Checked By: JR
Date: 11/17/22
Revised:
Title:
ELEVATIONS
Scale: 1/4" = 1'-0"
Sheet:

S1
Sheet 2 of 4



STAFF REPORT

APPLICANT: DREYFUSS, NATHAN

APPLYING FOR: Minor Subdivision

APN: 122-020-019 & 122-030-029 LOCATION: Low Divide Road, Crescent City, CA 95567

PARCEL(S)
SIZE: 240 acres

EXISTING
USE: Timberland

EXISTING
STRUCTURES: None

PLANNING AREA:

GENERAL PLAN: TBR

ADJ. GEN. PLAN: Same, SFL

ZONING: TPZ

ADJ. ZONING: Same, PO

- 1. PROCESSING CATEGORY:
 NON-COASTAL
 APPEALABLE COASTAL
 NON-APPEALABLE COASTAL
 PROJECT REVIEW APPEAL

2. FIELD REVIEW NOTES: DATE: November 4, 2022

- ENVIRONMENTAL HEALTH
- BUILDING INSP
- PLANNING
- ENGINEERING/SURVEYING

ACCESS: Low Divide Road
TOPOGRAPHY: Various, Hillside

ADJ. USES: Timberland, Limited Residential
DRAINAGE: Little Mill Creek, Sultan Creek

DATE OF COMPLETE APPLICATION: December 15, 2022

3. ERC RECOMMENDATION: Adopt Negative Declaration. Post Public Hearing Notice. Recommend approval of Minor Subdivision to the Board of Supervisors with listed conditions.

4. STAFF RECOMMENDATION:

Project Description

The applicant proposes to split a 240-acre parcel, currently zoned as Timberland Preserve (TPZ), into two 120-acre parcels. The underlying General Plan Land Use designation for the parcel is Timberland. In 2016, the applicant recorded two separate grant deeds that resulting in a subdivision that did not conform with applicable provisions of the Subdivision Map Act. This subdivision would remediate the existing violation and result in two parcels approximately 120 acres each.

This non-conformity of the parcel was originally discovered by Stover Engineering and the applicant was referred to the Del Norte County Planning Division to remediate the violation of the Subdivision Map Act. This violation stemmed from what is very likely a misunderstanding, in that the parcel is cut in half by a section line; as such, the Assessor’s Parcel Maps show the parcel on two different pages with two separate Assessor’s Parcel Numbers, while it is in fact described as one parcel. Pursuant to Government

Code §66499.35 a notice of violation has been recorded against the property (see attachments for notice) and the applicant is now pursuing this subdivision to remediate the situation. A hearing was held during the October 5, 2022, Planning Commission meeting, and the notice of violation was subsequently recorded.

No other development is proposed as part of this project. Existing private roads and drainage improvements appear to be within recorded easements serving the proposed parcels. Any structures that may exist on the parcel at this time will be removed prior to recording the new deeds. The project area is heavily timbered area that is sparsely developed. Adjacent zoning includes timber preserve and public ownership zoning. Both adjacent 120-acre parcels (totaling 240-acres) are situated near the first ridge approximately 2 miles east of Kings Valley in the upper reaches of Little Mill and Sultan Creeks.

California Environmental Quality Act (CEQA) Compliance

The project was subject to environmental review under the California Environmental Quality Act (CEQA) and a Negative Declaration was submitted to the State Clearinghouse website on January 20, 2023 (SCH # 2023010402). No comments were received from State agencies, the public or other interested parties.

Cultural Resources

Native American tribes, traditionally and culturally affiliated with the project area have been notified of the project application completion and the beginning of the AB 52 consultation period pursuant to Public Resources Code (PRC) §21080.3.1. Notification of the beginning of the AB 52 consultation period was provided 12/16/2022. No requests for consultation were received.

No cultural resources are known to exist on-site. The County records were searched for known cultural sites in the general project vicinity, and none were identified. Notice was provided to the two tribes traditionally culturally affiliated with the project area and no comment was given with regard to cultural resources. Additionally, cultural staff from the Tolowa-Dee-ni' Nation is a voting member of the County Environmental Review Committee which reviews projects and makes CEQA recommendations.

The joint timber management plan prepared for the project did analyze the potential for cultural and archaeological resources to be located on the property. As state in the plan, Native American cultural resources are commonly situated on ridgelines and associated spurs; saddles; midslope terraces; at vegetative ecotones; at confluences of drainages, and areas adjacent to seasonal and perennial watercourses including springs. Prehistory states that the region was inhabited by the Athabascan Group, the Tolowa. The Tolowa were the people of Smith River and the adjacent ocean frontage. Given the presence of many of the aforementioned features within the JTMP area it is likely that resources associated with Native Americans may be found within the project area.

Given that this parcel does not involve development, no substantial adverse impacts would occur to any potential resources as a result of this project. This document, among others prepared for the parcel, will serve as a resource to inform any future timber harvest or development, and mitigation measures should be incorporated into any future development.

Biological Resources

A Preliminary Biological Resource Review was prepared, as part of the JTMP, to provide data concerning the type and extent of biological resources located on the parcel. Both adjacent 120-acre parcels (totaling 240-acres) are situated near the first ridge approximately 2 miles east of Kings Valley in the upper reaches of Little Mill and Sultan Creeks. Preliminary review of regional information shows habitat

on and around both parcels to consist of heavily managed forest lands. Numerous CEQA equivalent documents from the subject and neighboring parcels describe this region to be occupied primarily by Douglas-fir and redwood forest with other species including western hemlock and red alder. The Biological Assessment Area for the review in the JTMP included the Hiouchi 7.5' USGS Quadrangle and the 8 surrounding quadrangles. This area was chosen because given the location of the property, it is of sufficient size to include both the coastal plain and interior mountain biological influences. Additionally, a shift in soil composition and associated habitats for special status plants (ultramafic serpentine) occurs in the region of the property.

The property is in the Little Mill Creek Planning Watershed (CALWNUM 1103.110001) and situated along the mid to upper reach of Little Mill Creek. The headwaters of Sultan Creek are located at the Southeast corner of the property. Other perennial and intermittent tributaries of Little Mill Creek and Sultan Creek are also present throughout the property. According to maps reviewed from harvest plans downstream along Little Mill and Sultan Creeks, there are no fish bearing watercourses within or adjacent to the property area. All drainages from the property goes to the Smith River approximately 2 miles downstream.

Primary watercourses on and adjacent to the property include Little Mill Creek and Sultan Creek to the South. Numerous unnamed perennial and intermittent creeks are present throughout the property which were all heavily vegetated with overstory canopy and dense shrub cover. Multiple saturated (wetland-like) areas were identified on the northern parcel providing habitat with areas of vegetation dominated by hydrophytes and dense red alder overstory as well as areas lacking overstory vegetation (potentially anaerobic conditions). These areas would require further delineation and assessment in the event a project is proposed around them. Potential threats to aquatic resources on the property are generally isolated to existing stream crossings. According to the Preliminary Biological Resource Review, the road system was rocked and in good condition with some roads requiring vegetation removal and some grading prior to use. Some watercourse crossings were inspected and observed to be sufficiently functioning. Road drainage structures were in place and no hydrological connection was observed. Crossings should be monitored regularly for functionality across the property to ensure water quality is maintained.

Botanical scoping picked up a large range of plants associated with both coastal dunes and Lake Earl to the West and Southwest as well as ultramafic (serpentine) soils to the East and Northeast. While there are numerous occurrences of serpentine dependent special status plant populations to the East and Northeast of the property, serpentine soils or plant communities were not observed during a site visit. Per the Preliminary Biological Resource Review, suitable habitat for special status species is present in some of the Class II watercourses as well as in roadways, cut banks, landings and similar micro-sites where growing space is available. The property hosts a high species diversity and is within proximity to known occurrences of special status plants, particularly Indian pipe (*Monotropa uniflora*). While a seasonally appropriate botanical surveys were not conducted, the property hosts marginal to unsuitable habitat for a large portion of target special status species.

Given the location of the property, as well as its proximity to documented occurrences of special status plants and animals, seasonally appropriate surveys may need to be conducted prior to activities that could negatively impact protected natural resources. However, this resource subdivision does not propose any impacts to existing resources. As such, no impacts to biological resources would occur as a result of this project.

CDFW Environmental Document Filing Fee

The California Department of Fish and Wildlife (CDFW) imposes and collects an environmental document filing fee to defray the costs of managing and protecting California's vast fish and wildlife resources, including, but not limited to, consulting with other public agencies, reviewing environmental documents, recommending mitigation measures, and developing monitoring programs. On February 7, 2023, a No Effect Determination was received by Planning Division staff from CDFW, indicating that the filing fee would be waived given that the project has no effect on fish, wildlife, or their habitat.

Conditions of Approval

TPZ JTMP Deed Restriction

Del Norte County Code §20.43.51 requires that parcels zoned as timberland preserve may be considered for division into parcels containing twenty acres or more provided that the following conditions are complied with:

- 1) The owners of the resulting parcels submit or the present owner makes sufficient provisions for a joint timber management plan prepared or approved as to content by a registered professional forester;
- 2) Such owners enter into a binding contract with the Board of Supervisors, representing the county, to manage and harvest timber on the timberland jointly and are bound by the provisions of the management plan for a minimum period of ten years; and,
- 3) Any division shall be approved by a four-fifths vote of the full Board of Supervisors provided the project has been reviewed by the Planning Commission.

All three conditions listed above stem from Government Code §51119.5, which requires that a joint timber management plan be prepared when parcels zoned as timberland production are proposed to be divided into separate parcel containing less than 160 acres each. The same Government Code section requires that the joint timber management plan shall be recorded with the county recorder as a deed restriction on all newly created parcels. That deed restriction is required to run with the land rather than with the owners, and shall remain in force for a period of not less than 10 years from the date division is approved by the Board of Supervisors. This Minor

Planning Division staff has found one similar situation where a joint timber management plan was recorded against a parcel. The joint timber management plan was recorded as part of a rezone for William W. Kelly (R0106C), in which two parcels were rezoned from Coastal Timber (CT) to the Timberland Preserve (TPZ) designation. Given that both parcels were under 160 acres in total area, recordation of the joint timber management plan was required under the same code section. Planning Division staff, in coordination with the Del Norte County Assessor's Office, will submit a draft deed restriction to legal counsel for review, prior to the Board of Supervisors public hearing for the project, and will include the deed restriction for the Board of Supervisors review of the project. The deed restriction shall be attached to the new grant deeds to be recorded for the newly created parcels. Although separate grant deeds for the parcels currently exist due to illegal subdivision, new grant deeds will be required to be recorded so that it's clear the new parcels were created pursuant to the Subdivision Map Act as part of this subdivision, and so that the joint timber management plan may be referenced and/or attached as an exhibit to those grant deeds.

Certificate of Compliance

Condition #7 in "Option I" conditions, or Condition #5 in "Option II", requires that the Community Development Department record a Certificate of Compliance against both parcels to ensure that the

previously recorded Notice of Violation (Doc # 20224205) is resolved and nullified. If a parcel map is prepared for the project, the parcel map also acts as a Certificate of Compliance per Government Code §66499.35(e); however, the Certificates of Compliance shall still be recorded with or after the recordation of the parcel map in order to ensure clearance of the violations is clear and easily found for future reference.

Tentative Map Waiver

Pursuant to DNCC § 16.12.040 and Government Code § 66428(b), the Planning Commission may “waive” the requirement for a parcel map as a condition of approval. Given that this is a decision left explicitly to the Planning Commission, staff has provided two sets of findings and conditions for approval of the project. “Option I” gives findings and conditions for denial of the parcel map waiver request, and “Option II” gives findings and conditions for approval of the parcel map waiver request. Findings required for the approval of the parcel map waiver request are as follows:

1. There is no special privilege being conferred upon the property owner;
2. Circumstances such as, but not limited to, surveying problems may be cited as sufficient cause warranting a waiver of the parcel map;
3. Findings are made concerning the items listed in Section 66428 of the Subdivision Map Act related to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.

The project information supplement provided by Stover Engineering gives an overview of the regulation pertaining to granting of the waiver and provides the following findings for the Planning Commission’s review:

1. “The waiver of a Parcel Map was granted when the previous subdivision was approved in 1990. No special privilege is being conferred on the current property owner that the previous subdivider or others do not have.
2. The parcel to be subdivided is 240 acres in a remote and difficult area to survey resulting in a relatively high cost to survey and create a Parcel Map.
3. The proposed parcels will each be comprised of three quarters of a quarter section. The proposed parcels will be of sufficient size to meet the minimum quarter of quarter section requirement in GC Section 66426(e) to waive a Final Map (Parcel Map inferred by § 66428(b)).”

Government Code Section 66426(e) reads as follows:

“66426. A tentative and final map shall be required for all subdivisions creating five or more parcels, five or more condominiums as defined in Section 783 of the Civil Code, a community apartment project containing five or more parcels, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units, except where any one of the following occurs: [...] (e) The land being subdivided is solely for the creation of an environmental subdivision pursuant to Section 66418.2. [...].”

Planning Division staff contends that this subdivision does not meet the intent nor purpose of an environmental subdivision. Per Government Code Section 66418.2(b), environmental subdivisions must meet several strict standards including provisions for perpetual maintenance of the property as a biotic or wildlife habitat and recordation of easements to run in perpetuity on the land related to compliance with conditions requiring mitigation. This subdivision is a resources subdivision, which allows for future

development, including the harvesting of timber and potential development of the parcels with a residence subject to approval of a use permit by the Del Norte County Planning Commission. While the land is required to be deed restricted for a minimum of 10 years from the date of approval with regard to the JTMP, this does not constitute any form of required easement and does not run in perpetuity. Additionally, the JTMP is related to the potential future harvest of timber and not necessarily preservation of all existing habitat functions.

Community Development Department Staff and the Del Norte County Surveyor recommend preparation of a parcel map for several reasons including:

1. Staff and members of the public would be unable to reference a parcel map for a recently subdivided parcel.
2. A parcel map displaying property lines, survey pins, easements, reference documents (prior deed and map references), and other information such as notes and development buffers would be unavailable.
3. The subdivider would not set survey pins at property boundaries that contribute to the regional survey network which benefits the subdivider, adjoining property owners, and the region.
4. A survey delineating property boundaries would be unavailable to assist with enforcement actions (e.g., illegal cultivation of marijuana).
5. A parcel map serves as certificate of compliance in accordance with Government Code §66499.35(d).
6. Additionally, it is questionable if avoiding a costly survey through a parcel map waiver is a special privilege and if the size of a subdivision, challenging terrain, and/or remoteness constitute surveying problems.

It should be noted that the original subdivision that created the parcel (MS9053) did receive a parcel map waiver. Staff has provided two sets of findings and two sets of conditions, each representing approval of the subdivision with different outcomes on the request for the parcel map waiver.

Recommendation

Staff and the ERC recommend that the Planning Commission adopt the Negative Declaration. Additionally, staff recommends that the Planning Commission 1) deny the parcel map waiver request, and 2) forward a recommendation of approval of "Option I" findings and conditions to the Board of Supervisors.

Alternatively, the Planning Commission may adopt the Negative Declaration, approve the parcel map waiver, and forward a recommendation of approval of "Option II" findings and conditions to the Board of Supervisors.

5. FINDINGS:

Option I (approval of minor subdivision and denial of parcel map waiver):

- A. The Planning Commission does not "waive" the requirement for a parcel map to be filed with the Del Norte County Office of the Clerk-Recorder;
- B. This project is consistent with the Standards and Policies of the General Plan and Title 20 Zoning of the Del Norte County Code;
- C. An initial study has been prepared to evaluate the potential for adverse environmental impact as a result of the project;

- D. A Negative Declaration has been prepared pursuant to the California Environmental Quality Act which the County has considered in reviewing the project and making its decision;
- E. The project is subject to the California Department of Fish and Wildlife CEQA Environmental Document filing fee unless CDFW waives the fee;
- F. The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4290 and 4291 of the Public Resources at the time;
- G. The subdivision is a resource subdivision only. The tentative map is for the subdivision of one timberland parcel into two timberland parcels both greater than 40 acres in size. It has been determined that based on Government Code §66474.02(c), provisions of Government Code §66474.02(a) do not apply.

Option II (approval of minor subdivision and approval of parcel map waiver):

- A. The Planning Commission is recommending the Board of Supervisors “waive” the requirement for a parcel map to be filed with the Del Norte County Office of the Clerk-Recorder by making the following findings:
 - a. *There is no special privilege being conferred upon the property owner.*
 - b. *Circumstances such as, but not limited to, surveying problems may be cited as sufficient cause warranting a waiver of the parcel map.*
 - c. *Finding are made concerning the items listed in Section 66428 of the Subdivision Map Act related to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.*
- B. This project is consistent with the Standards and Policies of the General Plan and Title 20 Zoning of the Del Norte County Code;
- C. An initial study has been prepared to evaluate the potential for adverse environmental impact as a result of the project;
- D. A Negative Declaration has been prepared pursuant to the California Environmental Quality Act which the County has considered in reviewing the project and making its decision;
- E. The project is subject to the California Department of Fish and Wildlife CEQA Environmental Document filing fee unless CDFW waives the fee;
- F. The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4290 and 4291 of the Public Resources at the time;
- G. The subdivision is a resource subdivision only. The tentative map is for the subdivision of one timberland parcel into two timberland parcels both greater than 40 acres in size. It has been determined that based on Government Code §66474.02(c), provisions of Government Code §66474.02(a) do not apply.

6. CONDITIONS:

Option I (approval of minor subdivision and denial of parcel map waiver):

1. Final approval of the project shall be subject to approval by the Board of Supervisors by a four-fifths vote per Del Norte County Code Section 20.43.51;
2. After the approval or conditional approval of the tentative minor subdivision map, and prior to the expiration of such map, the subdivider shall cause the real property included with the map, or any part thereof, to be surveyed and a parcel map thereof prepared in accordance with the approved or conditionally approved tentative map;

3. Prior to recordation of the parcel map, a Notice of Conditional Approval (NOCA) shall be recorded at the applicant's expense;
4. The project shall comply with provisions of Government Code Section 51119.5;
5. The applicant shall be on notice that an approved or conditionally approved tentative map shall expire twenty-four (24) months after its approval or conditional approval. Upon request of the subdivider, filed prior to the expiration of the approved or conditionally approved tentative map, the time at which such map expires may be extended by the Planning Commission for a maximum of twelve months;
6. A note shall be placed on the parcel map stating: "Pursuant to Government Code Section 66499.35(d), this parcel map constitutes a Certificate of Compliance with respect to the parcels of real property described herein. Refer to Document # 20224205 for original Notice of Violation."
7. After recordation of the parcel map and new deeds, the Del Norte County Community Development Department shall record a Certificate of Compliance against both parcels to ensure that the previously recorded Notice of Violation (Document # 20224205) is resolved and nullified;
 - a. The Certificate of Compliance shall reference both the recorded parcel map and Notice of Violation recorded against the original parcel;
 - b. The Certificate of Compliance shall note that the certificate relates only to issues of compliance or non-compliance with provisions of the Subdivision Map Act and local ordinances enacted pursuant thereto;
8. The California Department of Fish and Wildlife environmental document filing fee must be submitted before the Notice of Determination can be recorded. Alternatively, the project proponent may provide a No Effect Determination (NED) that has been issued for this project by the Department of Fish and Wildlife to exempt the project from the filing fee;
9. Contact CAL FIRE Resource Management, 707-464-4969, if trees will be cut or removed. A CAL FIRE conversion permit may be required;
10. Contact CAL FIRE Resource Management, 707-464-4969, if cut or removed trees will be offered for sale, barter, exchange, or trade. A CAL FIRE permit is required;
11. This entitlement is specifically conditioned on the applicant agreeing to indemnify and hold harmless the County of Del Norte, the Planning Commission of the County of Del Norte, the Board of Supervisors of the County of Del Norte, their officers, employees and agents against any and all claims arising out of the issuance of the entitlement and specifically against any expense arising from defending any legal action challenging the issuance of the entitlement, including but not limited to the value of time devoted to such defense by County officers, employees and agents and the amount of any judgment, including costs of suit and attorney fees, recovered against the County or any of its officers, employees or agent in such legal action. The County of Del Norte reserves the option to either undertake the defense of any such legal action or to tender such defense to the applicant. Should the County tender such defense to the applicant and the applicant fail or neglect to diligently defend such legal action, the County may consider such failure or neglect to be a material breach of this conditions and forthwith revoke this entitlement;
12. The activities associated with this permit are within the State Responsibility Area, however, Title 19 – SRA Fire Safe Regulations does not apply.
13. A note shall be placed on the parcel map stating: "This subdivision is a resource subdivision only. No structural fire protection and suppression services were determined to be available at the time of subdivision. If a structure is proposed in the future, structure fire protection and suppression services must be identified and the intent of Government Code §66474.02(a) met."
14. Note: Sultan Creek Road between Low Divide Road and the subdivision, approximately 0.25

miles, does not have a defined width (refer to Book 212 of Official Records, page 113-115 and Book 384 of Official Records, page 203-204). It has been determined that the width for this subdivision meets the intent of a 50 foot wide right-of-way and turnaround area as required by County Code 12.05.030.

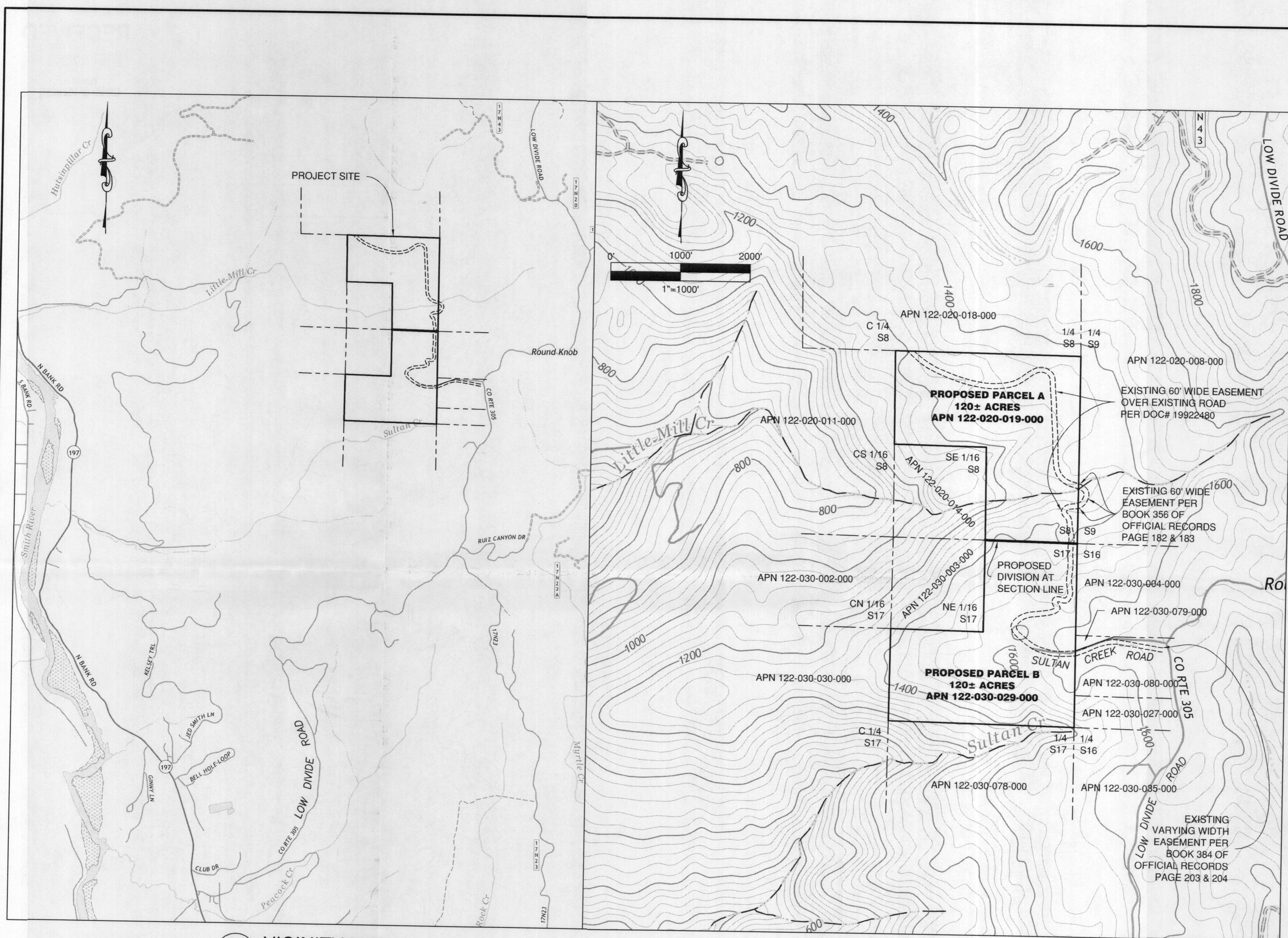
15. Prior to the filing of the parcel map, all easements within the subdivision and associated widths shall be shown on the parcel map. Private road and utility easements serving land that has been divided or could be divided under current zoning ordinances to serve: up to three parcels must be at least 30 feet wide and four or more parcels must be at least 50 feet wide.
16. Note: No grading and drainage improvements were proposed or approved as part of this subdivision.

Option II (approval of minor subdivision and approval of parcel map waiver):

1. Final approval of the project shall be subject to approval by the Board of Supervisors by a four-fifths vote per Del Norte County Code Section 20.43.51;
2. Prior to recordation of new deeds, a Notice of Conditional Approval (NOCA) shall be recorded at the applicant's expense;
3. The project shall comply with provisions of Government Code Section 51119.5;
4. The applicant shall be on notice that an approved or conditionally approved tentative map shall expire twenty-four (24) months after its approval or conditional approval. Upon request of the subdivider, filed prior to the expiration of the approved or conditionally approved tentative map, the time at which such map expires may be extended by the Planning Commission for a maximum of twelve months;
5. After recordation of new deeds, the Del Norte County Community Development Department shall record a Certificate of Compliance against both parcels to ensure that the previously recorded Notice of Violation (Document # 20224205) is resolved and nullified;
 - a. The Certificate of Compliance shall reference the tentative map prepared for MS2302 and Notice of Violation recorded against the original parcel;
 - b. The Certificate of Compliance shall note that the certificate relates only to issues of compliance or non-compliance with provisions of the Subdivision Map Act and local ordinances enacted pursuant thereto;
6. The California Department of Fish and Wildlife environmental document filing fee must be submitted before the Notice of Determination can be recorded. Alternatively, the project proponent may provide a No Effect Determination (NED) that has been issued for this project by the Department of Fish and Wildlife to exempt the project from the filing fee;
7. Contact CAL FIRE Resource Management, 707-464-4969, if trees will be cut or removed. A CAL FIRE conversion permit may be required;
8. Contact CAL FIRE Resource Management, 707-464-4969, if cut or removed trees will be offered for sale, barter, exchange, or trade. A CAL FIRE permit is required;
9. This entitlement is specifically conditioned on the applicant agreeing to indemnify and hold harmless the County of Del Norte, the Planning Commission of the County of Del Norte, the Board of Supervisors of the County of Del Norte, their officers, employees and agents against any and all claims arising out of the issuance of the entitlement and specifically against any expense arising from defending any legal action challenging the issuance of the entitlement, including but not limited to the value of time devoted to such defense by County officers, employees and agents and the amount of any judgment, including costs of suit and attorney fees, recovered against the County or any of its officers, employees or agent in such legal action. The County of Del Norte reserves the option to either undertake the defense of any such legal action or to tender such defense to the applicant. Should the County tender such defense to the applicant

and the applicant fail or neglect to diligently defend such legal action, the County may consider such failure or neglect to be a material breach of this conditions and forthwith revoke this entitlement;

10. The activities associated with this permit are within the State Responsibility Area, however, Title 19 – SRA Fire Safe Regulations does not apply.
11. A note shall be placed on each deed conveying parcels created by the minor subdivision stating: “This subdivision is a resource subdivision only. No structural fire protection and suppression services were determined to be available at the time of subdivision. If a structure is proposed in the future, structure fire protection and suppression services must be identified and the intent of Government Code §66474.02(a) met.”
12. Note: Sultan Creek Road between Low Divide Road and the subdivision, approximately 0.25 miles, does not have a defined width (refer to Book 212 of Official Records, page 113-115 and Book 384 of Official Records, page 203-204). It has been determined that the width for this subdivision meets the intent of a 50 foot wide right-of-way and turnaround area as required by County Code 12.05.030.
13. Prior to recording new deeds conveying parcels created by the minor subdivision, all easements within the subdivision and associated widths shall be shown on a map. Any private road and utility easements within the subdivision and serving land that has been divided or could be divided under current zoning ordinances to serve: up to three parcels must be at least 30 feet wide and four or more parcels must be at least 50 feet wide. Easements deeds may need to be recorded to satisfy this condition.
14. Note: No grading and drainage improvements were proposed or approved as part of this subdivision.



VICINITY MAP
1"=2000'

TENTATIVE MAP
1"=1000'

DEVELOPMENT NOTES

1. NO NEW ROADS ARE PROPOSED.
2. EXISTING BUILDINGS, IF ANY, WILL BE REMOVED PRIOR TO RECORDING THE SUBDIVISION DEEDS.
3. NO EXISTING WELLS OR SEWAGE DISPOSAL SYSTEMS ARE KNOWN.
4. NO CUTS OR FILLS ARE PROPOSED.

GENERAL NOTES

MINOR SUBDIVISION OF DOCUMENT #20142089 MORE FULLY DESCRIBED AS PARCEL 4 IN DOCUMENT #19922480 EXHIBITS A AND B, DEL NORTE COUNTY OFFICIAL RECORDS.
 PARCEL MAP WAIVER IS REQUESTED BY APPLICANT.
 USGS TOPO MAPS USED FOR MAP BACKGROUND:
 HIOUCHI QUADRANGLE 2021
 HIGH DIVIDE QUADRANGLE 2021
 CONTOUR INTERVAL: 40 FT
 VERTICAL DATUM: NAVD88

MAP LEGEND

- PROPOSED PROPERTY LINE
- - - EXISTING SUBJECT PROPERTY LINE
- - - EXISTING ADJACENT PROPERTY LINE
- - - EXISTING EASEMENT

ADJACENT PARCEL OWNERS

APN	DEED	NAME & ADDRESS
122-020-018-000	DOC# 20049101	GREEN DIAMOND
122-020-011-000	DOC# 20049101	1301 FIFTH AVE #2700
122-030-002-000	DOC# 20049101	SEATTLE, WA 98101
122-020-008-000	DOC# 20163700	CALIFORNIA TIMBERLANDS 2 LLC
122-020-014-000	DOC# 20163700	275 BATTERY ST #510
122-030-003-000	DOC# 20163700	SAN FRANCISCO, CA 94111
122-030-030-000	DOC# 20163700	
122-030-035-000	DOC# 20163700	
122-030-078-000	DOC# 20163700	
122-030-030-000	DOC# 20163700	
122-030-004-000	DOC# 20135427	HENRY HALL
122-030-079-000	DOC# 20135427	PO BOX 9912
		MARINA DEL REY, CA 90295
122-030-080-000	DOC# 20162813	BARTON FAMILY TRUST
		NINA S. & DONALD M. BARTON
		500 SULTAN CREEK RD
		CRESCENT CITY, CA 95531
122-030-027-000	DOC# 20143023	KEVIN & MESHELL CAREY
		2400 LOW DIVIDE RD
		CRESCENT CITY, CA 95531

OWNER / APPLICANT INFORMATION

APN	DEED	NAME & ADDRESS
122-020-019-000		NATHAN DREYFUSS
122-030-029-000	DOC# 20142089	900 NORTHCREST DR #137
		CRESCENT CITY, CA 95531

NOTE: EACH APN IS A PORTION OF ONE LEGAL 240± ACRE PARCEL

TENTATIVE MAP
 FOR
NATHAN DREYFUSS, et al.
 IN
 SECTIONS 8 & 17, TOWNSHIP 17 NORTH,
 RANGE 1 EAST, HUMBOLDT MERIDIAN
 COUNTY OF DEL NORTE - STATE OF CALIFORNIA
 SEPTEMBER 2022

PREPARED BY WARD L. STOVER, PE C44207
STOVER ENGINEERING
 Civil Engineers and Consultants
 PO BOX 783 - 711 H STREET
 CRESCENT CITY, CA 95531 707-465-6742
 JN 4762
 SHEET 1 OF 1

S:\4762_Dreyfus_Minor_Subdivision\Civil\CD\DWG\20220927 - 4762 - TENTATIVE MAP.dwg, 9/28/2022 4:12:20 PM, Bluebeam PDF, p. 3

PROJECT SUPPLEMENTAL INFORMATION

Dreyfuss Minor Subdivision – APN 122-020-019 & 122-030-029



PURPOSE AND PROPOSED PROJECT

The Applicant proposes to split Parcel “4” that was created pursuant to a minor subdivision approved by the Del Norte County Planning Commission on May 2, 1990, APP #MS9053 as disclosed by Grant Deed recorded April 30, 1992, as Instrument No. 19922480, Book 389, Page 418, Del Norte County Official Records.

The intent is to divide the 240-acre parcel at the Section Line common to Sections 8 and 17, Township 17 North, Range 1 East, Humboldt Meridian, Del Norte County, California, resulting in a new parcel consistent with the Grant Deed recorded at Document #20162223. That Grant Deed created a parcel that does not conform to the Subdivision Map Act. This subdivision would remediate that deed and result in two parcels approximately 120 acres each.

No other development is proposed as part of this project. Existing private roads and drainage improvements appear to be within recorded easements serving the proposed parcels. Any structures that may exist on the parcel at this time will be removed prior to recording the new deeds.

The Applicant also requests that the requirement to prepare and file a Parcel Map be waived pursuant to Del Norte County Code Section 16.12.40(2). Deeds would be prepared and recorded similar to Instrument #19922480.

BACKGROUND

The subject parcel to be subdivided was legally created by Kermit Miller in 1992 as described above. The subdivision was comprised of numerous aliquot parcels (portions of a public land survey Section) received by Miller by patent from the United States in a land swap. The aggregate area was subdivided into 4 separate parcels under the rules of the Subdivision Map Act and County Code. The four newly-created parcels retained legal descriptions that remained aliquot. However, status of the previous aliquot parcels regarding number and size were extinguished with that subdivision.

Sultan Creek Road (formerly USFS Roads 17N87 & 17N52) runs to the created parcels from Low Divide Road. The road was improved in 1992 to 24 feet wide with 4” crushed rock with 4-foot graded shoulders within a 50-foot wide access and utility easement from Low Divide Road through the property as evidenced in the Notice of Conditional approval for the previous subdivision.

The original deed for Parcel 4 (389 OR 418) was approved by the County and then recorded. It included legal descriptions and exhibits of Parcel 4 with the applicable road easements dedicated, indicated, and cited in the exhibits. Parcel 4 has two different tax districts assigned to it by the Assessor. Thus, the single legal parcel is shown as two parcels on the Assessor Parcel Maps. The legal description of the single parcel is aliquot and essentially described as six 1/16 Sections. Three of the 1/16 sections are assigned to APN 122-020-019 while the southerly three are assigned to APN 122-030-029.

The parcel was transferred to the current owners (Dreyfuss, et al) in 2014 by recorded Document # 20142089. The legal description in that deed lacked the clarity that was indicated in the exhibits in the original deed. However, all the elements in the original road easement legal descriptions remained as Deed 389 OR 418 was cited as the creating document for the parcel. The parcel continued to be assessed with two tax districts.

A grant deed was prepared by a land title company and recorded by Document # 20162223. This deed intended to transfer the southerly three 1/16 sections, which were assigned to APN 122-030-029, to Spencer Stephens. Dreyfuss was recently informed that the parcel sold to Stephens (then subsequently sold to Kathy Homes LLC) was not a separate legally created parcel. It appears the preparer of the deed erred that the tax parcel was a separate legal parcel. The deed also lacks even more clarity than existed in the previous two deeds. Below are the following recorded documents included with this Project Supplement:

1. 389 OR 418 (Doc #19922480) ✓ – Grant Deed creating Parcel 4. Miller to Eel River Sawmills. Note all road easements are cited and indicated on Exhibit B.
2. 389 OR 422 (Doc #19922481) ✓ – County Notice of Conditional Approval for Subdivision Application MS 9053.
3. 212 OR 113 ✓ – Easement Deed to USA for existing and reconstructed roads for 17N87. Starts at Low Divide Road.
4. 355 OR 182 (Doc #19900103) ✓ – Easement Deed for Road – Kahn to Miller as indicated in Doc #19922480, Exhibit B.
5. 384 OR 203 (Doc # 19920059) ✓ – Quitclaim Easement USA to Miller for 17N87. Quitclaims the 212 OR 113 Easement. Easement is indicated in Doc #19922480, Exhibit B.
6. Doc # 20142089 – Grant Deed to Dreyfuss, et al.
7. Doc # 20162223 – Grant Deed Dreyfuss, et al to Spencer Stephens. ✓

PARCEL MAP WAIVER DISCUSSION

Parcel maps are generally required for a minor subdivision. However, Government Code Section 66428(b) states *“A local agency shall, by ordinance, provide a procedure for waiving the requirement for a parcel map, imposed by this division, including the requirements for a parcel map imposed by Section 66426. The procedure may include provisions for waiving the requirement for a tentative and final map for the construction of a condominium project on a single parcel. The ordinance shall require a finding by the legislative body or advisory agency, that the proposed division of land complies with requirements established by this division or local ordinance enacted pursuant thereto as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this division or local ordinance enacted pursuant thereto. In any case, where the requirement for a parcel map is waived by local ordinance pursuant to this section, a tentative map may be required by local ordinance.”*

GC 66428(b) further refers to Government Code Section 66426 which outlines several exceptions to requiring preparation of a Final Map. A Parcel Map is required for the stated exceptions but can be waived by the County as stated above. Exception (e) of GC 66426 applies to each parcel created by the division that has a gross area of not less than 40 acres or is not less than a quarter of a quarter (1/16) section.

Del Norte County does have an ordinance to permit waivers as required by 66428(b). Below is an excerpt from Section 16.12.40 from the Del Norte County Code as it pertains to waiving the creation of Parcel Maps. Emphasis is underscored.

"16.12.40 Parcel Map

1. *After the approval or conditional approval of the tentative minor subdivision map, and prior to the expiration of such map, the subdivider may cause the real property included with the map, or any part thereof, to be surveyed and a parcel map thereof prepared in accordance with the approved or conditionally approved tentative map.*
2. *The planning commission, at its option, as a condition of approval, may under certain circumstances "waive" the requirement for a parcel map to be filed with the county recorder. The required findings to be made by the commission shall be:*
 1. *There is no special privilege being conferred upon the property owner.*
 2. *Circumstances such as, but not limited to, surveying problems may be cited as sufficient cause warranting a waiver of the parcel map.*
 3. *Findings are made concerning the items listed in Section 66428 of the Subdivision Map Act related to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.*

A "waiver" can only be granted with tentative map approval."

The Planning Commission must make the findings listed above in the County Code to grant the waiver request. Below are suggested discussion items to support the three findings for the requested waiver:

1. The waiver of a Parcel Map was granted when the previous subdivision was approved in 1990. No special privilege is being conferred on the current property owner that the previous subdivider or others do not have.
2. The parcel to be subdivided is 240 acres in a remote and difficult area to survey resulting in a relatively high cost to survey and create a Parcel Map.
3. The proposed parcels will each be comprised of three quarters of a quarter section. The proposed parcels will be of sufficient size to meet the minimum quarter of quarter section requirement in GC Section 66426(e) to waive a Final Map (Parcel Map inferred by 66428(b)).

JOINT TIMBER MANAGEMENT PLAN AND PRELIMINARY BIOLOGICAL ASSESSMENT REPORT

Both documents are provided with the application package as requested by the County. The Biological Assessment Report is labeled Preliminary as there is no physical development proposed that could impact resources at this time. A Timber Harvest Plan or Use Permit Application associated with non-timber harvest uses will require a detailed Biological Assessment with recommendations for any disturbance avoidance or mitigation.

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

KERMIT MILLER
P. O. BOX 131
REDWAY, CA 95560

92 2480

RECORDED AT REQUEST OF
Miller
OFFICIAL RECORDS

APR 30 3 21 PM '92

DEL NORTE COUNTY, CA
JOHN D. ALEXANDER
COUNTY CLERK-RECORDER
BY *1422 Jm*

ESCROW NO.
TITLE ORDER NO.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s):
Documentary transfer tax is \$ NO TAX DUE A.P.N.
() computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at time of sale.
() Unincorporated area: () City of , and

By this instrument dated 6TH DAY OF APRIL 1992 , for a valuable consideration

KERMIT C. MILLER AND RAMONA J. MILLER, HUSBAND AND WIFE

hereby GRANTS to

EEL RIVER SAWMILLS, INC., A CALIFORNIA CORPORATION

the following described real property in the UNINCORPORATED AREA OF THE
County of DEL NORTE , State of CALIFORNIA

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

STATE OF CALIFORNIA,
COUNTY OF HUMBOLDT

On April 8, 1992, before me as
the undersigned, a Notary Public in and for said County and State,
personally appeared

*Kermit C. Miller and
Ramona J. Miller*

Kermit C. Miller
KERMIT G. MILLER
Ramona J. Miller
RAMONA J. MILLER

proved to me on the basis of satisfactory evidence to be the person(s)
whose name(s) I have subscribed to the within instrument, and
acknowledged to me that ~~RAMON~~ they executed the same.

WITNESS my hand and official seal.

Karen Mitchell



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE, IF NO PARTY IS SHOWN, MAIL AS DIRECTED ABOVE.

APD730

Name

Street Address

City & State

389 PAGE 418

REAL PROPERTY DESCRIPTION

FOR

KERMIT C. MILLER & RAMONA J. MILLER

PARCEL "4"

SEE EXHIBITS "A" & "B"

BOOK 389 PAGE 419

EXHIBIT "A"

THAT REAL PROPERTY LOCATED IN SECTION 8 AND 17, TOWNSHIP 17 NORTH, RANGE 1 EAST, HUMBOLDT MERIDIAN, DEL NORTE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

- (1) THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8;
 - (2) THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8;
 - (3) THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17;
 - (4) THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 17;
- CONTAINING 240 ACRES MORE OR LESS.

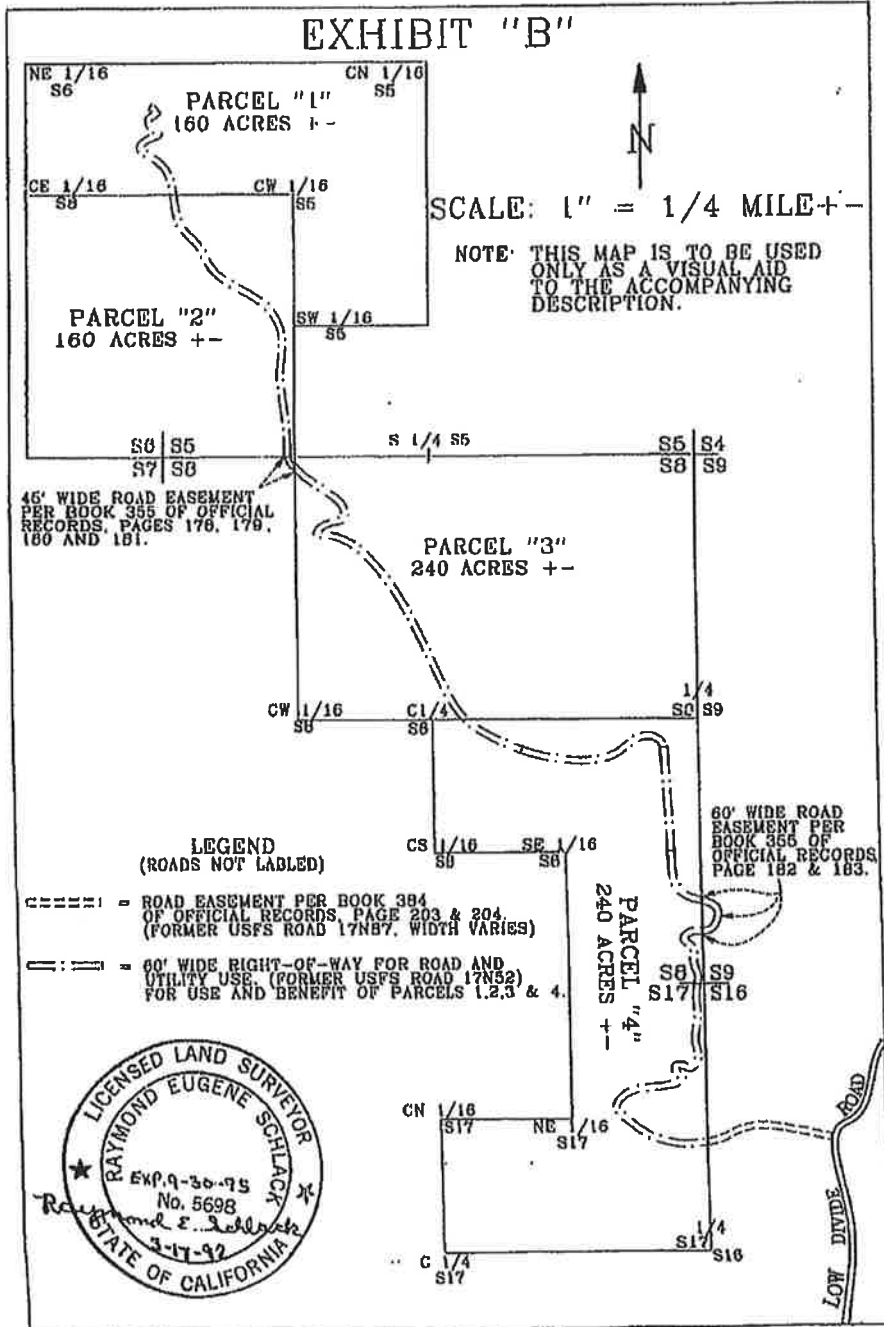
ALSO RIGHT-OF-WAYS FOR ROAD AND UTILITY USE, FROM LOW DIVIDE ROAD TO PARCEL "4", THE APPROXIMATE LOCATION OF WHICH ARE SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO A RIGHT-OF-WAY FOR ROAD AND UTILITY USE OVER THAT PORTION OF PARCEL "4" AS SHOWN ON SAID EXHIBIT "B".

THIS DOCUMENT DESCRIBES PARCEL "4" OF THE MINOR SUBDIVISION FOR KERMIT MILLER WHICH WAS APPROVED BY THE DEL NORTE COUNTY PLANNING COMMISSION ON MAY 2, 1990, APP# MS9053.



EXHIBIT "B"





92 2481

INDEXED
COMPARED

COUNTY OF DEL NORTE

PUBLIC WORKS BUILDING
700 FIFTH ST.

CRESCENT CITY, CALIFORNIA 95531

RECORDED AT REQUEST OF
[Signature]
OFFICIAL RECORDS

APR 30 3 32 PM '92

DEL NORTE COUNTY, CA
JOHN D. ALEXANDER
COUNTY CLERK-RECORDER
BY *[Signature]*
5900

AREA CODE 707
464-7253

RETURN TO:
PLANNING DEPARTMENT

NOTICE OF CONDITIONAL APPROVAL

OWNER(S): KERMIT C. MILLER AND RAMONA J. MILLER, HUSBAND AND WIFE

DESCRIPTION: Minor Subdivision

OFFICIAL RECORDS REFERENCE: BOOK 389 PAGE 404

Notice is hereby given by the Del Norte County Planning Department, on behalf of the Planning Commission, that on the 2nd day of May, 1990 the Planning Commission of the County of Del Norte conditionally approved the above described project. The conditions applicable to the subject project are as listed below and are derived from the action of the Commission. These conditions may include actions required to be fulfilled prior to establishment of the use or filing of the applicable map and/or may include conditions which run with the project and which shall also be the obligation of subsequent owners.

Interested parties should contact the County Department of Building and Planning for further information.

[Signature]
Ernest Perry,
Planner
Del Norte County Planning Dept.

PROJECT APPLICATION NUMBER(S): MS9053

ASSESSORS PARCEL NUMBER(S) AT TIME OF APPLICATION: 122-020-05, 10
and 122-030-29

CONDITIONS: 1) New deeds shall be filed with the County Clerk within 24 months of the date of approval; 2) At the time of recordation of the deeds, a Notice of Conditional Approval of this project shall be recorded at the applicant's expense; 3) The recordable deeds must contain the stamp of the person authorized to practice land surveying in the State of California who established the new property lines or boundary of the affected parcels of land, right-of-way, easement, or alignment of those lines or boundaries. These recordable deeds shall be reviewed by the County prior to recordation. 4) Access shall be improved to 24' wide by 4" thick crushed rock with 4' graded shoulders within a 50' wide access and utility easement from Low Divide Rd. to parcel one. An engineered drainage plan for the improvements shall be submitted for review and acceptance by the Department of Public Works; 5) Prior to recordation of the deeds, a copy of a written agreement from the Forest Service granting the right of road use to the parcels shall be submitted to the Department of Public Works.

See attached Exhibit(s) A, B, C AND D

Six Rivers National Forest
710 E Street
Eureka, California 95501

EXHIBIT
67777

RECORDED
INDEXED
SERIALIZED

RECORDED AT REQUEST OF

USA - Del Norte Co. Calif.
OFFICIAL RECORDS

DEC 7 4 10 PM '77

DEL NORTE COUNTY, CALIF.
MABEL HURD, RECORDER
BY *J. Clark* DEPUTY

501

4751

EASEMENT DEED FOR ROAD

We, F. MacRAE THOMSON and JUNE N. THOMSON, his wife, as joint tenants, of Port Angeles, County of Clallam, State of Washington, in consideration of NINE HUNDRED FORTY DOLLARS (\$940.00) and other good and valuable consideration, the receipt whereof is hereby duly acknowledged, grant unto the UNITED STATES OF AMERICA and its assigns, an easement partly for an existing road as it is presently located and in place, and partly for a road as it shall be located and constructed, the whole of said easement being over and across the parcel of land in the County of Del Norte, State of California, described as follows:

Township 17 North, Range 1 East, H.B.6M.

Section 16, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

The said easement hereby granted is for the construction, reconstruction, maintenance, and full, free and quiet use and enjoyment of a road over and across the above-described premises according to the following metes and bounds description:

Beginning at a point on the centerline of Sultan Road No. 17N87 within the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, T. 17 N., R. 1 E., H.B.6M., said point being the road intersection with the existing Del Norte County Low Divide Road No. 305, said point also lying S 86° 08' 08" E, a distance of 1313.19 feet from the north 1/16 corner common to Sections 16 and 17, T. 17 N. R. 1 E., H.B.6M.

Thence S 04° 59' 52" E, 45.00 feet;

Thence N 78° 39' 02" W, 164.82 feet;

Thence along a curve to the left with a radius of 1058.27 feet, through an angle of 10° 29' 48", 193.87 feet;

Thence N 89° 08' 49" W, 361.71 feet;

Thence along a curve to the left with a radius of 610.99 feet through an angle of 22° 42' 38", 242.18 feet;

Thence S 67° 55' 16" W, 390.37 feet to a point on the west line of Section 16, T. 17 N. R. 1 E., H.B.6M., said point lying N 00° 02' 52" W, 1053.86 feet from the $\frac{1}{4}$ corner common to Sections 16 and 17, T. 17 N. R. 1 E., H.B.6M.

Thence N 00° 02' 52" W, 265.89 feet to the north 1/16 corner common to said Sections 16 and 17;

Thence S 89° 08' 49" E, 1367.00 feet;

Thence S 49° 30' 00" W, 45.40 feet;

Thence S 30° 06' 28" W, a distance of 45.11 feet to the true point of beginning.

APPROVED BY REGIONAL ATTORNEY 1-30-1978

4875

12/5/77
FOREST SUPERVISOR

The intent of this deed for the easement described above is to convey an easement for the Sultan Road #17N87 partly as it shall be reconstructed and partly as it shall be constructed across property owned in fee by Grantors, as would be disclosed by a proper survey of Grantors' aforesaid property, and to exclude any portion of said road not actually located within Grantors' fee property.

The acquiring agency is the Forest Service, Department of Agriculture.

Grantors reserve unto themselves, their successors and assigns the right to cross and recross the easement at any point and for any purpose in such a manner as will not materially interfere with Grantee's use of the road.

Grantors reserve unto themselves, their successors and assigns the right to use the existing road for all proper and lawful purposes to serve Grantors' property subject to compliance with the rules and regulations of the Secretary of Agriculture (36 C.F.R. 212.7-212.11) as the same may be amended.

Grantors reserve unto themselves, their successors and assigns all timber on said easement, provided that Grantee or its assigns shall have the right to cut such timber upon the easement to the extent necessary for construction, reconstruction, or betterment of said road, which timber, unless otherwise agreed, shall be cut into logs of standard lengths and decked along the easement for disposal by the owners. Grantors further reserve the right to grow and harvest future forest crops on portions of said easement not actually used for road purposes.

Grantors reserve unto themselves, their successors and assigns the right to use the portions of said easement not actually used for road purposes in such a manner as not to unreasonably interfere with the use of the road by the Grantee, or its authorized users, or cause substantial injury thereto.

IN WITNESS WHEREOF, We, F. MacRAE THOMSON and JUNE N. THOMSON, have hereunto set our hands and seals this 27th day of November 19 77

Signed, sealed and delivered in the presence of:

Witness _____

F. MacRae Thomson
F. MacRae Thomson

June N. Thomson
June N. Thomson

ACKNOWLEDGMENT OF INDIVIDUAL

State of Washington }
County of King } SS

On this 27th day of November, 1977, before me,
L. M. BELKA, a Notary Public in and for
said State, with principal office in Bellevue King
County, personally appeared F. MACRAE THOMSEN
and JUNE N. THOMSEN

known to me to be the person(s) whose name(s) is (are)
subscribed to the within instrument, and acknowledged that
they executed the same.

WITNESS my hand and official seal the day and year first
above written.

L. M. Belka
(Signed)

* L. M. BELKA
* - Notary Public: Please
print or type name beneath
signature

My Commission Expires: 8-31-78

R5-5400-40
REV. 3/66
BOOK 212 PAGE 115

Return to:
Larsen Title Co.
P.O. Box 88
Eureka, CA 95501

RECORDED AT REQUISITE
Larsen Title
OFFICIAL RECORDS
JAN 8 3 09 PM '90
DEL NORTE COUNTY, CA
JULIA L. YANOFF
COUNTY CLERK-RECORDS
BY [Signature]

SO 0103

EASEMENT DEED FOR A ROAD

STEPHEN B. KAHN and RUTH L. KAHN grant to KERMIT C. MILLER and RAMONA J. MILLER, husband and wife, as joint tenants, a nonexclusive easement sixty feet (60') in width, over and across an existing road located in Section 9, Township 17 North, Range 1 East, Humboldt Base and Meridian, in Del Norte County, California, the centerline of which road is described as follows:

BEGINNING at a point on the west line of the west half of the southwest quarter, Section 9, Township 17 North, Range 1 East, Humboldt Base and Meridian, said point lying North 00 degrees 04 minutes 00 seconds West, a distance of 593.44 feet from the corner common to Sections 8, 9, 16, and 17, Township 17 North, Range 1 East, Humboldt Base and Meridian;
thence north 69 degrees 48 minutes 20 seconds east, 57.98 feet;
thence north 82 degrees 22 minutes 17 seconds east, 92.81 feet;
thence north 47 degrees 39 minutes 27 seconds east, 75.07 feet;
thence north 10 degrees 48 minutes 30 seconds west, 61.30 feet;
thence north 40 degrees 50 minutes 02 seconds, west, 51.07 feet;
thence north 75 degrees 43 minutes 22 seconds west, 58.39 feet;
thence north 59 degrees 28 minutes 50 seconds west, 49.82 feet;
thence north 34 degrees 54 minutes 06 seconds west, a distance of 101.14 feet to a point on the west line of Section 9, Township 17 North, Range 1 East, Humboldt Base and Meridian, said point lying North 00 degrees 04 minutes 00 seconds, west, 897.85 feet from the corner common to Section 8, 9, 16, and 17, Township 17 North, Range 1 East, Humboldt Base and Meridian;
thence south 00 degrees 04 minutes 00 seconds east, a distance of 304.41 feet to the true point of beginning.

The easement hereby granted is for the full, free, and quiet use and enjoyment of said road and including the right to maintain, repair and replace said road from time to time.

Grantors reserve to themselves, their successors and assigns, the right to use said road in common with Grantees and

all timber on and along said easement and the right to maintain, repair, and replace said road from time to time.

DATED: October 11, 1989 1989

Stephen B. Kahn
STEPHEN B. KAHN

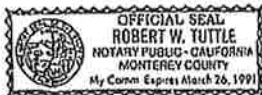
Ruth L. Kahn
RUTH L. KAHN

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT= MONTEREY)

On the 11 day of October, 1989, before me, personally appeared STEPHEN B. KAHN, personally known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to this instrument, and acknowledged that he executed it.

WITNESS my hand and official seal,

SEAL



Robert W. Tuttle
Notary Public

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT MONTEREY)

On the 11 day of October, 1989, before me, personally appeared RUTH L. KAHN, personally known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to this instrument, and acknowledged that she executed it.

WITNESS my hand and official seal,

SEAL



Robert W. Tuttle
Notary Public

Return to:
 Miller Timber Co.
 P.O. Box 247
 Crescent City, CA 95531

92 0059

UNITED STATES DEPARTMENT OF AGRICULTURE
 FOREST SERVICE

QUITCLAIM OF EASEMENT

DEL NORTE COUNTY TITLE CO.
 JAN 6 0 32 PM 1992
 COUNTY REC'D
 520-1044

WHEREAS, on November 28, 1977, F. MacRAE THOMSON and JUNE M. THOMSON, his wife, as joint tenants, by Easement Deed for Road, granted to the UNITED STATES OF AMERICA and its assigns, an easement for a road known as Sultan Road No. 17N87;

WHEREAS, said easement was recorded December 7, 1977, in the official records of Del Norte County, California, in Volume 212 beginning at page 113;

WHEREAS, the easement was for the only road accessing all of the federal lands in Sections 5, 6, 8, and 17 of T. 17 N., R. 1 E., Humboldt Meridian;

WHEREAS, on December 12, 1989, pursuant to various Acts, including the Act of October 21, 1976 (90 Stat. 2743), the UNITED STATES OF AMERICA granted, by patent, all of the said federal lands in Sections 5, 6, 8, and 17 of T. 17 N., R. 1 E., Humboldt Meridian to KERMIT C. MILLER and RAMONA J. MILLER in exchange for non-federal lands of equal value;

WHEREAS, the value of the federal lands granted to KERMIT C. MILLER and RAMONA J. MILLER was determined with the above-mentioned road in place;

NOW, THEREFORE, the UNITED STATES OF AMERICA does hereby remise, release, and quitclaim unto KERMIT C. MILLER and RAMONA J. MILLER all of its rights, title and interest in said easement recorded on December 7, 1977, in the Official Records of Del Norte County in Volume 212 at page 113.

IN WITNESS WHEREOF, the UNITED STATES OF AMERICA has caused this quitclaim deed to be executed and delivered this 20th day of December, 1991, by its undersigned duly authorized official acting pursuant to authority contained in Title 16, United States Code, Section 555a.

IS TO CONTAIN DESCRIPTION AND CONDITIONS
 12-3-91
 DATE
 FOREST EASING

DOCUMENTARY TRANSFER TAX No Consideration
 EITHER AS FULL VALUE PROPERTY CONVEYED
 OR OTHERWISE ON FULL VALUE BASIS AND
 If the full value is not stated in the order
 Signature of Declarant or Agent (printing tax filer name)
Brenda J. Terry - DM Title Co.

Annette Jameson
 ANNETTE JAMESON
 Director, Land and
 Real Estate Management
 Pacific Southwest Region
 Forest Service
 Department of Agriculture

DD

ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
)SS
CITY AND COUNTY OF SAN FRANCISCO)

On this 20th day of December in the year 1991, before me, RAE JEAN TAYLOR, a Notary Public in and for said State, with principal office in the City and County of San Francisco, personally appeared ANNETTE JAMESON Director for Lands and Real Estate Management P.S.W. Region, Forest Service, United States Department of Agriculture, known to be the person who executed the within instrument, and acknowledged to me that she executed the same as the free act and deed of the United States of America, for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

BECEGS E A L



Rae Jean Taylor
RAE JEAN TAYLOR

Notary Public
My commission expires Nov. 18, 1994

3
BM

RECORDING REQUESTED BY
Crescent Land Title Company

Doc # 20162223
Page 1 of 3
Date: 6/23/2016 02:47P
Filed by: CRESCENT LAND TITLE
Filed & Recorded in Official Records
of COUNTY OF DEL NORTE
ALISSIA D. NORTHRUP
COUNTY CLERK-RECORDER
Fee. \$398.50

-19
+379.50

When Recorded Mail Document To
Spencer Stephens
239 Panola Road
Ellenwood, GA 30294

Escrow No 25338CC
Title No 25338CC

APN 122-030-29

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s) Documentary transfer tax is \$379 50

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale,
- The property is located in the Unincorporated area of of Crescent City

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Nathan A Dreyfuss, an unmarried man, as to an undivided one-half interest and Eric M Empting and Kandra M Empting , husband and wife, as community property, as to an undivided one-half interest

hereby GRANT(S) to

Spencer Stephens, an unmarried man

THE REAL PROPERTY HEREIN REFERRED TO IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF DEL NORTE AND IS DESCRIBED AS FOLLOWS

The East half of the Northeast quarter, And the Southwest quarter of the Northeast quarter of Section 17, Township 17, Range 1 East Humboldt Meridian

Reserving therefrom a non-exclusive right of way for ingress, egress roadway, utilities and incidental purposes over the existing roadway that shall be appurtenant to and for the benefit of the following described land and any part in which it may be subdivided

The North half of the Southeast quarter, And the Southeast quarter of the Southeast quarter of Section 8, Township 17 North, Range 1 East, Humboldt Meridian

APN 122-030-29

Dated June 13, 2016

Nathan A. Dreyfuss
Nathan A. Dreyfuss

Eric M. Empting
Eric M. Empting

Kandra M. Empting
Kandra M. Empting

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California

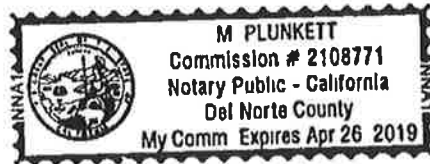
County of Del Norte

On June 21, 2016 before me, M. Plunkett, NOTARY PUBLIC, personally appeared Eric M. Empting and Kandra M. Empting who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

Witness my hand and official seal

Signature M. Plunkett (Seal)



DOC # 20162223 Page 2 of 3

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California
County of DEL NORTE

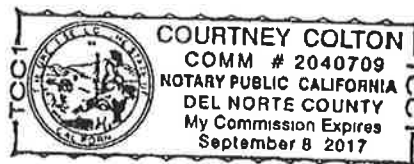
On JUNE 13, 2016 before me, COURTNEY COLTON, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NATHAN DREYFUSS
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

Signature *Courtney Colton* (Seal)





Providing Professional Forestry Services

PO Box 2517
McKinleyville, CA 95519

CELL 707.834.2990
EMAIL blairforestry@gmail.com

Joint Timber Management Plan

For

Nathan Dreyfuss

Sultan Creek Rd.

Crescent City, CA 95531

Assessor's Parcel No: **122-020-019 & 122-030-029**

Sections 8 & 17, Township 17 North, Range 1 East, H.B.M

Prepared by:

Thomas Blair, RPF #2607
dba Blair Forestry Consulting, LLC
P.O. Box 2517
McKinleyville, CA 95519
Phone (707) 834-2990



Thomas Blair
Registered Professional Forester #2607

10-24-2022

Date

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JOINT TIMBER MANAGEMENT GUIDE

1. Current Property Owners

Parcel 1:

Nathan Dreyfuss
900 Northcrest Dr., PMB 137
Crescent City, CA 95531

Parcel 2:

Kathy Homes, LLC
6840 Shannon Parkway South
Union City, GA 30291

2. Project Summary

A Joint Timber Management Plans (JTMP) applies to the “division” of land into management units or parcels containing less than 160 acres of Timber Production Zone (TPZ). Parcel is defined as “that portion of an Assessor’s parcel that is timberland”. Activities that may result in such a division include subdivision, lot line adjustment and conveyances of existing land units (e.g., land patents) underlying an Assessor’s parcel zoned TPZ, when any conveyance contains less than 160 acres of TPZ land. The following JTMP covers two adjacent 120-acre Assessor’s Parcel Numbers (APNs) - 122-020-019 and 122-030-029 (see General Location Map). While these parcels were given separate APNs by the County of Del Norte due to them being in different taxation zones, the deeds to these parcels describe them as one contiguous 240-acre ownership zoned as TPZ (pers. comm. w/ DNC Assessor’s Office). For clarity, these parcels shall be referred to as “Parcel 1” and “Parcel 2” for the remainder of the document. Because the recognition of the legal parcels will result in substandard assessor’s parcels zoned as TPZ, a JTMP is required to demonstrate that the resulting management units (i.e., legal 120-acre parcels) will be suitable for timber production and harvesting.

Management Unit	Parcel Number	Acres
Parcel 1 (Northern Parcel)	122-020-019	120
Parcel 2 (Southern Parcel)	122-030-029	120

This JTMP is being submitted to demonstrate to Del Norte County that the resulting substandard TPZ parcels can be jointly managed to maintain viable timber production. This JTMP has been prepared using the assumption that the County will maintain assigned APNs based on the County’s traditional book and page numbering system. The purpose of the JTMP is to provide a management guide for harvesting timber for both parcels as a result of the division of land. This JTMP includes both a “Timber Management Plan” and a “Timber Management Guide”. The objective of the “Timber Management Plan” is to identify joint access, rights-of-ways and the minimum stocking requirements of the Forest Practice Rules required to maintain viable timber producing management units. The objective of the “Timber Management Guide” is to provide a descriptive document that describes the property and outlines the management opportunities to the landowners.

3. Legal Description

Parcel 1: The East Half of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 8, Township 17-North, Range 1-East, Humboldt Meridian.

Parcel 2: The East Half of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 17, Township 17-North, Range 1-East, Humboldt Meridian.

4. General location and Access

The JTMP is located approximately 3.2 air miles East of the community of Fort Dick, California. on the High Divide and Hiouchi 7.5' USGS quadrangles (See General Location Map). Parcel 1 is bisected by Little Mill Creek which falls within the Smith Wild and Scenic River System. See the General Location Map at the end of this Document for additional information.

Access to the property from Fort Dick, CA is to travel north on Lake Earl Drive to Hwy 101, North on Hwy 101 to cross over the Smith River and then Southeast on North Bank Road for approximately 4.52 miles to Low Divide Road. Take Low Divide Road North for approximately 4.21 miles to a private road on the left with a large yellow gate. Access to the JTMP is approximately 0.25 miles past locked gate. Roads are paved to the bottom of Low Divide Road then are rocked for the remainder of the route to access the JTMP.

At 4.21 miles up Low Divide Road, a permanent access road leads west (A.K.A. Sultan Creek Road) through a large locked yellow gate. Multiple adjacent landowners share access through this gate to access parcels from Low Divide Road. This existing approximate 0.25-mile off-property easement (including a small outlier road segment along eastern boundary of Parcel 1) allows access to both Management Units and was conveyed with the title of the parcels. The average road grades of the existing permanent road system within the JTMP are between 2% and 20% and suitable for hauling logs from most of the property. Very little, if any, additional truck road construction is required within the JTMP area to effectively yard, however some watercourse crossings may need to be assessed and upgraded. Landowners should consult with an RPF prior to the establishment of any new truck roads. Any road construction occurring within the JTMP area should be permitted under an approved THP/NTMP or will be subject to Del Norte County's Grading Ordinance.

A Timber Management Road Use Agreement for both parcels of the JTMP has been attached to the Timber Management Plan as Appendix A. The purpose of the Timber Management Road Use Agreement is to ensure that access is available for each individual management unit of the JTMP for the eventual commercial harvest of timber products. Specifically, the landowner of Parcel 1 shall have the right to use existing permanent roads A, B, and C (and associated landing area and existing skid trail at the end of Road C) as shown on the Timber Management Road Use Agreement Map to access the parcel for the purpose of forestry management and timber harvesting. In regard to timber harvesting this may include, but is not limited to, road access for trucks, machinery and personnel. See Appendix A: Timber Management Road Use Agreement for more details.

5. Timber Harvesting Methods

Most of the JTMP area can be yarded using ground-based yarding methods. Ground based yarding generally occurs on slopes less than 50%. The entire JTMP area was logged in the past utilizing ground-based methods which established an intricate skid trail network that accesses most of the timbered areas. While many of these skid trails were constructed on steep slopes and in close proximity to watercourses, the main artery skid trails which cover ridges and midslope benches appear to be in good overall condition and will provide sufficient access within tractor yarding areas. Due to the numerous skid trails constructed in previous entries, it is unlikely that new skid trails will be required. However, some may require reconstruction and/or realignments to avoid environmental impacts which may include newly constructed segments. When skid trails are required (existing or proposed) to be established across management unit boundaries, their location should be jointly established by the affected management unit owners to benefit current and future timber operations.

Cable based yarding methods may be appropriate in a few areas of the JTMP that are not accessible by tractors due to steep topography and watercourses. Although these steep slopes were logged in the past using ground-based equipment, today's standards generally favor harvesting using cable-based systems. Within the areas suitable for cable yarding, roads are positioned to provide key cable yarding locations that provide adequate deflection and access to the timbered areas of the JTMP. Within the cable-based areas tractor operations should be limited to the use of a few designated skid trails that may be required to access long corners, provide tail holds and bunch logs. Existing road distribution and landing frequency is adequate to efficiently cable yard these areas of the JTMP.

In future potential harvesting, both landowners should consider harvesting concurrently to alleviate the cost of multiple entries and the filing of separate Timber Harvest Plans.

6. Soils, Site Productivity, and Topography:

An Order 3 soil survey by Six Rivers National Forest from previous harvest plans was utilized as a reference for soils characteristics on the JTMP. The local geology is of the coastal Franciscan Formation. The underlying soil material is a metasedimentary rock predominantly composed of graywacke, shale, schist, and chert. The dominant soil is of the Hartleton family, map unit number 227. The surface layer is characterized by a light yellowish brown silt loam, with granular structure. The subsoil is a yellow, gravelly to very gravelly, silt loam with a moderately subangular blocky structure. The general rooting depth ranges from 40 to 60+ inches, with moderate to moderately slow soil permeability. Soil drainage is rated at well to moderately well.

Historic tree measurements in conjunction with referenced soil survey information have generally corroborated that most of the JTMP has medium to low site class III, with a correlating site index of 100-110 for Douglas-fir. The southern parcel exhibits approximately 50 acres of site class IV associated with a ridge top lodgepole pine stand (See current Stand Conditions Section Below).

Elevation on the JTMP ranges from approximately 1,060' to 1,480'. Slopes within the JTMP are overall moderate and range from 0 to 60%. Steeper slopes are generally associated with drainages interrupted by large natural benches. Aspects on the JTMP are primarily Southwest, Northwest and South as determined by their location along the slopes of Little Mill Creek, Sultan Creek and other drainages.

7. On-site Watercourse Characteristics:

Watercourses within the JTMP include the mid reach of Little Mill Creek and unnamed tributaries (Class II and III) of Little Mill Creek and Sultan Creek. There are no Class I watercourses within the JTMP area. The primary Class II watercourses running through the JTMP are tributaries to the Smith River approximately 2 miles downstream. Class II watercourses are generally described as perennial tributaries with potential for rocky/gravelly inchannel substrate where aquatic habitat for non-fish aquatic species may be present. A mature Douglas-fir and red alder component is also generally associated with most all the Class II watercourses

Class III watercourses tend to be shallow U-shaped litter filled channels which seldom reveal continuous exposed inchannel gravels and appear to experience surface flow only during large storm events once ground saturation has been achieved. Vegetation within and along the Class III watercourses is similar to the adjoining stand condition, and includes evergreen huckleberry, tanoak, rhododendron, and conifers. Seasonal hydric areas have more of an alder overstory component.

8. Stand Management History and Current Stand Conditions:

Timber harvesting began in this region in the early 1900's with much of the old growth completely cleared in many areas. Previous ownerships of the JTMP include USFS and Eel River Sawmills. The most recent harvesting on the JTMP associated with previous ownerships was in 1991-1992 and 1999-2000 under Timber Harvest Plans (THP) 1-90-741-DEL and 1-99-439-DEL, respectively. Harvest entry under THP 1-90-741-DEL utilized silvicultural prescriptions of clearcut and selection. This initial harvest entry was followed by 3 emergency notices and one exemption as of 2000. The remaining stand was harvested most recently under THP 1-99-439-DEL which covered approximately 70 acres of the 240-acre JTMP and utilized sanitation salvage, shelterwood removal step, seed tree removal step, and clearcut silvicultural prescriptions. This last entry was largely focused on removing all remaining timber of value on the parcels. Harvested areas within the JTMP under the most recent THP, 1-99-439-DEL, are shown on the Historic Timber Management Map at the end of this document.

Two distinctive stand types were identified on the JTMP. Timber stands are described below and shown on the attached JTMP Stand Location Map.

Stand 1 (203.5 acres) - Encompasses a large majority of the JTMP area and consist of an irregularly stocked advanced conifer regeneration of approximately 20 – 30 years old. Tree composition within this stand consists primarily of Douglas-fir mixed with red alder, port-orford cedar, western hemlock, and redwood. Shrub layer in Stand 1 is extremely dense and comprised mostly of salmonberry, huckleberry, salal, rhododendron, and young alder and cedar trees. Occasional small patches of mature Douglas-fir are present on the landscape but in general, all mature and over-mature Douglas-fir remaining in this stand are associated with watercourse zones. Many areas within this stand consist of naturally seeded in Douglas-fir, port-orford cedar, and western hemlock regen or presumably planted redwood mixed with a dense canopy of mature red alder which has noticeably suppressed tree growth where present. Extensive bear damage was observed, especially in areas where redwood was planted around 2000. Given the intensive historical timber management, subsequent regeneration strategies, and lack of intermediate treatments – much of Stand 1 is densely stocked with over 600 trees/acre while other areas appear suppressed due to alder competition. Areas associated with water and drainages are overwhelmingly dominated by alder. Overall, the Stand appears to be minimally stocked to standards set in 14CCR 912.7.

Stand 2 (36.5 acres) – Located on the southern parcel of the JTMP associated with a western trending ridgeline area, Stand 2 is a small diameter (~6”) beach pine forest approximately 55 – 60 years old. Stand 2 has Site Class IV growing potential. Other conifers occasionally present in both the canopy and sub-canopy within this Stand include knob cone pine, port-orford cedar, and western white pine. Shrub and forb composition was moderately dense throughout this Stand and comprised of dwarf chinquapin, manzanita, rhododendron, salal, bear grass, and bracken fern. Pine species on the south parcel of the JTMP comprise a portion of the tree species composition of the Stand 1 areas eventually fading out lower down the slope into Douglas-fir Forest.

9. Future Stand Treatments and Silvicultural Recommendations:

The sustainable management of both parcels in the JTMP should meet the landowner’s goals and strategies while also contributing to the local economy and overall health of the forest. Existing conditions in Stand 1 indicate that a pre-commercial thin would greatly improve stand conditions in many areas decreasing vertical and horizontal continuity of forest fuels however, this treatment would likely be financially impractical. Other possible treatments for Stand 1 areas where dense alder canopy has suppressed redwood and other conifer growth could include application of herbicide via hack and squirt to release redwood growth while interplanting redwood in areas where severe bear damage and die off has occurred.

Given the low site quality and occupancy of a somewhat locally unmerchantable forest product (small diameter beach pine) in Stand 2, future treatments could include fuels management projects under a Forest Fire Prevention Exemption. While beach pine (*Pinus contorta*) appears to be the overwhelmingly dominant species within Stand 2, it is not listed as a commercial Group A or Group B species in the Coast Forest District leaving open the potential for rehabilitation silviculture, however this site would likely not produce commercial species satisfactorily.

10. Other Potential Land Uses:

According to the **Del Norte County General Plan** –

“The designation of Timberland applies to areas which have characteristics for the production of timber and comprise 20 or more contiguous acres, including Timber Production Zone (TPZ) contract lands. Its purpose is to encourage on-going timber production and to prevent the intrusion of incompatible uses. The minimum lot size for the purpose of division for sale, lease, or financing is 20 acres, subject to timber management review.”

“The principal use of timberland is the growing and harvesting of trees with accessory activities such as logging roads, log landings, or portable chippers or mills. Additional permitted uses include temporary labor camps related to timber harvest or reforestation, watershed and wildlife habitat management. Other resource management uses such as mineral extraction and agricultural grazing may be permitted where conversion of timberland is not required. Where it is demonstrated that there would be no detraction from or conflict with the principal uses, conditional use permits may be considered for public recreational uses such as camping, utility transmission facilities (gas, electric, water, communication, etc.), or one single- family dwelling subject to all other policies and standards for such development. Additionally, on non-TPZ contract lands, where adequate access and minimal timber activity impact is demonstrated, a use permit for a visitor lodge on parcels 20 acres or larger may be considered.

Development for purposes other than timber production on land with 30 percent or greater slope should be severely restricted.”

11. Conservation and Protection Measures:

- a. **Roads** - The primary road system is in good shape and provides adequate access to the timber stands for future management activities. Secondary seasonal roads are also generally well defined and will require minimal grading to facilitate hauling, however some segments would require reconstruction and the construction or repair of stream crossings.

Future timber harvesting will require that the roads and crossings be maintained to present standards, which in part, are enforced by the Forest Practice Act (CDF), Clean Water Act (WQ), and the Endangered Species Act (CDFG & USFWS). Roads should be adequately drained using a combination of outsloping, insloping with cross drains, water bars and rocked rolling dips to avoid concentrated runoff that may cause erosion. The landowner is encouraged to consult with a RPF prior to conducting any road maintenance activities that are not associated with a permitted timber operation.

- b. **Fire** - The JTMP area falls within the “Very High” Fire Hazard Severity Zone identified by the California Department of Forestry and Fire Protection. The RPF did observe areas of the JTMP which were severely overstocked and contained large amounts of vertical and horizontal forest fuel loads. It is widely recognized that logging and forest management activities can increase the risk and severity of intense forest fires. Commercial logging generally removes the least flammable portion of trees—their main stems or trunks—while leaving behind their most flammable portions—their needles and limbs—directly on the ground. Untreated logging slash can adversely affect fire behavior for up to 30 years following the logging operations. Commercial logging reduces the “over story” tree canopy, which moderates the “microclimate” of the forest floor. This reduction of the tree canopy exposes the forest floor to increased sun and wind, causing increased surface temperatures and decreased relative humidity. This in turn causes surface fuels to be hotter and drier, resulting in faster rates of fire spread, greater flame lengths and fire-line intensities, and more erratic shifts in the speed and direction of fires. Small diameter surface fuels are the primary carriers of fire. Commercial logging operations remove large diameter fuels, which are naturally fire resistant, and leave behind an increased amount of fire-prone small diameter fuels.

Because forest management and timber operations have the potential for increasing the risk of fire; it is of utmost importance that all future timber harvest operations be conducted in compliance with all State and local fire rules and regulations. The Forest Practice Rules require hazard reduction (treating logging slash) within 100 feet of public roads. In addition, when the option of burning piles or concentrations of slash is chosen to meet the slash treatment requirements as specified in these rules, such burning shall be done as follows: (a) Piles and concentrations shall be sufficiently free of soil and other noncombustible material for effective burning, (b) The piles and concentrations shall be burned at a safe time during the first wet fall or winter weather or other safe period following piling and according to laws and regulations. Piles and concentrations that fail to burn sufficiently to remove the fire hazard shall be further treated to eliminate that hazard. All necessary precautions shall be taken to confine such burning to the piled slash.

- c. **Soil Conservation** - Soil is the basic resource that allows a forest to grow, and measures should be taken to protect the resource. Soil erosion potential is increased with concentration of runoff on bare mineral soil. Dispersion of water from roads and landings is the key to limiting erosion after logging. The landowner is encouraged to maintain all existing drainage structures and facilities on truck and skid roads. Most of these erosion control structures and facilities observed are adequately functioning, but nevertheless should still be periodically checked prior to the winter period to ensure that they are functional. Future timber harvesting will likely re-use these existing truck roads and skid roads and their maintenance will be important for successive harvests and future management activities.
- d. **Pest/Disease** – Black bear (*Ursus americanus*) damage to commercial, coniferous trees on both managed public and private forest lands of the Pacific Northwest continues to be a problem for forest managers. Historically, hunting and relocating bears could prove effective if damage is due to a small number of individual bears. Recently adopted methods for dealing with bear caused tree mortality include supplemental feeding, alternative silvicultural practices, and repellents. Dependent on the extent of tree damage by bears, it may be necessary to find publicly acceptable and innovative methods to reduce tree mortality if it becomes pervasive.

Port-Orford Cedar Root Rot or “POC Root Rot” (*Phytophthora lateralis*) a documented disease in the immediate vicinity of the JTMP, kills all sizes and ages of Port-Orford-cedar trees and weakens their root systems. The Sultan Creek drainage is known to be infected with this disease. A high proportion of the dead wood created by this pathogen occurs in riparian areas. POC Root Rot spreads via primarily soil and water and can therefore be a concern during timber management activities. The disease can spread short or long distances by means of zoospores. Zoospores are spread mostly downslope or downstream in water moved by gravity, but this spread can be severely exacerbated by operating equipment and trucks in wet conditions. Spread via zoospores is more likely on flat areas, broad, gentle slopes, or concave sites where water stands or spreads out to slowly percolate through the soil. Convex slopes and steep drainages quickly channel water into streams, restricting spread across the upland portions of the slopes.

Strategies to reduce the spread of POC Root Rot include road closures, operational restrictions (i.e. no wet-weather operations), requirements and wash stations to clean vehicles and equipment before entering and leaving specified areas, and berm construction along roadsides to reduce vehicle splash and road runoff into adjacent susceptible forests. Where Port-Orford-cedar populations along a susceptible roadway could act as a bridge for the pathogen to uninfected areas, creation of a non-host buffer along the road by removing all Port-Orford-cedars within a specified distance can minimize spread. In some situations, infected sites could be kept free of all Port-Orford-cedars until the inoculum dies.

- e. **Wildlife, Fish, and Plants** - The JTMP area contains habitat for numerous biological resources such as animal, fish, and plant species. Timber operations have the potential to directly or indirectly impact these biological resources. 14CCR 898.2(d) states that one of the Special Conditions under which the Director can disapprove a THP/NTMP is when “Implementation of the plan as proposed would result in either a "taking" or finding of jeopardy of wildlife species listed as rare, threatened or endangered by the Fish and Game Commission or Fish and Wildlife Service, or would cause significant, long-term damage to listed species. Consequently, any future timber harvesting that has the potential to impact wildlife will require an impact

assessment, which may include consultation with the Department of Fish and Game, US Fish and Wildlife Service and National Marine Fisheries Service.

The JTMP area is comprised of the upper-most reaches of Little Mill Creek and Sultan Creek, both direct tributaries to the Smith River approximately 2.0 miles downstream. The Smith River contains multiple species of salmonids such as Coho salmon, Chinook salmon, Cutthroat trout, and Steelhead trout. While Class I fish bearing habitat does not appear to occur on the JTMP itself, both primary Class II drainages reach potential Class I habitats as close as 1,000 feet downstream (Sultan Creek according to CNDDDB). Harvesting within any Watercourse and Lake Protection Zone (WLPZ) in future harvest entries will be restricted by WLPZ buffers that are required by the Forest Practice Rules, specifically 14 CCR 916.5.

The JTMP area contains habitat for numerous special status plants (rare, threatened, and endangered plants) and plant communities. Special status plants are not limited to those that have been listed by state and federal agencies but include any plants that, based on all available data, can be shown to be rare, threatened, or endangered. Rare plant communities are those communities that are of highly limited distribution. These communities may or may not contain special status plants. The most current version of the California Natural Diversity Database's List of California Terrestrial Natural Communities has been used as a guide to the names and status of communities. Future timber operations will likely require botanical surveys utilizing Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018).

- f. **Water Quality** - The JTMP area is located within the Little Mill Creek Watershed (CALWNUM: 1103.110001). The "Water Quality Control Plan for the North Coast Region" defines "beneficial use" as those waters of the state "that may be protected against water quality degradation which include, but are not necessarily limited to, domestic, municipal, agricultural, and industrial supply, power generation, recreation, aesthetic enjoyment, navigation, and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves."

The remoteness and lack of public access along the entire length of Little Mill and Sultan Creeks eliminates concern for many of the potential beneficial uses often listed in timber harvest planning. The beneficial uses that could potentially be affected by future proposed projects include issues related to aquatic species and wildlife habitat. Natural events coupled with past logging activities have all contributed to the present condition of these creeks.

The THP process, which is implemented by CALFIRE, may trigger one or more permits or other entitlements to carry out the project and ensure the protection of water quality. The range of permits needed depends on the type of action. There are also numerous federal requirements that only apply where an action is "federalized" due to funding or the need for a federal permit. All potential permits or entitlements are summarized below.

- A Section 1602 or 1611 Streambed Alteration Agreement is required through the California Department of Fish & Game when an alteration to a bed, channel, or bank of a stream will occur, such as a crossing installation.
- The California Endangered Species Act (CESA) requires consultations with the California Department of Fish and Wildlife to determine if an activity is likely to affect or result in the take

of a plant or animal (fish) listed by the State as threatened or endangered. Similar to CESA, the Federal Endangered Species Act (FESA) requires formal or informal consultation with the US Fish and Wildlife Service or the NOAA Fisheries where it is likely that the project could affect federally listed threatened or endangered species.

- Section 401 of the federal Clean Water Act requires that State water quality standards not be violated by the discharge of fill or dredged material into "Waters of the United States." The owner or operator of any facility or activity that discharges, or proposes to discharge, waste that may affect groundwater quality, or from which waste may be discharged in a diffused manner (for example, erosion from soil disturbance), must first obtain waste discharge requirements (WDRs) from the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the Clean Water Act and the Porter-Cologne Water Quality Act. However, typically THP activities in the North Coast Region are covered either by a categorical waiver or by general WDRs.

- g. Archaeology** - Archaeological resources are one of the many resources considered significant to California. Native American cultural resources are commonly situated on ridgelines and associated spurs; saddles; midslope terraces; at vegetative ecotones; at confluences of drainages, and areas adjacent to seasonal and perennial watercourses including springs. Prehistory states that the region was inhabited by the Athabascan Group, the Tolowa. The Tolowa were the people of Smith River and the adjacent ocean frontage. Given the presence of many of the aforementioned features within the JTMP area it is likely that resources associated with Native Americans may be found within the project area.

In addition to Native American resources the FPR also require surveying for the presence of historic resources. Historic land use around the JTMP area included copper mining and timber production. As early as 1860 there were several copper deposits found in the region around the JTMP. Several companies operated copper mines on the ridge separating the watersheds of Peacock Creek and Sultan Creeks, at Low Divide, and East of Myrtle Creek. Many of these historic resources near the plan area are associated with the areas immediately surrounding present day Low Gap Road which is located just east of the JTMP and was historically known as The Crescent City Plank Road. This Plank Road was completed in 1858 and served as a historic travel and pack route between Crescent City and Jacksonville, Oregon.

Tractors were primarily used during the original harvesting of timber. In light of this, one could expect to find artifacts associated with this sort of operation, such as discarded wire rope chokers, tractor parts, oil cans, fuel containers, wedges, drag saw parts, spring boards, saw blades, axes, soda and liquor bottles, or canteens. The FPR require that these resources be surveyed for, disclosed when found and protected from timber operations as appropriate. Currently, these surveys can be conducted by trained resource personnel (Trained RPFs), however in the future these resources may need to be surveyed for by a professional archaeologist.

12. Other Special Treatment Concerns:

A portion of the JTMP is located within the Smith Wild and Scenic River System (See General Location Map) which may require portions of future harvest projects to be designated as "Special Treatment Areas" for future timber harvesting under the California Forest Practice Rules (CFPRs) and PRC 5093.50. Other special treatment concerns for future timber harvesting include measures for the protection of other natural resources such as special status plants and animals. Protocol level surveys would need to be conducted for Northern Spotted Owls and special status plants prior to harvest activities under a standard Timber Harvest Plan (THP).

13. Updating Management Plan:

To be an effective tool for the timberland owners, the Management Guide should be flexible. The JTMP was written so that it can be used by the landowners to manage their resource. JTMP should be updated periodically as changes in site conditions occur. The timberland owners are advised to utilize a RPF when making forest management decisions to maximize their investment. The timberland owners are encouraged to participate in the updates of the JTMP to best fit their management philosophies.

14. Timber Management Costs:

Cost that will be incurred for management activities could include but are not necessarily limited to the following: road maintenance, surveying, geologic assessment, wildlife surveying, forest protection, tree planting, timber stand improvement and related harvesting costs. These costs will not necessarily coincide with revenues received from harvests. Landowners should be prepared for these costs that are necessary to maintain a productive, healthy forest ecosystem.

15. Legal Requirements:

The landowner should be aware that harvest activities will require a State approved Timber Harvest Plan (THP) or equivalent document and that all timber operations are subject to regulations included in the Forest Practice Act and the current California Forest Practice Rules. Other permits that also may be required are Department of Fish and Wildlife Stream Alteration Agreement, US Fish and Wildlife Service Letter of Technical Assistance for impacts that may impact the Northern Spotted Owl and Water Quality Waste Discharge Permit.

16. Conclusion:

It is the opinion of the RPF that the JTMP can be effectively managed as two separate parcels and provide periodic sustainable return while balancing growth and yield over time. The sustainable management of these parcels should meet the landowner's goals and strategies while also contributing to the local economy and overall health of the forest.

TIMBER MANAGEMENT PLAN

1. Access

The JTMP is located approximately 3.2 air miles East of the community of Fort Dick, California. on the High Divide and Hiouchi 7.5' USGS quadrangles (See General Location Map). Parcel 1 is bisected by Little Mill Creek which falls within the Smith Wild and Scenic River System. See the General Location Map at the end of this Document for additional information.

Access to the property from Fort Dick, CA is to travel north on Lake Earl Drive to Hwy 101, North on Hwy 101 to cross over the Smith River and then Southeast on North Bank Road for approximately 4.52 miles to Low Divide Road. Take Low Divide Road North for approximately 4.21 miles to a private road on the left with a large yellow gate. Access to the JTMP is approximately 0.8 miles past locked gate. Roads are paved to the bottom of Low Divide Road then are rocked for the remainder of the route to access the JTMP.

At 4.21 miles up Low Divide Road, a permanent access road leads west (A.K.A. Sultan Creek Road) through a large locked yellow gate. Multiple adjacent landowners share access through this gate to access parcels from Low Divide Road. This existing approximate 0.25-mile off-property easement (including a small outlier road segment along eastern boundary of Parcel 1) allows access to both Management Units and was conveyed with the title of the parcels. The average road grades of the existing permanent road system within the JTMP are between 2% and 20% and suitable for hauling logs from most of the property. Very little, if any, additional truck road construction is required within the JTMP area to effectively yard, however some watercourse crossings may need to be assessed and upgraded. Landowners should consult with an RPF prior to the establishment of any new truck roads. Any road construction occurring within the JTMP area should be permitted under an approved THP/NTMP or will be subject to Del Norte County's Grading Ordinance.

A Timber Management Road Use Agreement for both parcels of the JTMP has been attached to the Timber Management Plan as Appendix A. The purpose of the Timber Management Road Use Agreement is to ensure that access is available for each individual management unit of the JTMP for the eventual commercial harvest of timber products. Specifically, the landowner of Parcel 1 shall have the right to use existing permanent roads A, B, and C (and associated landing area and existing skid trail at the end of Road C) as shown on the Timber Management Road Use Agreement Map to access the parcel for the purpose of forestry management and timber harvesting. In regard to timber harvesting this may include, but is not limited to, road access for trucks, machinery and personnel. Each party shall have the right to construct truck roads, skid trails, landings and cable corridors, pursuant to the Timber Management Road Use Agreement.

2. Right-of-Ways/Easements

Please see the attached **Timber Management Road Use Agreement** document for details on right-of-way access.

3. Stocking Requirements

The General Plan requires the Management Plan to include stocking to minimum levels described by the Coast Forest District Forest Practice Rules. Per 14 CCR 914.7, the following resource conservation standards constitute minimum acceptable stocking in the Coast Forest District after timber operations have been completed.

(a) Rock outcroppings, meadows, wet areas, or other areas not normally bearing commercial species shall not be considered as requiring stocking and are exempt from such provisions.

(b) An area on which timber operations have taken place shall be classified as acceptably stocked if either of the standards set forth in (1) or (2) below are met within five (5) years after completion of timber operations unless otherwise specified in the rules.

(1) An area contains an average point count of 300 per acre on Site I, II and III lands or 150 on site IV and V lands to be computed as follows:

(A) Each countable tree [Ref. PRC § 4528(b)] which is not more than 4 inches d.b.h. counts 1 point.

(B) Each countable tree over 4 inches and not more than 12 inches d.b.h. counts 3 points.

(C) Each countable tree over 12 inches d.b.h. counts as 6 points.

(D) Root crown sprouts will be counted using the average stump diameter 12 inches above average ground level of the original stump from which the sprouts originate, counting one sprout for each foot of stump diameter to a maximum of 6 per stump.

(2) The average residual basal area measured in stems 1 inch or larger in diameter, is at least 85 square ft. per acre on Site I lands, and 50 square ft. per acre on lands of Site II classification or lower. Site classification shall be determined by the RPF who prepared the plan.

(c) The resource conservation standards of the rules may be met with Group A and/or B commercial species. The percentage of the stocking requirements met with Group A species shall be no less than the percentage of the stand basal area they comprised before harvesting. The site occupancy provided by Group A species shall not be reduced relative to Group B species. When considering site occupancy, the Director shall consider the potential long-term effects of relative site occupancy of Group A species versus Group B species as a result of harvest. If Group A species will likely recapture the site after harvest, Group B species do not need to be reduced. The time frames for recapturing the site shall be consistent with achieving MSP. The Director may prohibit the use of Group A and/or B commercial species which are non-indigenous or are not physiologically suited to the area involved. Exceptions may be approved by the Director if the THP provides the following information, and those exceptions are agreed to by the timberland owner:

(1) Explain and justify with clear and convincing evidence how using Group A nonindigenous, or Group B species to meet the resource conservation standards will meet the intent of the Forest Practice Act as described in PRC § 4513. The discussion shall include at least:

(A) The management objectives of the post-harvest stand;

(B) A description of the current stand, including species composition and current stocking levels within the area of Group B species. The percentage can be measured by using point-count, basal area, stocked plot, or other method agreed to by the Director.

(C) The percentage of the post-harvest stocking to be met with Group B species. Post harvest percentages will be determined on the basis of stocked plots. Only the methods provided by 14 CCR §§ 1070-1075 shall be used in determining if the standards of PRC § 4561 have been met.

(D) A description of what will constitute a countable tree, as defined by PRC § 4528 for a Group B species and how such a tree will meet the management objectives of the post-harvest stand.

The Director, after an initial inspection pursuant to PRC § 4604, shall approve use of Group B species, as exceptions to the pre-harvest basal area percentage standard, if in his judgment the intent of the Act will be met, and there will not be an immediate significant and long-term harm to the natural resources of the state.

APPENDIX A:
TIMBER MANAGEMENT ROAD USE AGREEMENT

Identification of applicable parties

Current and/or future owners of APN 122-020-019 (Parcel 1) and APN 122-030-029 (Parcel 2) shall be considered "Party 1" and "Party 2", respectively, herein and subject to the Timber Management Road Use Agreement thereof.

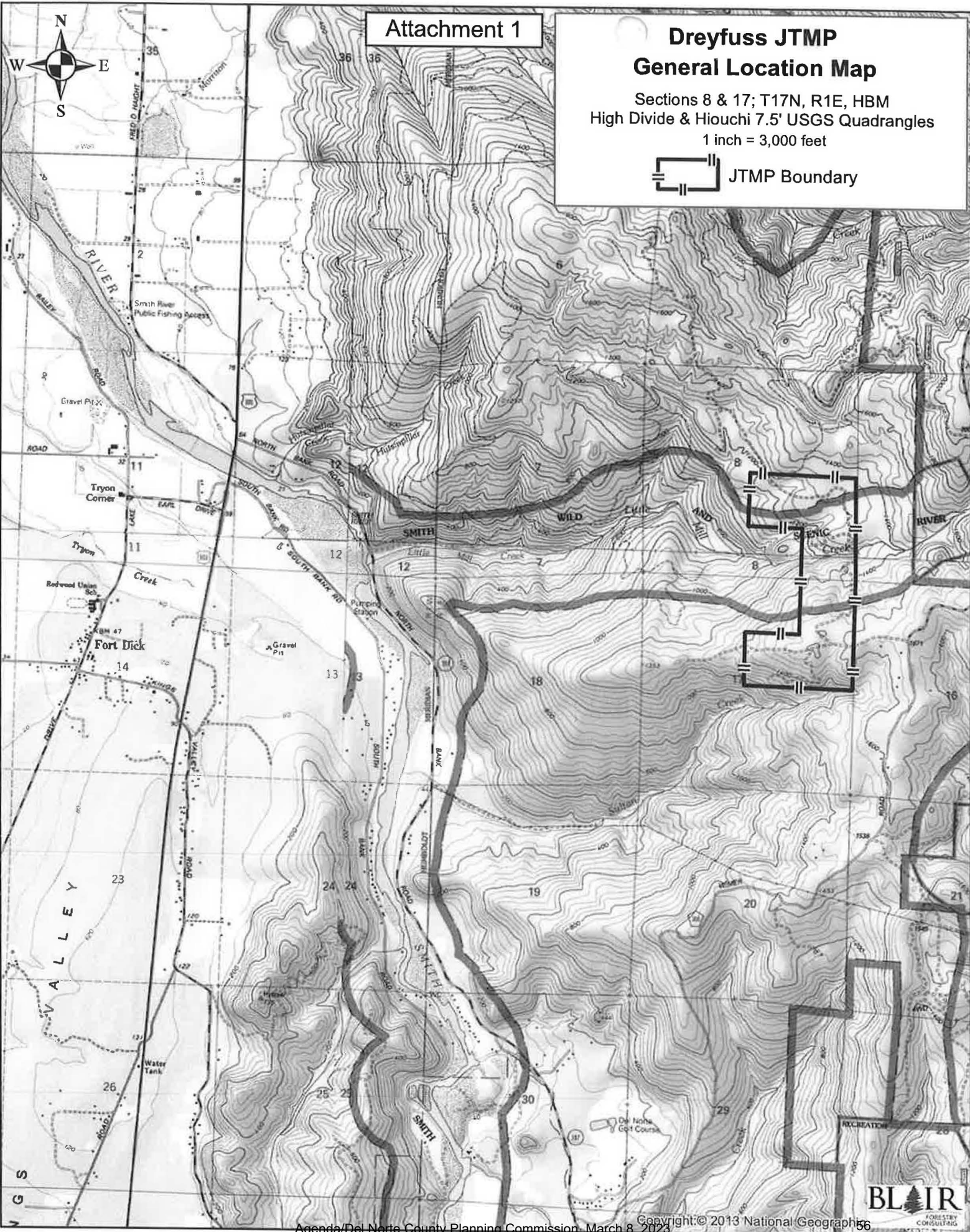
1. Party 1 shall have the right to use existing Roads A, B, and C across real property of Party 2 as shown on the Timber Management Road Use Agreement Map and described in the Timber Management Plan for the purpose of timber management activities. This may include, but is not limited to, road access for trucks, machinery and personnel.
2. Party 1 shall have the right to reconstruct and/or maintain existing truck roads A, B, and C on Parcel 2 including associated skid trails and landings related to the harvesting of timber Parcel 1. Proposed reconstruction and use of Roads B and C and associated landings and skid trails to access Parcel 1 shall be determined by an RPF in association with the preparation of a THP/NTMP or another applicable permit. If a RPF identifies the need to use or construct new truck roads, skid trails, landings or cable corridors within Parcel 2 boundaries to access Parcel 1, the RPF shall mark their location on the ground. The RPF shall notify the Party 2 of the proposed location, and Party 2 shall have thirty (30) days within which to propose an alternative location. The RPF shall use the alternative location if said alternative is of reasonably equal utility to the management unit owner and of reasonably equal cost. Party 1 shall cooperate in a good faith and reasonable manner in establishing the location of new truck roads, skid trails, landings or cable corridors. Whenever reasonable, the RPF shall locate new road segments no nearer than four hundred feet (400') from the primary residence of the Party 2, or, if a primary residence has not yet been constructed, then from a building site designated by the management unit owner.
3. If Permanent Roads A, B, or C and associated infrastructure are utilized by Party 1 for harvesting timber, these roads shall be maintained in substantially the same condition as is excepting for improvements to better maintain said roadway(s) including drainage structures and facilities and possibly road surfacing as needed. Maintenance of Roads A, B, and C shall be the responsibility of the underlying landowner (Party 2), except that if Party 1 exercises their right of way over Parcel 2 for the harvesting of timber on Parcel 1, then the responsibility for maintenance is with both parties, with financial contributions for such maintenance associated with timber harvest activities to be paid by Party 1 in proportion to use.
4. Party 1 may exercise the rights granted herein for removal of forest products by themselves, their employees, by sale to others or through the use of contractors. Any such authorized user exercising the rights granted herein shall have the same responsibilities to this agreement as the parties hereto. The parties hereto shall be responsible for the performance of this agreement by their employees or contractors.
5. Repairs and maintenance of the roads will be required periodically. Roads shall be no wider or larger than is reasonably necessary for the particular use. Roads shall be generally no wider than 16 feet, with such additional widening as is reasonably necessary to accommodate turns and turnouts, or otherwise as may be required for safety.

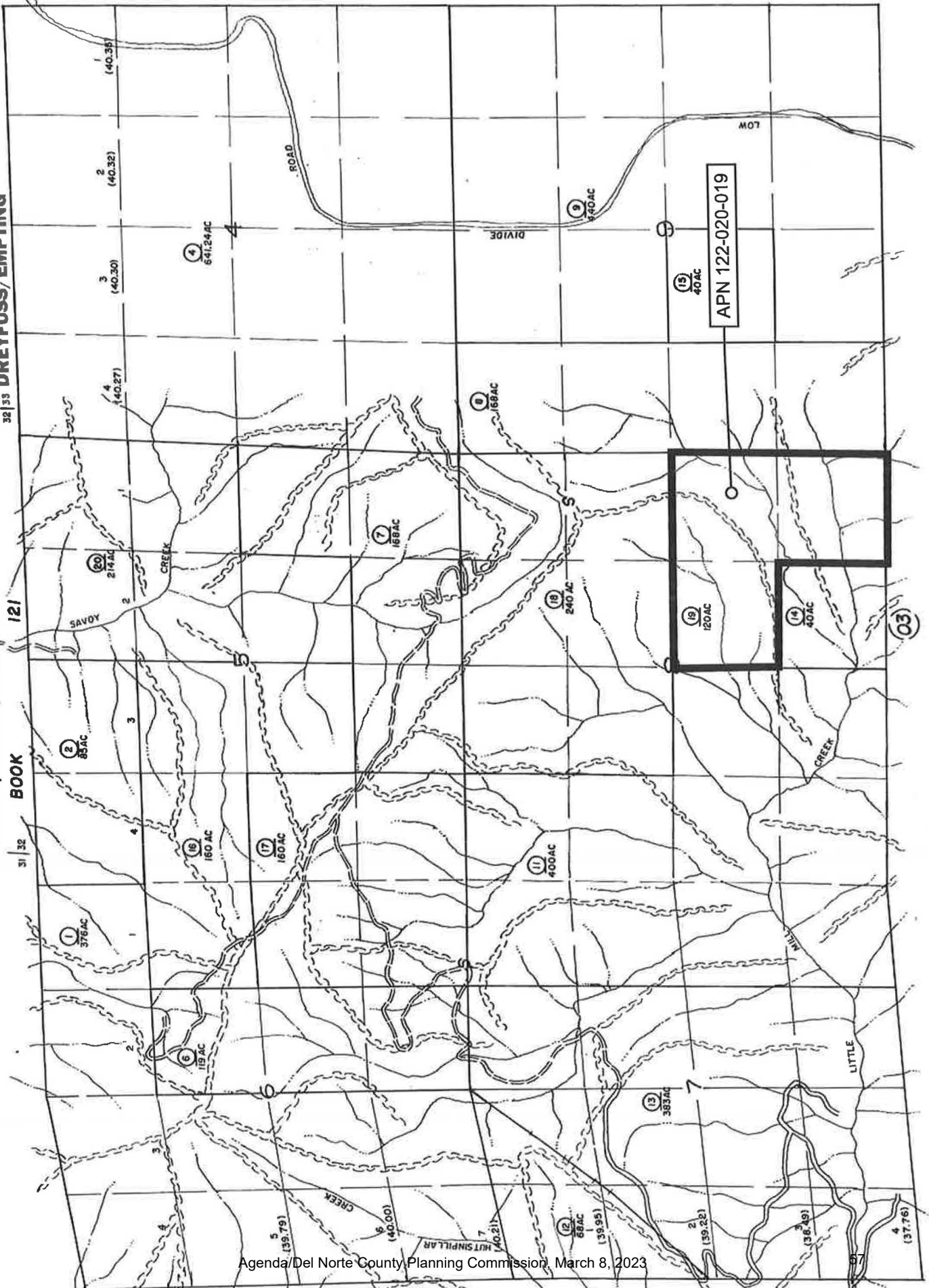
6. If gates are installed on Parcel 2, then Party 1 shall have access through the gates via key or combination lock for the purposes of harvesting timber. The gates shall be kept locked at the request of any party during times of logging inactivity.

Attachment 1

Dreyfuss JTMP General Location Map

Sections 8 & 17; T17N, R1E, HBM
High Divide & Hiouchi 7.5' USGS Quadrangles
1 inch = 3,000 feet





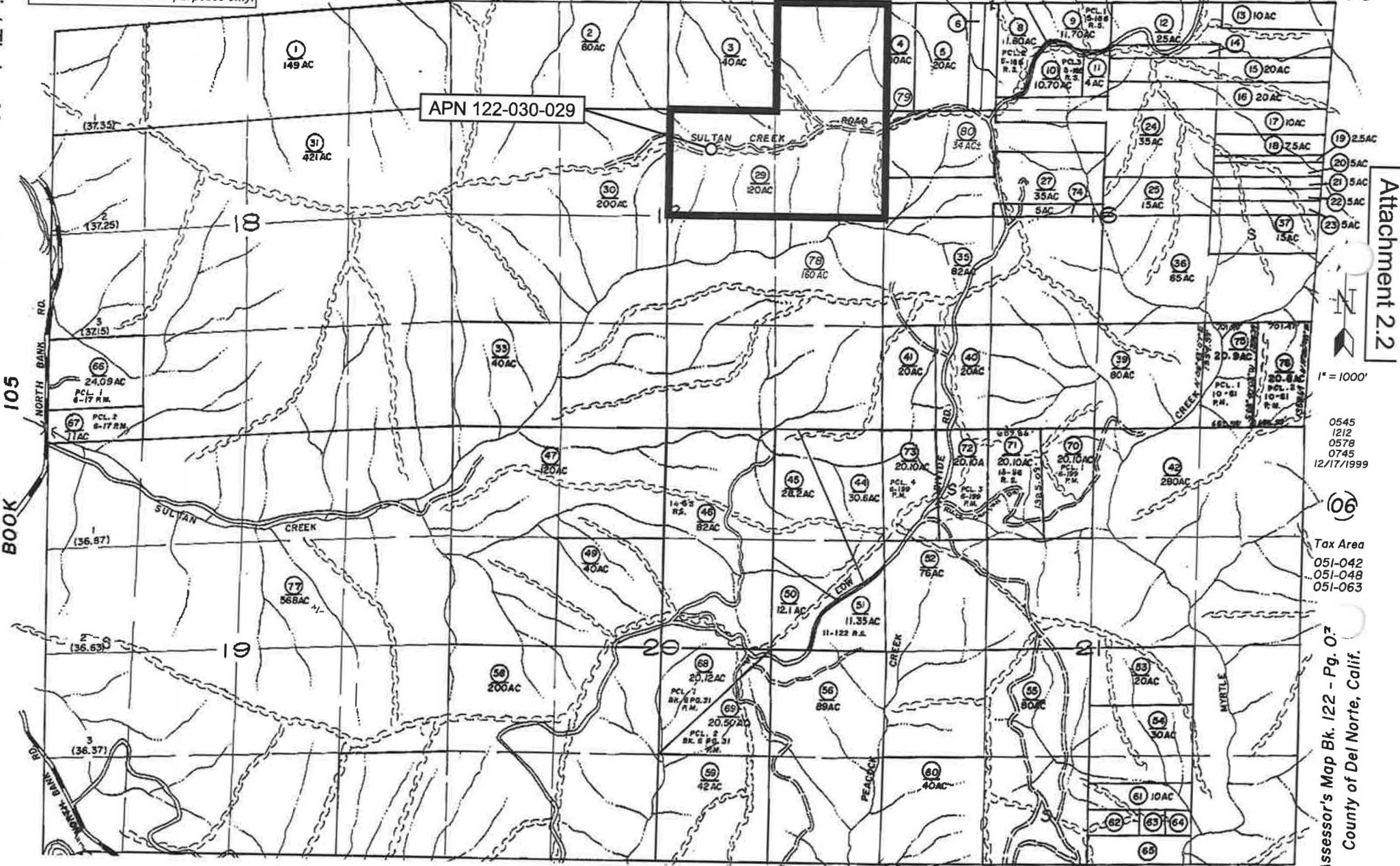
APN 122-020-019

This is not an official map and is intended for assessment purposes only.

02

SECS. 16 - 21, T 17 N, R 1 E, H.B. & M.

122-03



Attachment 2.2

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0578
0745
12/17/1999

06

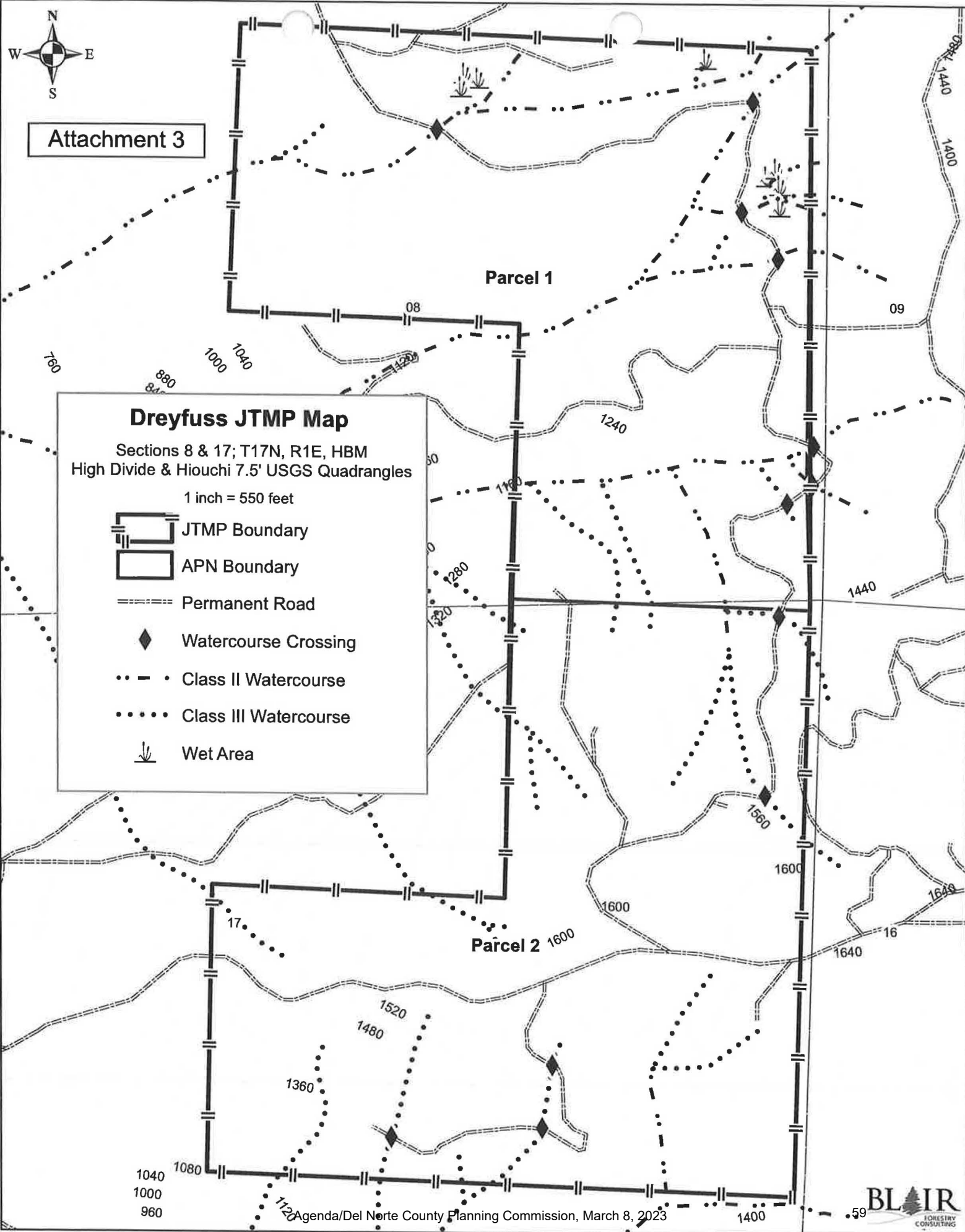
Tax Area
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051-048
051-063

Assessor's Map Bk. 122 - Pg. 07
County of Del Norte, Calif.

122-030-029-000
KATHY HOMES, LLC



Attachment 3



Dreyfuss JTMP Map
 Sections 8 & 17; T17N, R1E, HBM
 High Divide & Hiouchi 7.5' USGS Quadrangles
 1 inch = 550 feet

- JTMP Boundary
- APN Boundary
- Permanent Road
- Watercourse Crossing
- Class II Watercourse
- Class III Watercourse
- Wet Area





Attachment 4

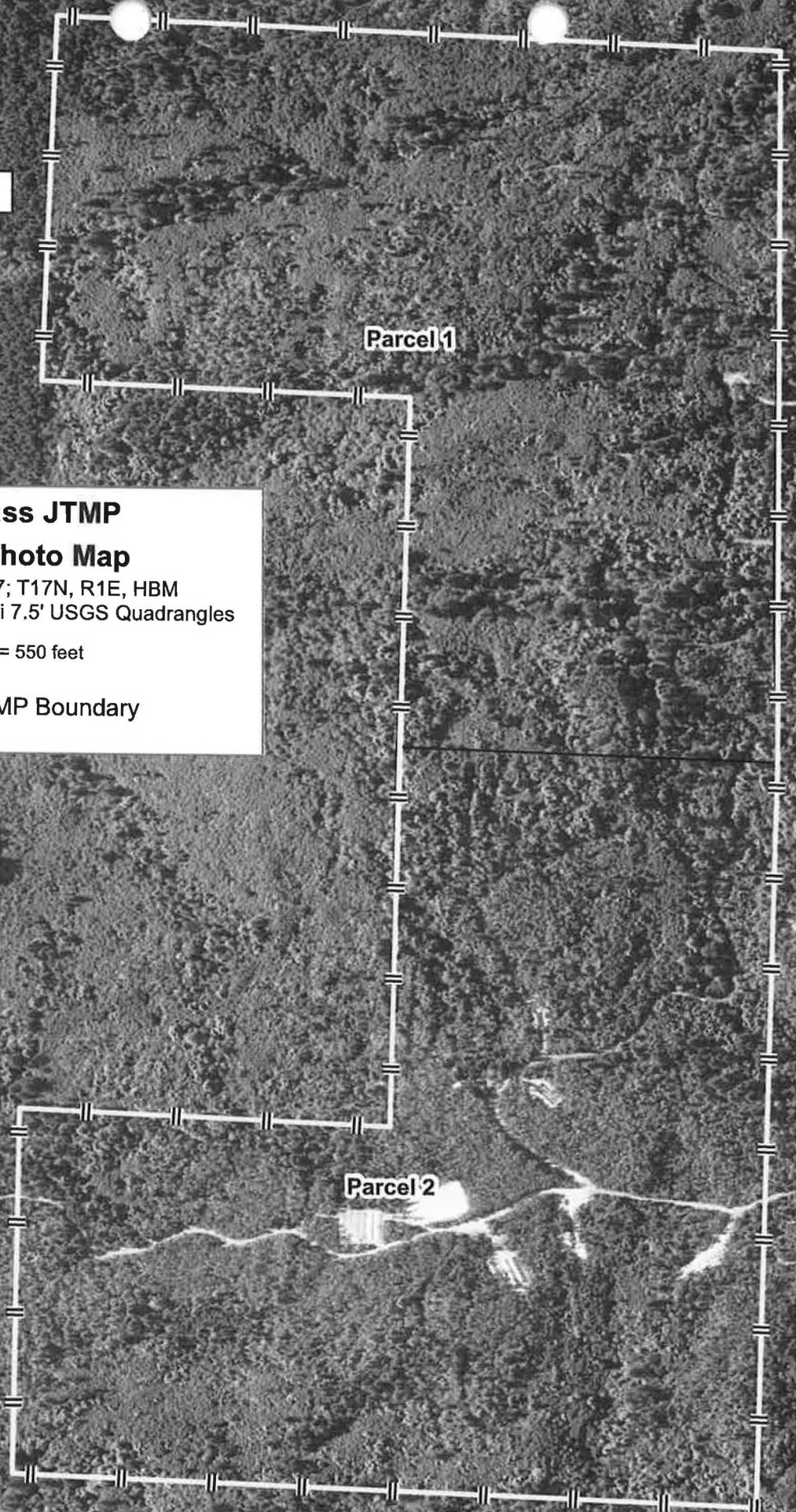
Parcel 1

Parcel 2

Dreyfuss JTMP
Orthophoto Map
 Sections 8 & 17; T17N, R1E, HBM
 High Divide & Hiouchi 7.5' USGS Quadrangles

1 inch = 550 feet












== || JTMP Boundary

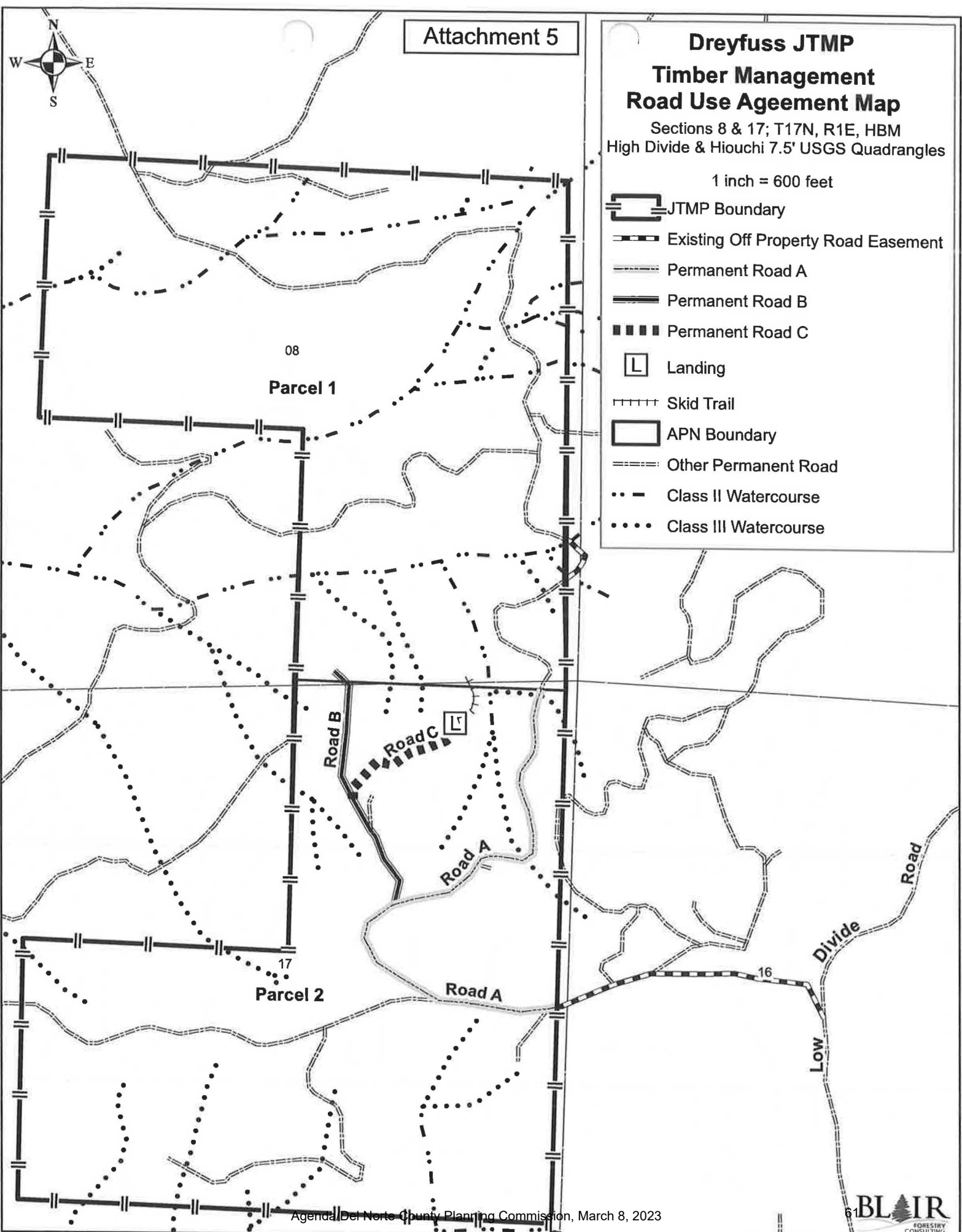


Dreyfuss JTMP Timber Management Road Use Ageement Map

Sections 8 & 17; T17N, R1E, HBM
High Divide & Hiouchi 7.5' USGS Quadrangles

1 inch = 600 feet

-  JTMP Boundary
-  Existing Off Property Road Easement
-  Permanent Road A
-  Permanent Road B
-  Permanent Road C
-  Landing
-  Skid Trail
-  APN Boundary
-  Other Permanent Road
-  Class II Watercourse
-  Class III Watercourse

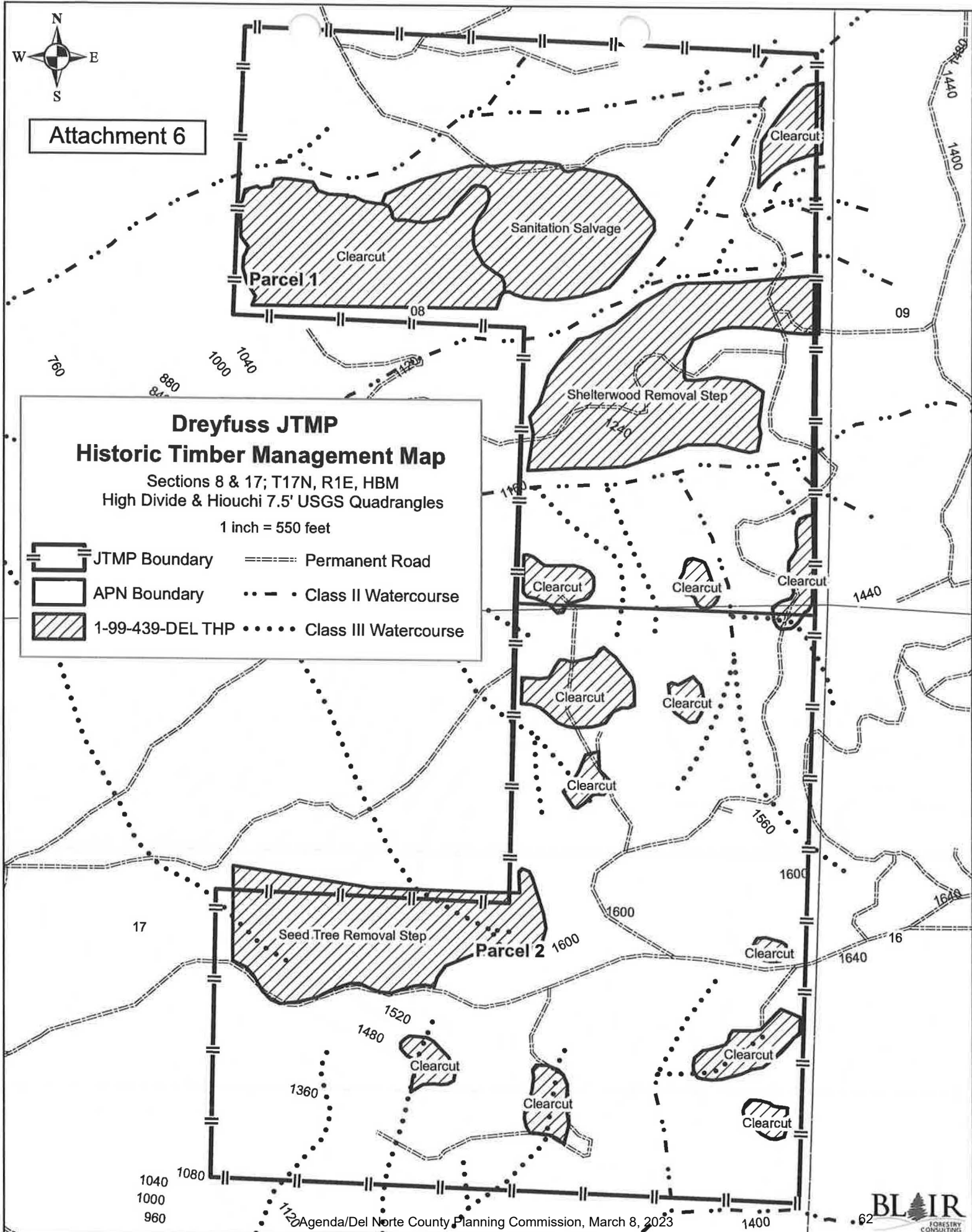




Attachment 6

Dreyfuss JTMP
Historic Timber Management Map
 Sections 8 & 17; T17N, R1E, HBM
 High Divide & Hiouchi 7.5' USGS Quadrangles
 1 inch = 550 feet

	JTMP Boundary		Permanent Road
	APN Boundary		Class II Watercourse
	1-99-439-DEL THP		Class III Watercourse



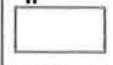





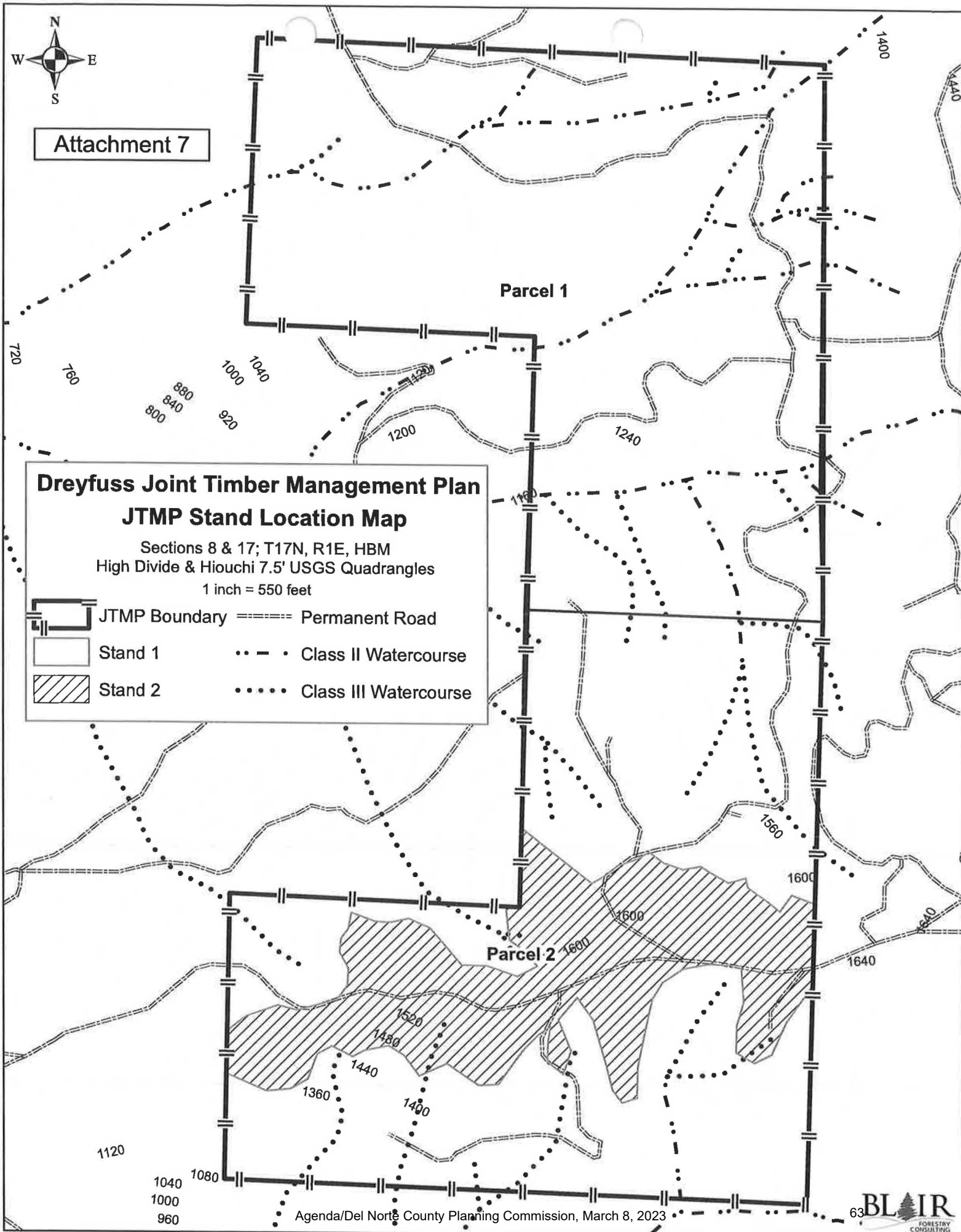


Attachment 7

Dreyfuss Joint Timber Management Plan JTMP Stand Location Map

Sections 8 & 17; T17N, R1E, HBM
High Divide & Hiouchi 7.5' USGS Quadrangles
1 inch = 550 feet

-  JTMP Boundary
-  Permanent Road
-  Stand 1
-  Class II Watercourse
-  Stand 2
-  Class III Watercourse



Agenda/Del Norte County Planning Commission, March 8, 2023





Providing Professional Forestry Services

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McKinleyville, CA 95519

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Preliminary Biological Assessment Report for Dreyfuss Property

APN 122-020-019 & 122-030-029

October 2022

Prepared for:

Nathan Dreyfuss

Prepared By:

Alexander C. Powell, B.S.

A handwritten signature in cursive script, appearing to read "Alex Powell", is written in black ink.

For Blair Forestry Consulting
PO Box 2517
McKinleyville, CA 95519



I. Introduction

This Preliminary Biological Resource Review was prepared to provide data on APNs 122-020-019 and 122-030-029 concerning the type and extent of biological resources under the jurisdiction of the California Department of Fish and Wildlife (CDFW) and US Fish and Wildlife Service (USFWS)). A review of relevant biological databases and literature concerning the possible presence of special status fish & wildlife, plant species, and natural communities was conducted prior to visiting the property. The subsequent site visit was done in order to assess site-specific conditions and determine whether required or preferred habitat characteristics were present for special status plants, animals, and natural communities. This information can be used to determine the likelihood of future projects on the parcels having negative impacts to biological resources moving forward. A site inspection was conducted by Alexander Powell B.S. on September 28, 2022.

II. Definitions

Sensitive Biological Resources

Special Status Species

Special status species include animals and plants that are listed under the Endangered Species Act (ESA) and/or the California Endangered Species Act (CESA), in addition to species that meet the definition of rare or endangered under the California Environmental Quality Act (CEQA). This includes CDFW Species of Special Concern (SSC) and Fully Protected (FP) and other species that warrant protection based on local or biological significance. Plants with a California Rare Plant Ranks (CRPR) of 1A, 1B, 2A, or 2B are also considered to be Special Status Species.

Special Status Natural Communities

Special status plant communities are communities with limited distribution that may be vulnerable to environmental impacts. Natural communities recognized as sensitive are provided on the *Sensitive Natural Communities List* (California Department of Fish and Wildlife (CDFW 2018)). The list is based on the vegetation classification in *A Manual of California Vegetation, 2nd Edition* (Sawyer et al. 2009). Natural communities with G or S ranks of 3 or lower are considered sensitive. However, they may not warrant protection under CEQA unless they are considered high quality. Human disturbance, invasive species, logging, and grazing are common factors considered when judging whether the stand is high quality and warrants protection.

Sensitive Aquatic Resources

County Mandated Water Quality

The Del Norte County General Plan (Del Norte County 2003) states that “The County shall seek to maintain, and where feasible, enhance the existing quality of all water resources in order to ensure public health and safety and the biological productivity of waters.”

Waters of the United States

Waters of the United States include any tributaries to waters used for interstate or foreign commerce including wetlands. The Army Corp of Engineers regulates the Waters of the United States and has jurisdiction in waters such as creeks and rivers and includes the area below the ordinary high water mark, which is the line on the bank established by fluctuations of water that leave physical characteristics such as a distinct line on the bank, shelving, destruction of terrestrial vegetation, and presence of debris. The Corp defines wetlands as:

“...areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.”

Waters of the State

Waters of the state are regulated by the State Water Resources Control Board (State Water Board) under the Porter-Cologne Water Quality Control Act. Waters of the state are defined as:

“...any surface water or groundwater, including saline waters, within the boundaries of the state.”

Waters of the State includes water in both natural and artificial channels.

The Water Board defines an area as wetland as:

“An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area’s vegetation is dominated by hydrophytes or the area lacks vegetation.”

III. Environmental Setting

Both adjacent 120-acre parcels (totaling 240-acres) are situated near the first ridge approximately 2 miles east of Kings Valley in the upper reaches of Little Mill and Sultan Creeks. Preliminary review of regional information shows habitat on and around both parcels to consist of heavily managed forest lands. Numerous CEQA equivalent documents from the subject and neighboring parcels describe this region to be occupied primarily by Douglas-fir and redwood forest with other species including western hemlock and red alder. The Biological Assessment Area (BAA) for this review includes the Hiouchi 7.5’ USGS Quadrangle and the 8 surrounding quadrangles. This area was chosen because given the location of the property, it is of sufficient size to include both the coastal plain and interior mountain biological influences. Additionally, a shift in soil composition and associated habitats for special status plants (ultramafic serpentine) occurs in the region of the property.

Soils and Topography

The USDA Natural Resource Conservation Service Web Soil Survey website was used to identify the soil complexes present within the property. Several different soil complexes exist within the property area, the most prominent being the Peacock-Wiregrass complex (complex 583). Smaller portions of the property associated with slopes leading downward to Little Mill and Sultan Creeks consist of Wiregrass-Rockysaddle-Peacock complexes (complex 586) and Coppercreek-Slidecreek-Tectah complexes (complex 581). A printout and map of the project area from the Web Soil Survey website provided by the USDA Natural Resource Conservation Service has been included with this review in Appendix A.

The Peacock-Wiregrass complex covers more than 75% of the project area, is generally associated with mild to moderate slopes and ridges (9 to 30%), gravelly loam to gravelly clay loam, well drained, and well suited for timber production. Parent materials for the complex are Colluvium and residuum derived from schist.

Wiregrass-Rockysaddle-Peacock complexes cover approximately 18.5% of the property, are generally associated with moderate slopes (30 to 50%), gravelly loam to silty clay loam, well drained, and very well suited for timber production. Parent material for the complex is Colluvium and residuum derived from schist.

Coppercreek-Slidecreek-Tectah complexes cover approximately 6.4% of the property and are associated solely with slopes leading to Sultan Creek. This complex is generally associated with moderate slopes (30 to 50%), loam to paragravelly clay loam, well drained, and very well suited for timber production. Parent material for the complexes are Colluvium and residuum derived from sandstone and mudstone.

The property elevation ranges from 1,060' to 1,480' above sea level. The slopes range from <10% to minor pockets over 65% with aspects of Southwest, Northwest and South as determined by their location along the slopes of Little Mill Creek, Sultan Creek and other drainages. These soil types have generally high suitability for timber production and are well drained soils. The timberland is zoned Timber Production Zone (TPZ) and is classified as Site III timberland.

Watershed and Stream Conditions

The property is in the Little Mill Creek Planning Watershed (CALWNUM 1103.110001) and situated along the mid to upper reach of Little Mill Creek. The headwaters of Sultan Creek are located at the Southeast corner of the property. Other perennial and intermittent tributaries of Little Mill Creek and Sultan Creek are also present throughout the property. According to maps reviewed from harvest plans downstream along Little Mill and Sultan Creeks, there are no fish bearing watercourses within or adjacent to the property area. All drainages from the property goes to the Smith River approximately 2 miles downstream.

IV. Methods

A site visit was conducted by Alexander Powell on October 4, 2022 to evaluate site specific habitat conditions including aquatic and biological resource potential on the property. Mr. Powell has a B.S. in Wildlife Management from Humboldt State University and over 15 years of experience in plant and animal species identification and conducting botanical and wildlife surveys in the Pacific Northwest. Mr.

Powell has experience identifying habitats that have potential to harbor special status plants and animals such as wetlands, natural communities, and other landscape features.

Biological Resources

A list of special status animals (Table 1) and plants (Table 2) that could potentially occur on the property was generated using the *California Natural Diversity Database* (CDFW 2022) and the *CNPS Inventory of Rare and Endangered Plants* (California Native Plant Society 2022). Both scoping lists include special status plant and animal species with documented occurrences on the Hiouchi USGS quadrangle and the 8 surrounding adjacent quadrangles (9-quadrangle search). Animals associated with open ocean and river estuary habitats, such as sea birds and marine mammals, were excluded from analysis.

Aquatic Resources

The Project Area and surrounding habitat was inspected for aquatic resources such as wetlands, streams, ponds and other water bodies and associated riparian habitat.

V. Results and Discussion

The general habitat qualifies as North Coast Coniferous Forest (NCFrs) within the Northern California Coast (California Eco-Section 263A). The property is heavily forested except for some minor clearing on the southern parcel. The road system is expansive allowing access throughout the property and crossing several watercourses. Observed vegetative and aquatic resources are shown on the Habitat Locations Map at the end of this review.

Vegetative Habitat Descriptions: Two primary forest vegetation associations were identified on the property.

The dominant forest type covering all the northern parcel and most of the southern parcel is predominately composed of young growth Douglas-fir (*Pseudotsuga menziesii*) and Port Orford cedar (*Chamaecyparis lawsoniana*) with mixed hardwoods including red alder (*Alnus rubra*), tanoak (*Notholithocarpus densiflorus*), madrone (*Arbutus menziesii*) and California bay (*Umbellularia californica*). Some streamside terraces at lower elevation portions of the plan are better described as Redwood Forest (Sequoia sempervirens Forest Alliance) with the following vegetation association for slope forests of the Northern Region: *Sequoia sempervirens-Pseudotsuga menziesii-Lithocarpus densiflorus-Chamaecyparis lawsoniana/Vaccinium ovatum* (Sawyer et al. 2009). Redwood is also present on the upper slopes where it appears to have been planted. Canopy cover in this forest type is extremely high with large areas composed exclusively of red alder overstory. Larger Douglas-fir are generally confined to watercourse areas. The shrub layer is well developed, at nearly 100% cover and impenetrable in many areas. Dominant shrubs present included Salal (*Gaultheria shallon*), Salmon Berry (*Rubus spectabilis*), evergreen huckleberry (*Vaccinium ovatum*), and California rose bay (*Rhododendron macrophyllum*).

The southern parcel hosts a prominent beach pine (*Pinus contorta ssp. contorta*) forest at the entrance to the property associated with a western trending ridgeline area. This forest is void of Douglas-fir trees and diagnostic of low-nutrient soil conditions. Other conifers occasionally present in both the canopy

and sub-canopy within this community include knob cone pine (*Pinus attenuata*), port-orford cedar (*Chamaecyparis lawsoniana*), and western white pine (*Pinus monticola*). Shrub and forb composition was moderately dense throughout this community and comprised of dwarf chinquapin (*Chrysolepis chrysophylla* var. *minor*), hairy manzanita (*Arctostaphylos Columbiana*), western Labrador tea (*Rhododendron columbianum*), salal (*Gaultheria shallon*), bear grass (*Xerophyllum tenax*), and bracken fern (*Pteridium aquilinum* var. *pubescens*).

Aquatic Resources Descriptions: Primary watercourses on and adjacent to the property include Little Mill Creek and Sultan Creek to the South. Numerous unnamed perennial and intermittent creeks are present throughout the property which were all heavily vegetated with overstory canopy and dense shrub cover. Multiple saturated (wetland-like) areas were identified on the northern parcel providing habitat with areas of vegetation dominated by hydrophytes and dense red alder overstory as well as areas lacking overstory vegetation (potentially anaerobic conditions). These areas would require further delineation and assessment in the event a project is proposed around them.

Potential threats to aquatic resources on the property are generally isolated to existing stream crossings. The road system was rocked and in good condition with some roads requiring vegetation removal and some grading prior to use. Some watercourse crossings were inspected and observed to be sufficiently functioning. Road drainage structures were in place and no hydrological connection was observed. Crossings should be monitored regularly for functionality across the property to ensure water quality is maintained.

Special Status Animal Habitat Descriptions:

Analysis provided on Tables 1 indicates that the property has moderate to high potential to harbor special status animals now and into the future. Seasonal and perennial watercourses throughout the property appear to have been provided sufficient protective measures through several harvest entries providing habitat for special status amphibians. The dense vegetative state of the early seral forests on the property provides valuable nesting and foraging habitat for numerous other wildlife species and likely some special status species as well. No raptor nests or sign were observed in the on the property at the time of the site visit. No special habitat features such as old growth trees, large tree cavities, large snags, ponds, cliffs, caves, old abandoned structures or other habitat with a high potential for sensitive wildlife were observed on or immediately adjacent to the property. Given the heavy disturbance regime from past logging activities on and adjacent to the property, special status species relying on late-seral conditions for survival would be less likely to occur. As the forest matures, habitat niches will change, and conditions could favor an increase in potential to harbor special status wildlife.

Special Status Plant Habitat Descriptions:

Botanical scoping, shown on Table 2, picked up a large range of plants associated with both coastal dunes and Lake Earl to the West and Southwest as well as ultramafic (serpentine) soils to the East and Northeast. While there are numerous occurrences of serpentine dependent special status plant populations to the East and Northeast of the property, serpentine soils or plant communities were not observed during the site visit. Suitable habitat for special status species is present in some of the Class II watercourses as well as in roadways, cut banks, landings and similar micro-sites where growing space is available. The property hosts a high species diversity and is within proximity to known occurrences of special status plants, particularly Indian pipe (*Monotropa uniflora*). While a seasonally appropriate

botanical surveys were not conducted, the property hosts marginal to unsuitable habitat for a large portion of target special status species presented in Table 2.

CNDDDB Analysis:

A 1.5-Mile California Natural Diversity Database (CNDDDB) Assessment Map showing documented occurrences of nearby special status wildlife and plants (including location of mapped ultramafic soils) has been included at the end of this report. No Special Status Natural Communities were identified during scoping on the (CNDDDB) or observed. While the CNDDDB does not report special status plants, animals, or communities on the property, it only reports positive findings and doesn't indicate that a particular species or Sensitive Natural Community isn't present within a given area. The CNDDDB depicts the nearest known Northern Spotted Owl (NSO) Activity Center (AC) approximately 1 mile north of the property (DNT0051). The property has marginally suitable NSO foraging habitat and non-habitat. An occurrence of Pacific tailed frog occurs just downstream from the property. Numerous occurrences of ghost-pipe (*Monotropa uniflora*, CRPR 2B.2) have been detected to the west of the property and serpentine catchfly (*Silene serpentinicola*, CRPR 1B.2) and opposite-leaved Lewisia (*Lewisia oppositifolia*, CRPR 2B.2) to the east of the property.

Given the location of the property, as well as its proximity to documented occurrences of special status plants and animals, seasonally appropriate surveys may need to be conducted prior to activities that could negatively impact protected natural resources.

References

California Department of Fish and Wildlife (CDFW). 2022. *California Natural Diversity Database (CNDDDB)*. <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>

CDFW. 2022. *California Sensitive Natural Communities List*. <https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities>

CalFire Watershed Mapper; accessed September 21; https://egis.fire.ca.gov/watershed_mapper/

California Native Plant Society, Rare Plant Program. 2022. Rare Plant Inventory (online edition, v9-01 1.5). Website <https://www.rareplants.cnps.org> [accessed 18 October 2022].

Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report Y-87-1. Vicksburg, MS: U.S. Army Engineer Waterways Experimental Station.

Del Norte County. 2003. *Del Norte County General Plan (Adopted January 28, 2003)*. Section 1: Natural Resource/Conservation. <https://www.co.del-norte.ca.us/departments/Planning/Documents>

Jameson, E.W., and Hans J. Peeters. 2004. *Mammals of California*. University of California Press, Berkeley and Los Angeles, California.

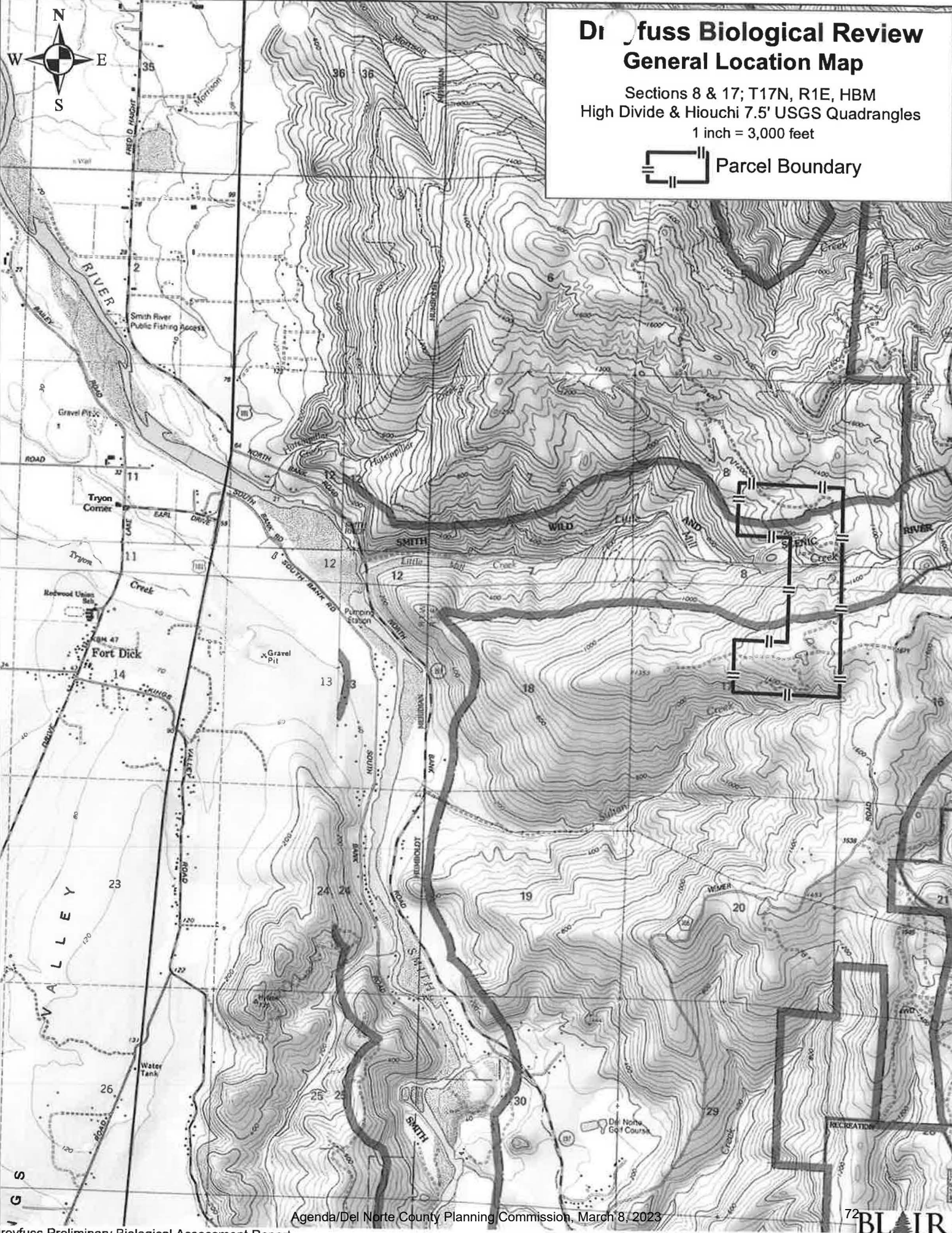
Mayer, K.E and William F. Laudenslayer (1988). *A Guide to Wildlife Habitats of California*. California Dep. Of Forestry and Fire Protection, Pacific Southwest Forest and Range Experiment Station (Berkeley, Calif.)

Sawyer, J.O., T. Keeler-Wolf, and J.M. Evans. 2009. *A Manual of California Vegetation*, second edition. California Native Plant Society Publications, Sacramento, CA.

U.S. Army Corps of Engineers (Army Corps) 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual. Western Mountains, Valleys, and Coast Region (Version 2.0)*, ed. J. S. Wakeley, R. W. Lichvar, and C. V. Noble. ERDC/EI TR-10-3. Vicksburg, MS. Army Corps of Engineer Research and Development Center. <https://usace.contentdm.oclc.org/utis/getfile/collection/p266001coll1/id/7646>

United States Department of Agriculture, Natural Resource Conservation Service. 2022. *Web Soil Survey*. <https://websoilsurvey.sc.egov.usda.gov>

Zeiner et al. 1990. *California's Wildlife, Volume II Birds*. Editors. David C. Zeiner. William F. Laudenslayer, Jr. Kenneth E. Mayer. Marshall White.



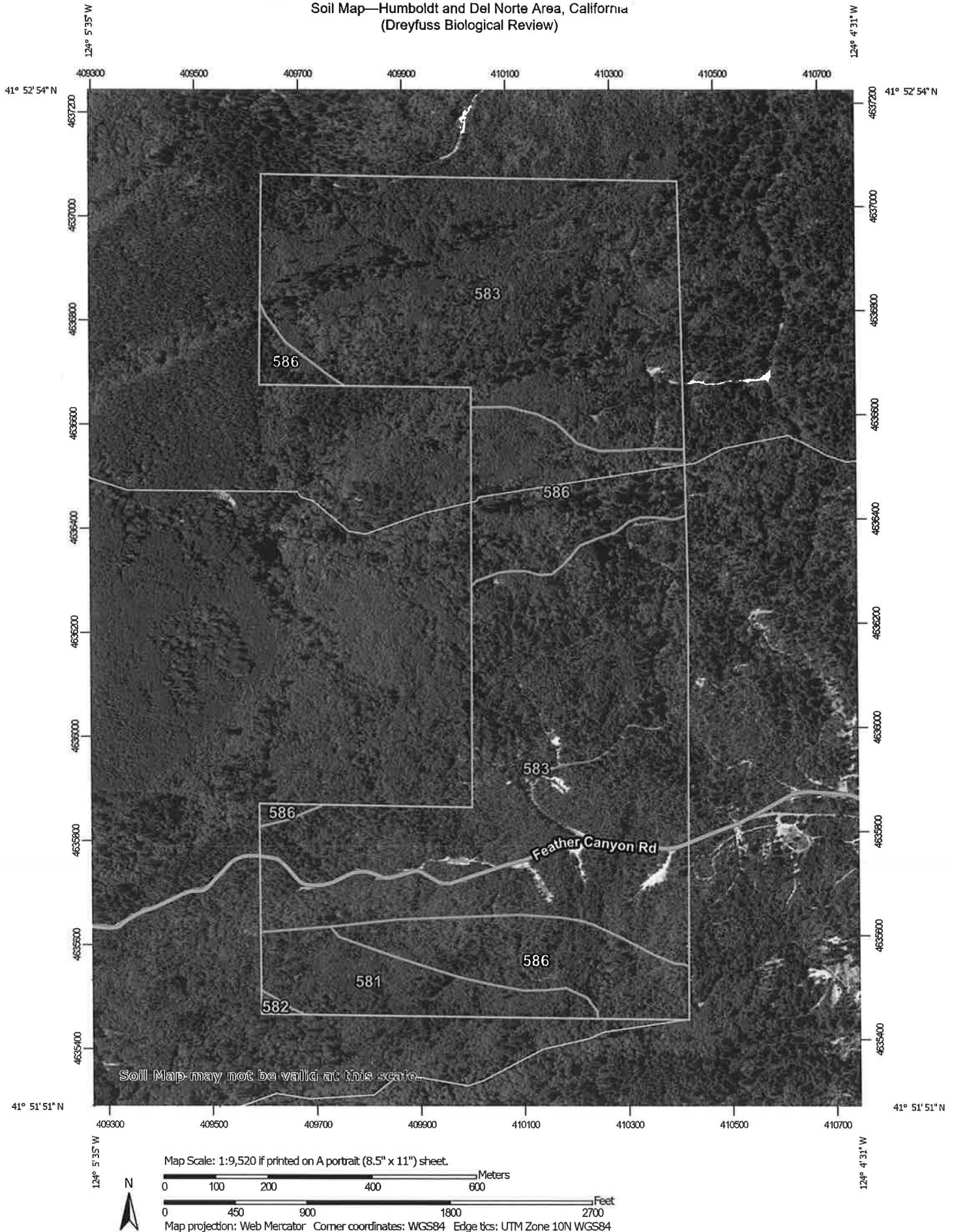
Dreyfuss Biological Review General Location Map

Sections 8 & 17; T17N, R1E, HBM
High Divide & Hiouchi 7.5' USGS Quadrangles
1 inch = 3,000 feet

 Parcel Boundary

Appendix A - Soils Map

Soil Map—Humboldt and Del Norte Area, California
(Dreyfuss Biological Review)



MAP LEGEND

- Area of Interest (AOI)**
- Area of Interest (AOI)
- Soils**
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points
- Special Point Features**
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features
- Water Features**
- Streams and Canals
- Transportation**
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads
- Background**
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.
Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Humboldt and Del Norte Area, California
Survey Area Data: Version 15, Sep 6, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 2, 2019—Jun 21, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
581	Coppercreek-Slidecreek-Tectah complex, 30 to 50 percent slopes	15.7	6.4%
582	Slidecreek-Lacks creek-Coppercreek complex, 50 to 75 percent slopes	0.5	0.2%
583	Peacock-Wiregrass complex, 9 to 30 percent slopes	184.8	75.0%
586	Wiregrass-Rockysaddle-Peacock complex, 30 to 50 percent slopes	45.5	18.5%
Totals for Area of Interest		246.4	100.0%

**Table 1. Special Status Wildlife Scoping List for Dreyfuss Biological Review
Sections 8 & 17, Township 17-North, Range 1-East, HB&M**

Scientific Name	Common Name	Listing Status			Habitat	Potential to Occur on Property
		Federal	State	CDFW		
Amphibians						
<i>Ascaphus truei</i>	Pacific tailed frog	None	None	SSC	Occurs in montane hardwood-conifer, redwood, Douglas-fir & ponderosa pine habitats. Restricted to perennial montane streams.	Yes.
<i>Plethodon elongatus</i>	Del Norte salamander	None	None	WL	Old-growth associated species with optimum conditions in the mixed conifer/hardwood ancient forest ecosystem. Cool, moist, stable microclimate, a deep litter layer, closed multi-storied canopy, dominated by large, old trees.	Yes.
<i>Rana aurora</i>	northern red-legged frog	None	None	SSC	Generally near permanent water, but can be found far from water, in damp woods and meadows, during non-breeding season.	Yes.
<i>Rana boylei</i>	foothill yellow-legged frog	None	Endangered	SSC	Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats. Needs at least some cobble-sized substrate for egg-laying.	Yes.
<i>Rhyacotriton variegatus</i>	southern torrent salamander	None	None	SSC	Coastal redwood, Douglas-fir, mixed conifer, montane riparian, and montane hardwood-conifer habitats. Old growth forest. Cold, well-shaded, permanent streams and seepages, or within splash zone or on moss-covered rocks within trickling water.	Yes.
Birds (Sea birds, species associated with coastal ocean habitats, have been omitted from scoping)						
<i>Accipiter striatus</i>	sharp-shinned hawk	None	None	WL	The range of this species is from the Oregon border south to central California during the breeding season, otherwise throughout the state from September to April. Utilizes woodlands of young or open forests with a variety of plant life forms. Usually nests in dense pole and small tree stands (25-50 years) of conifers. Not usually found in early or late seral habitats. Climate of nesting habitat should be cool, moist and well shaded with little ground cover, near water.	Yes.

Table 1. Special Status Wildlife Scoping List for Dreyfuss Biological Review Sections 8 & 17, Township 17-North, Range 1-East, HB&M

Scientific Name	Common Name	Listing Status			Habitat	Potential to Occur on Property
		Federal	State	CDFW		
Circus hudsonius	northern harrier	None	None	SSC	Marshes, fields, prairies. Found in many kinds of open terrain, both wet and dry habitats, where there is good ground cover. Often found in marshes, especially in nesting season, but sometimes will nest in dry open fields	Unlikely, property lacking open terrain.
Elanus leucurus	white-tailed kite	None	None	FP	White-tailed Kites are common in savannas, open woodlands, marshes, desert grasslands, partially cleared lands, and cultivated fields.	Marginal, property lacking preferred habitats.
Haliaeetus leucocephalus	bald eagle	Delisted	Endangered	FP	Ocean shore, lake margins, and rivers for both nesting and wintering. Most nests within 1 mile of water. Nests in large, old-growth, or dominant live tree with open branches, especially ponderosa pine. Roosts communally in winter.	Not for nesting, property not within 1 mile of large body of water and lacks large large, old-growth, or dominant live trees.
Brachyramphus marmoratus	marbled murrelet	Threatened	Endangered	-	A common resident and breeder in the north coast region. Specific nesting habitat of this species in this part of its range is large, sometimes decadent trees with large limbs for nesting platforms. Throughout most of the year, this species is found in small groupings in near shore coastal waters where they feed on small baitfish.	No, property lacking preferred nesting structures.
Cypseloides niger	black swift	None	None	SSC	Nests on cliff ledges behind or near waterfalls and sea caves. They forage over forests and open areas.	No, property lacking cliff ledges behind or near waterfalls and sea caves.
Falco peregrinus anatum	American peregrine falcon	Delisted	Delisted	FP	Breeds mostly in woodland, forest and coastal habitats, Requires protected cliffs, and ledges for cover. Breeds near wetlands, lakes and rivers, or other water on high cliffs, banks, dunes, mounds.	Not for nesting, property lacking protected cliffs and ledges.
Pandion haliaetus	osprey	None	None	WL	Ocean shore, bays, freshwater lakes, and larger streams. Large nests built in tree-tops within 15 miles of a good fish-producing body of water.	Unlikely, property lacking preferred nesting structures.

**Table 1. Special Status Wildlife Scoping List for Dreyfuss Biological Review
Sections 8 & 17, Township 17-North, Range 1-East, HB&M**

Scientific Name	Common Name	Listing Status			Habitat	Potential to Occur on Property
		Federal	State	CDFW		
<i>Poecile atricapillus</i>	black-capped chickadee	None	None	WL	Mixed deciduous and coniferous forests. In winter it is found in residential areas with trees	Yes.
<i>Bonasa umbellus</i>	ruffed grouse	None	None	WL	Deciduous and mixed forests in areas with trees like poplars, willow, birch, and alders	Yes.
<i>Coturnicops noveboracensis</i>	yellow rail	None	None	SSC	Shallow marshes, and wet meadows; in winter, drier freshwater and brackish marshes, as well as dense, deep grass, and rice fields.	No, suitable habitat not present.
<i>Strix occidentalis caurina</i>	Northern Spotted Owl	Threatened	Threatened	-	Old-growth forests or mixed stands of old-growth and mature trees. Occasionally in younger forests with patches of big trees. High, multistory canopy dominated by big trees, many trees with cavities or broken tops, woody debris, and space under canopy.	Yes, not ideal habitat.
<i>Empidonax traillii brewsteri</i>	little willow flycatcher	None	Endangered	-	Breeds in moist, shrubby areas, often with standing or running water. Winters in shrubby clearings and early successional growth.	Potential, not ideal habitat.
Fish						
<i>Acipenser medirostris</i> pop. 2	green sturgeon - northern DPS	None	None	SSC	Adults and subadults spend most of their time in the marine environment and can be found in bays and estuaries along northern California, Oregon, and Washington.	No suitable fishbearing streams located on the property.
<i>Eucyclogobius newberryi</i>	tidewater goby	Endangered	None	-	Inhabits coastal lagoons and brackish bays at mouth of freshwater streams.	No suitable fishbearing streams located on the property.
<i>Spirinchus thaleichthys</i>	longfin smelt	Candidate	Threatened	-	An anadromous smelt (family Osmeridae) found in California's bay, estuary, and nearshore coastal environments from San Francisco Bay north to Lake Earl, near the Oregon border.	No suitable fishbearing streams located on the property.
<i>Thaleichthys pacificus</i>	eulachon	Threatened	None	-	Anadromous species. Adult eulachon return to rivers between northern California and the eastern Bering Sea, spawning only in a limited number of rivers—mainly those with a pronounced spring runoff.	No suitable fishbearing streams located on the property.

**Table 1. Special Status Wildlife Scoping List for Dreyfuss Biological Review
Sections 8 & 17, Township 17-North, Range 1-East, HB&M**

Scientific Name	Common Name	Listing Status			Habitat	Potential to Occur on Property
		Federal	State	CDFW		
Entosphenus tridentatus	Pacific lamprey	None	None	SSC	An anadromous parasitic lamprey that spawns in similar habitats to salmon; in gravel bottomed streams, at the upstream end of riffle habitat.	No suitable fishbearing streams located on the property.
Lampetra richardsoni	western brook lamprey	None	None	SSC	Non-parasitic species of jawless fish endemic to the freshwater coastal waterways of the Western United States and Canada	No suitable fishbearing streams located on the property.
Oncorhynchus clarkii clarkii	coast cutthroat trout	None	None	SSC	Small, low gradient, cool (<18° C), well shaded coastal streams and estuarine habitats. Streams with small gravel substrates are required for spawning.	No suitable fishbearing streams located on the property.
Oncorhynchus keta	chum salmon	None	None	-	Anadromous Pacific salmon species that spend their adult lives in the ocean and migrate from their marine environment back to their fresh water natal streams to spawn	No suitable fishbearing streams located on the property.
Oncorhynchus kisutch pop. 2	coho salmon - southern Oregon / northern California ESU	Threatened	Threatened	-	Aquatic Klamath/North coast flowing waters Sacramento/San Joaquin flowing waters. Federal listing refers to populations between Cape Blanco, Oregon and Punta Gorda, Humboldt County, California. State listing refers to populations between the Oregon border and Punta Gorda, California.	No suitable fishbearing streams located on the property.
Oncorhynchus mykiss irideus pop. 1	steelhead - Klamath Mountains Province DPS	None	None	SSC	Aquatic Klamath/North coast flowing waters. Streams between Elk River, Oregon and the Klamath & Trinity rivers in California, inclusive.	No suitable fishbearing streams located on the property.
Oncorhynchus mykiss irideus pop. 36	summer-run steelhead trout	None	Candidate Endangered	SSC	Calif coastal streams south to Middle Fork Eel River. Within range of Klamath Mtns province DPS & No. Calif DPS. Cool, swift, shallow water & clean loose gravel for spawning, & suitably large pools in which to spend the summer.	No suitable fishbearing streams located on the property.

**Table 1. Special Status Wildlife Scoping List for Dreyfuss Biological Review
Sections 8 & 17, Township 17-North, Range 1-East, HB&M**

Scientific Name	Common Name	Listing Status			Habitat	Potential to Occur on Property
		Federal	State	CDFW		
Oncorhynchus tshawytscha pop. 14	chinook salmon - southern Oregon/northern California coastal	None	None	SSC	The colder upper reaches of the Pacific Ocean and breed in the freshwater rivers and streams of the Pacific Northwest. Their range includes the coasts of Alaska, western Canada, Oregon, Idaho, Washington State, and northern California.	No suitable fishbearing streams located on the property.
Insects						
Speyeria zerene hippolyta	Oregon silverspot butterfly	Threatened	None	-	Open, short-stature grasslands in coastal dunes, bluffs, and nearby forest glades.	
Mammals (Mammals associated with coastal ocean habitats have been omitted from scoping)						
Arborimus pomo	Sonoma tree vole	None	None	SSC	Habitat of this species predominantly includes the existence of Douglas-fir trees, with grand fir, Sitka spruce, and western hemlock also used. Some authors have suggested that this species is associated with old growth or fairly dense mature forest with large trees.	Unlikely, preferred habitat absent - no old growth or dense mature forest with large trees present on property.
Martes caurina humboldtensis	Humboldt marten	Threatened	Endangered	SSC	Historically occurred in coastal forests from Sonoma County, California north to Curry County, Oregon. Requires a variety of different-aged stands, with access to old-growth conifers and snags which provide cavities for denning and nesting. Small and riparian areas provide foraging habitats	Marginal, access to old growth conifers and snags lacking. Clearings and meadows lacking.
Pekania pennanti	Fisher	None	None	SSC	Prefer areas with continuous overhead cover with greater than 80% coverage and avoid areas with less than 50% coverage. Fishers are more likely to be found in old-growth forests. Since female fishers require moderately large trees for denning, forests that have been heavily logged and have extensive second growth appear to be unsuitable for their needs.	Potential, not ideal habitat - lacking old growth and abundant large trees. Property has been heavily logged.

Table 1. Special Status Wildlife Scoping List for Dreyfuss Biological Review Sections 8 & 17, Township 17-North, Range 1-East, HB&M

Scientific Name	Common Name	Listing Status			Habitat	Potential to Occur on Property
		Federal	State	CDFW		
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	None	None	SSC	Mesic sites, but found in a variety of habitats including coastal conifer and broad-leaf forests, oak and conifer woodlands, arid grasslands and deserts and high-elevation forests and meadows. Forested habitat for roosting and maternity includes caves or rock tunnels in moderately open stands within mature forest with large trees, hardwood snags, and riparian habitat. Requires caves, mines, tunnels, buildings, or other human-made structures (e.g., bridges or water tunnels) for roosting, and may use large trees with basal hollows.	Unlikely, property lacking sufficient roosting habitats.
Reptiles						
<i>Emys marmorata</i>	western pond turtle	None	None	SSC	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.	Unlikely, property lacking basking sites and suitable (sandy banks or grassy open fields).

CDFW Status	Description
FP	Fully Protected: This classification was the State of California's initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibians and reptiles, birds and mammals. Most of the species on these lists have subsequently been listed under the state and/or federal endangered species acts.
SSC	Species of Special Concern: It is the goal and responsibility of the Department of Fish and Wildlife to maintain viable populations of all native species. To this end, the Department has designated certain vertebrate species as "Species of Special Concern" because declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction. The goal of designating species as "Species of Special Concern" is to halt or reverse their decline by calling attention to their plight and addressing the issues of concern early enough to secure their long-term viability.
WL	Watch List: The Department of Fish and Wildlife maintains a list consisting of taxa that were previously designated as "Species of Special Concern" but no longer merit that status, or which do not yet meet SSC criteria, but for which there is concern and a need for additional information to clarify status.

**Table 2. Special Status Plant Scoping List for Dreyfuss Biological Review
Sections 8 & 17; Township 17-North, Range 1-East, HB&M
Hiouchi 7.5' USGS Quadrangle 9-Quad Search; Elevation 1,060 ft to 1,480 ft**

Scientific Name	Common Name	FESA	CESA	CRPR	Blooming Period	Habitat	Elevation Low (ft)	Elevation High (ft)
<i>Abronia umbellata</i> var. <i>breviflora</i>	pink sand-verbena	None	None	1B.1	Jun-Oct	Coastal dunes	0	35
<i>Anthoxanthum nitens</i> ssp. <i>nitens</i>	vanilla-grass	None	None	2B.3	Apr-Jul	Meadows and seeps	4920	6215
<i>Arabis aculeolata</i>	Waldo rockcress	None	None	2B.2	Apr-Jun	Broadleaved upland forest, Lower montane coniferous forest, Upper montane coniferous forest; Serpentinite	1345	5905
<i>Arabis mcdonaldiana</i>	McDonald's rockcress	FE	CE	1B.1	May-Jul	Lower montane coniferous forest, Upper montane coniferous forest; Serpentinite	445	5905
<i>Asplenium trichomanes</i> ssp. <i>trichomanes</i>	maidenhair spleenwort	None	None	2B.1	May-Jul	Lower montane coniferous forest	605	655
<i>Boechera koehleri</i>	Koehler's stipitate rockcress	None	None	1B.3	(Mar)Apr-Jul	Chaparral, Lower montane coniferous forest; Rocky, Serpentinite	510	5445
<i>Calamagrostis crassiglumis</i>	Thurber's reed grass	None	None	2B.1	May-Aug	Coastal scrub, Marshes and swamps	35	195
<i>Calicium adspersum</i>	spiral-spored gilded-head pin lichen	None	None	2B.2		Lower montane coniferous forest, North Coast coniferous forest	655	655
<i>Cardamine angulata</i>	seaside bittercress	None	None	2B.2	(Jan)Mar-Jul	Lower montane coniferous forest, North Coast coniferous forest; Streambanks	50	3000
<i>Carex arcta</i>	northern clustered sedge	None	None	2B.2	Jun-Sep	Bogs and fens, North Coast coniferous forest	195	4595
<i>Carex lenticularis</i> var. <i>limnophila</i>	lagoon sedge	None	None	2B.2	Jun-Aug	Bogs and fens, Marshes and swamps, North Coast coniferous forest; Gravelly (often)	0	20
<i>Carex leptalea</i>	bristle-stalked sedge	None	None	2B.2	Mar-Jul	Bogs and fens, Marshes and swamps, Meadows and seeps	0	2295
<i>Carex lyngbyei</i>	Lyngbye's sedge	None	None	2B.2	Apr-Aug	Marshes and swamps	0	35
<i>Carex praticola</i>	northern meadow sedge	None	None	2B.2	May-Jul	Meadows and seeps	0	10500
<i>Carex serpenticola</i>	serpentine sedge	None	None	2B.3	Mar-May	Meadows and seeps	195	3935
<i>Carex sheldonii</i>	Sheldon's sedge	None	None	2B.2	May-Aug	Lower montane coniferous forest, Marshes and swamps, Riparian scrub	3935	6600

**Table 2. Special Status Plant Scoping List for Dreyfuss Biological Review
Sections 8 & 17; Township 17-North, Range 1-East, HB&M
Hiouchi 7.5' USGS Quadrangle 9-Quad Search; Elevation 1,060 ft to 1,480 ft**

Scientific Name	Common Name	FESA	CESA	CRPR	Blooming Period	Habitat	Elevation Low (ft)	Elevation High (ft)
Carex viridula ssp. viridula	green yellow sedge	None	None	2B.3	(Jun)Jul-Sep(Nov)	Bogs and fens, Marshes and swamps, North Coast coniferous forest	0	5250
Cascadia nuttallii	Nuttall's saxifrage	None	None	2B.1	May	North Coast coniferous forest	130	245
Castilleja elata	Siskiyou paintbrush	None	None	2B.2	May-Aug	Bogs and fens, Lower montane coniferous forest; Serpentinite (often)	0	5740
Castilleja litoralis	Oregon coast paintbrush	None	None	2B.2	Jun	Coastal bluff scrub, Coastal dunes, Coastal scrub; Sandy	50	330
Cochlearia groenlandica	Greenland cochlearia	None	None	2B.3	May-Jul	Coastal bluff scrub	0	165
Downingia willamettensis	Cascade downingia	None	None	2B.2	Jun-Jul(Sep)	Cismontane woodland, Valley and foothill grassland, Vernal pools	50	3640
Empetrum nigrum	black crowberry	None	None	2B.2	Apr-Jun	Coastal bluff scrub, Coastal prairie	35	655
Eriogonum nudum var. paralinum	Del Norte buckwheat	None	None	2B.2	Jun-Sep	Coastal bluff scrub, Coastal prairie	15	260
Eriogonum pendulum	Waldo wild buckwheat	None	None	2B.2	Aug-Sep	Lower montane coniferous forest, Upper montane coniferous forest; Serpentinite	755	3280
Erysimum concinnum	bluff wallflower	None	None	1B.2	Feb-Jul	Coastal bluff scrub, Coastal dunes, Coastal prairie	0	605
Erythronium hendersonii	Henderson's fawn lily	None	None	2B.3	Apr-Jul	Lower montane coniferous forest	985	5250
Erythronium howellii	Howell's fawn lily	None	None	1B.3	Apr-May	Lower montane coniferous forest, North Coast coniferous forest; Serpentinite (sometimes)	655	3755
Erythronium oregonum	giant fawn lily	None	None	2B.2	Mar-Jun(Jul)	Cismontane woodland, Meadows and seeps; Openings, Rocky, Serpentinite (sometimes)	330	3775
Erythronium revolutum	coast fawn lily	None	None	2B.2	Mar-Jul(Aug)	Bogs and fens, Broadleaved upland forest, North Coast coniferous forest; Mesic, Streambanks	0	5250
Fissidens pauperculus	minute pocket moss	None	None	1B.2		North Coast coniferous forest	35	3360
Gentiana setigera	Mendocino gentian	None	None	1B.2	(Apr-Jul)Aug-Sep	Lower montane coniferous forest, Meadows and seeps; Mesic	1100	3495
Gilia capitata ssp. pacifica	Pacific gilia	None	None	1B.2	Apr-Aug	Chaparral, Coastal bluff scrub, Coastal prairie, Valley and foothill grassland	15	5465
Gilia millefoliata	dark-eyed gilia	None	None	1B.2	Apr-Jul	Coastal dunes	5	100

**Table 2. Special Status Plant Scoping List for Dreyfuss Biological Review
Sections 8 & 17; Township 17-North, Range 1-East, HB&M
Hiouchi 7.5' USGS Quadrangle 9-Quad Search; Elevation 1,060 ft to 1,480 ft**

Scientific Name	Common Name	FESA	CESA	CRPR	Blooming Period	Habitat	Elevation Low (ft)	Elevation High (ft)
<i>Hesperis matronalis</i> var. <i>brevifolia</i>	short-leaved evax	None	None	1B.2	Mar-Jun	Coastal bluff scrub, Coastal dunes, Coastal prairie	0	705
<i>Horkelia congesta</i> var. <i>nemorosa</i>	Josephine horkelia	None	None	2B.1	May-Jul	North Coast coniferous forest	985	2625
<i>Kopsiopsis hookeri</i>	small groundcone	None	None	2B.3	Apr-Aug	North Coast coniferous forest	295	2905
<i>Lasthenia californica</i> ssp. <i>macrantha</i>	perennial goldfields	None	None	1B.2	Jan-Nov	Coastal bluff scrub, Coastal dunes, Coastal scrub	15	1705
<i>Lathyrus japonicus</i>	seaside pea	None	None	2B.1	May-Aug	Coastal dunes	5	100
<i>Lathyrus palustris</i>	marsh pea	None	None	2B.2	Mar-Aug	Bogs and fens, Coastal prairie, Coastal scrub, Lower montane coniferous forest, Marshes and swamps, North Coast coniferous forest; Mesic	5	330
<i>Lewisia oppositifolia</i>	opposite-leaved lewisia	None	None	2B.2	Apr-May(Jun)	Lower montane coniferous forest	985	4005
<i>Lilium occidentale</i>	western lily	FE	CE	1B.1	Jun-Jul	Bogs and fens, Coastal bluff scrub, Coastal prairie, Coastal scrub, Marshes and swamps, North Coast coniferous forest	5	605
<i>Lomatium martindalei</i>	Coast Range lomatium	None	None	2B.3	May-Jun(Aug)	Coastal bluff scrub, Lower montane coniferous forest, Meadows and seeps	785	9845
<i>Lysimachia europaea</i>	arctic starflower	None	None	2B.2	Jun-Jul	Bogs and fens, Meadows and seeps; Coastal	0	50
<i>Moneses uniflora</i>	woodnymph	None	None	2B.2	May-Aug	Broadleafed upland forest, North Coast coniferous forest	330	3610
<i>Monotropa uniflora</i>	ghost-pipe	None	None	2B.2	Jun-Aug(Sep)	Broadleafed upland forest, North Coast coniferous forest	35	1805
<i>Montia howellii</i>	Howell's montia	None	None	2B.2	(Feb)Mar-May	Meadows and seeps, North Coast coniferous forest, Vernal pools; Roadsides (sometimes), Vernal Mesic	0	2740
<i>Oenothera wolfii</i>	Wolf's evening-primrose	None	None	1B.1	May-Oct	Coastal bluff scrub, Coastal dunes, Coastal prairie, Lower montane coniferous forest; Mesic (usually), Sandy	10	2625
<i>Packera bolanderi</i> var. <i>bolanderi</i>	seacoast ragwort	None	None	2B.2	(Jan-Apr)May-Jul(Aug)	Coastal scrub, North Coast coniferous forest; Roadsides (sometimes)	100	2135

**Table 2. Special Status Plant Scoping List for Dreyfuss Biological Review
Sections 8 & 17; Township 17-North, Range 1-East, HB&M
Hiouchi 7.5' USGS Quadrangle 9-Quad Search; Elevation 1,060 ft to 1,480 ft**

Scientific Name	Common Name	FESA	CESA	CRPR	Blooming Period	Habitat	Elevation Low (ft)	Elevation High (ft)
<i>Packera hesperia</i>	western ragwort	None	None	2B.2	Apr-Jun	Meadows and seeps, Upper montane coniferous forest; Serpentinite	1640	8205
<i>Phacelia argentea</i>	sand dune phacelia	PT	None	1B.1	Jun-Aug	Coastal dunes	10	80
<i>Pinguicula macroceras</i>	horned butterwort	None	None	2B.2	Apr-Jun	Bogs and fens	130	6300
<i>Piperia candida</i>	white-flowered rein orchid	None	None	1B.2	(Mar)May-Sep	Broadleafed upland forest, Lower montane coniferous forest, North Coast coniferous forest; Serpentinite (sometimes)	100	4300
<i>Polemonium carneum</i>	Oregon polemonium	None	None	2B.2	Apr-Sep	Coastal prairie, Coastal scrub, Lower montane coniferous forest	0	6005
<i>Potamogeton foliosus</i> ssp. <i>fibrillosus</i>	fibrous pondweed	None	None	2B.3	Unk	Marshes and swamps	15	4265
<i>Prosartes parvifolia</i>	Siskiyou bells	None	None	1B.2	May-Sep	Lower montane coniferous forest, Upper montane coniferous forest; Burned areas, Disturbed areas, Roadsides (often)	2295	5005
<i>Pyrrocoma racemosa</i> var. <i>congesta</i>	Del Norte pyrrocoma	None	None	2B.3	Aug-Sep	Chaparral, Lower montane coniferous forest; Serpentinite	655	3280
<i>Ramalina thrausta</i>	angel's hair lichen	None	None	2B.1		North Coast coniferous forest	245	1410
<i>Rhynchospora alba</i>	white beaked-rush	None	None	2B.2	Jun-Aug	Bogs and fens, Marshes and swamps, Meadows and seeps	195	6695
<i>Romanzoffia tracyi</i>	Tracy's romanzoffia	None	None	2B.3	Mar-May	Coastal bluff scrub, Coastal scrub: Rocky	50	100
<i>Rosa gymnocarpa</i> var. <i>serpentina</i>	Gasquet rose	None	None	1B.3	Apr-Jun(Aug)	Chaparral, Cismontane woodland; Openings, Roadsides (often), Serpentinite, Streambanks	1310	5660
<i>Sabulina howellii</i>	Howell's sandwort	None	None	1B.3	Apr-Jul	Chaparral, Lower montane coniferous forest; Serpentinite	1805	3280
<i>Sagittaria sanfordii</i>	Sanford's arrowhead	None	None	1B.2	May-Oct(Nov)	Marshes and swamps	0	2135
<i>Sanguisorba officinalis</i>	great burnet	None	None	2B.2	Jul-Oct	Bogs and fens, Broadleafed upland forest, Marshes and swamps, Meadows and seeps, North Coast coniferous forest, Riparian forest; Serpentinite (often)	195	4595
<i>Sedum patens</i>	Smith River stonecrop	None	None	1B.2	May-Jul	Lower montane coniferous forest; Openings, Rock crevices, Rocky, Talus, Ultramafic	295	690

**Table 2. Special Status Plant Scoping List for Dreyfuss Biological Review
Sections 8 & 17; Township 17-North, Range 1-East, HB&M
Hiouchi 7.5' USGS Quadrangle 9-Quad Search; Elevation 1,060 ft to 1,480 ft**





Scientific Name	Common Name	FESA	CESA	CRPR	Blooming Period	Habitat	Elevation Low (ft)	Elevation High (ft)
<i>Sidalcea malviflora</i> ssp. <i>patula</i>	Siskiyou checkerbloom	None	None	1B.2	(Mar)May-Aug	Coastal bluff scrub, Coastal prairie, North Coast coniferous forest; Roadsides (often)	50	4035
<i>Sidalcea oregana</i> ssp. <i>eximia</i>	coast checkerbloom	None	None	1B.2	Jun-Aug	Lower montane coniferous forest, Meadows and seeps, North Coast coniferous forest	15	4395
<i>Silene hookeri</i>	Hooker's catchfly	None	None	2B.2	(Mar)May-Jul	Chaparral, Cismontane woodland, Lower montane coniferous forest; Openings (often), Rocky (sometimes), Serpentinite (sometimes), Slopes (sometimes)	490	4135
<i>Silene scouleri</i> ssp. <i>scouleri</i>	Scouler's catchfly	None	None	2B.2	(Mar-May)Jun-Aug(Sep)	Coastal bluff scrub, Coastal prairie, Valley and foothill grassland	0	1970
<i>Silene serpentinicola</i>	serpentine catchfly	None	None	1B.2	May-Jul	Chaparral, Lower montane coniferous forest; Gravelly (sometimes), Openings, Rocky (sometimes), Serpentinite	475	5415
<i>Streptanthus howellii</i>	Howell's jewelflower	None	None	1B.2	Jul-Aug	Lower montane coniferous forest	1000	4920
<i>Sulcaria spiralifera</i>	twisted horsehair lichen	None	None	1B.2		Coastal dunes, North Coast coniferous forest	0	295
<i>Vaccinium scoparium</i>	little-leaved huckleberry	None	None	2B.2	Jun-Aug	Subalpine coniferous forest	3400	7220
<i>Viola langsdorffii</i>	Langsdorf's violet	None	None	2B.1	May-Jul	Bogs and fens	5	35
<i>Viola palustris</i>	alpine marsh violet	None	None	2B.2	Mar-Aug	Bogs and fens, Coastal scrub	0	490
<i>Viola primulifolia</i> ssp. <i>occidentalis</i>	western white bog violet	None	None	1B.2	Apr-Sep	Bogs and fens, Marshes and swamps	330	3250

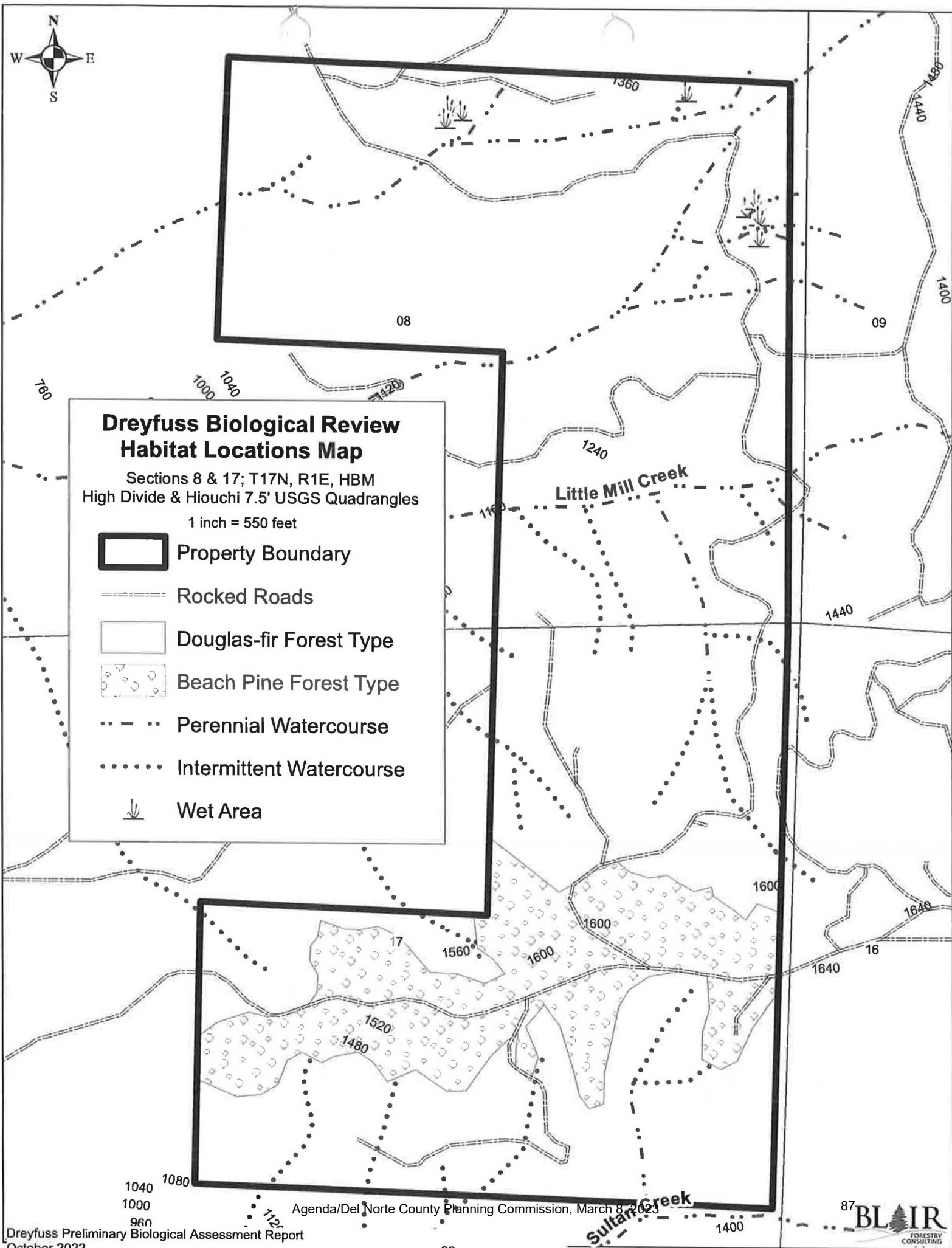


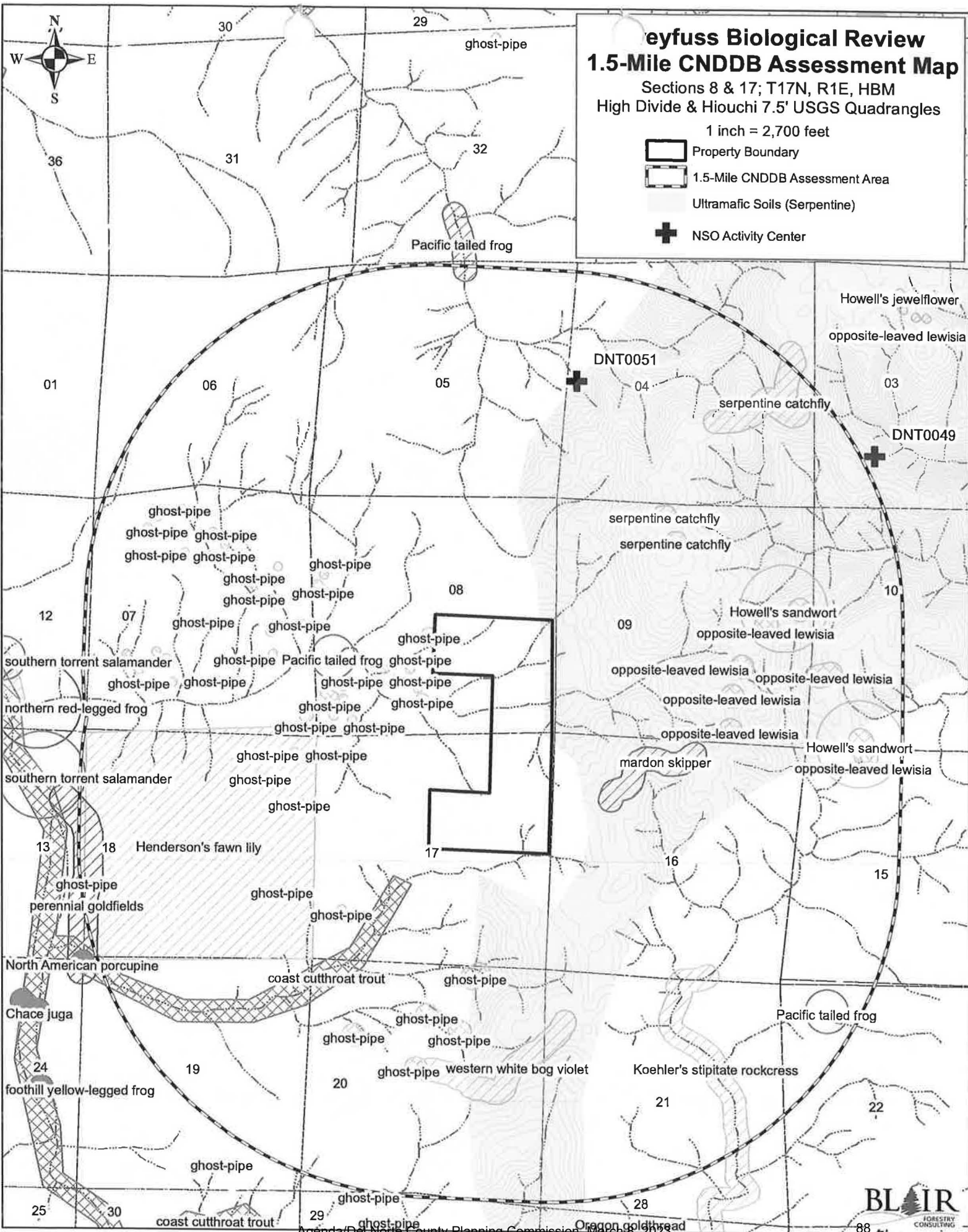
Dreyfuss Biological Review Habitat Locations Map

Sections 8 & 17; T17N, R1E, HBM
High Divide & Hiouchi 7.5' USGS Quadrangles

1 inch = 550 feet

-  Property Boundary
-  Rocked Roads
-  Douglas-fir Forest Type
-  Beach Pine Forest Type
-  Perennial Watercourse
-  Intermittent Watercourse
-  Wet Area









Jreyfuss Biological Review 1.5-Mile CNDDDB Assessment Map

Sections 8 & 17; T17N, R1E, HBM
High Divide & Hiouchi 7.5' USGS Quadrangles

1 inch = 2,700 feet

-  Property Boundary
-  1.5-Mile CNDDDB Assessment Area
-  Ultramafic Soils (Serpentine)
-  NSO Activity Center



Date: August 11, 2022

Subject: Notice of Intention to Record a Notice of Violation, pursuant to Government Code § 66499.36, for unlawful subdivision of land within a timberland production zone.

Attn: Nathan A. Dreyfuss
Kathy Homes, LLC

The purpose of this letter is to inform you of the County's intent to record a Notice of Violation against your property. The following parcels have been found by the Del Norte County Planning Division to be in violation of provisions of the Subdivision Map Act and Title 16 of the Del Norte County Code: Assessor Parcel Number (APN) 122-020-019-000 and APN 122-030-029-000. Government Code Section 66499.36 requires a Notice of Intention to be mailed by certified mail to the current owner of record this notice of intention which includes the following sections: a description of the real property in detail, naming of the owners, notice that the owner(s) shall be given opportunity to present evidence to the contrary, a description of alleged violations, and an explanation as to why the subject parcel is not lawful under subdivision (a) or (b) of Government Code Section 66412.6.

Description of Real Property:

See attached deed for real description of property (Document # 20142089).

Owners of Record (as of the date of this Notice):

Nathan A. Dreyfuss – APN 122-020-019-000

Kathy Homes, LLC – APN 122-030-029-000

Description of Violations & Statement on Gov. Code § 66412.6:

The violation and creation of separate parcels occurred after March 4, 1972; therefore, Government Code §66412.6 does not apply. The following is a list of violations found by the Planning Division:

- Failure to follow provisions for minor subdivisions as given by Title 16 of the Del Norte County Code including:
 - Failure to submit a tentative map pursuant to Del Norte County Code §16.08.10 and §16.08.21.
 - Failure to submit a subdivider's statement pursuant to Del Norte County Code §16.08.22.
 - Failure to submit supplemental information pursuant to Del Norte County Code §16.08.23 and §16.08.30.
 - Failure to pay fees associated with processing of a minor subdivision pursuant to Del Norte County Code §16.08.10 and §16.08.25.
- Failure to comply with provisions of Division 13 of the California Public Resources Code including:
 - Failure to have an environmental document prepared as required by Public Resources Code §21080.
 - Failure to pay fees associated with preparation of the environmental document, including lead agency fees and Department of Fish and Game filing fees, pursuant to Public Resources Code §21089.
- Failure to prepare and submit a joint timber management plan pursuant to Government Code §51119.5 and Del Norte County Code §10.43.51.

Opportunity to Present Evidence:

Government Code §66499.36 states that this notice must provide a specific time, date, and place for a meeting at which the owner may present evidence to the legislative body or advisory agency on why the Notice of Violation should not be recorded. Opportunity shall be given at the Regular Meeting of the Del Norte County Planning Commission held on **October 5, 2022 at 6:00pm**. This meeting will be held in the Board of Supervisors Chamber located at **981 H Street, Suite 100, Crescent City, CA 95531**.

Actions Needed to Clear Violation:

The process for obtaining a Certificate of Compliance, to remedy the Notice of Violation, is described in Government Code §66499.35. Pursuant to Del Norte County Code §20.48.080(B) and Government Code §66499.34, no county permits shall be issued after a Notice of Violation has been recorded concerning the affected properties until all required corrections of the violation have been completed and approved by the affected department.

Please feel free to contact me if you have any questions.

Best regards,

Jacob Sedgley
Planner
Del Norte County Community Development Department
Jacob.Sedgley@co.del-norte.ca.us

Doc # 20224205
Page 1 of 5
Date: 10/6/2022 08:37A
Filed by: GENERAL PUBLIC
Filed & Recorded in Official Records
of COUNTY OF DEL NORTE
ALISSIA D. NORTHRUP
COUNTY CLERK-RECORDER
Fee: \$0.00



Recording Requested By & For Benefit Of:
**COUNTY OF
DEL NORTE**
When Recorded Mail To:
**Community
Development
Department**
981 H Street, Ste. 110
Crescent City, California
95531
707.464.7254
Exempt From Fees Per Gov't C. § 27383

SB2 EXEMPT
NO FEE

NOTICE OF SUBDIVISION MAP ACT VIOLATION

Government Code § 66499.36
Del Norte County Code Title 16

Grantor: Nathan A. Dreyfuss (undivided one-half interest), and Eric M. Empting and Kandra M. Empting (undivided one-half interest)

Owner: Nathan A. Dreyfuss (APN 122-020-019-000) & Kathy Homes, LLC (APN 122-030-029-000)

NOTICE IS HEREBY GIVEN that the real property within the County of Del Norte, as more particularly described below, and/or in the legal description attached as Exhibit A (recorded as Document Number 20142089, dated June 17, 2014) has been divided in violation of the Subdivision Map Act (Section 66410 et seq., Government Code, State of California) and/or Title 16 of the Del Norte County Code (Section 16.04.10 et seq. County of Del Norte):

This notice shall be deemed to be constructive notice of said violation to successors in interest on such property. Notice of the County's intent to record a notice of violation has been provided by the County in accordance with the provisions of Government Code § 66499.36

DETERMINATION OF VIOLATION

Pursuant to the authority delegated to me by the Del Norte County Board of Supervisors, I hereby certify that I have reviewed the division of the above-cited real property and have found it in violation of applicable provisions of the Subdivision Map Act and the Del Norte County Code. The parcels comprising this division therefore, may **NOT BE SOLD, LEASED, FINANCED OR TRANSFERRED, NOR SHALL ANY PERMIT PERTAINING TO BUILDINGS OR USE OF THE LAND BE ISSUED** until full compliance with the applicable provisions of the Subdivision Map Act and the Del Norte County Code are fulfilled or implemented.

Dated: October 6, 2022



Jacob Sedgley, Planner
Community Development Department, Planning Division
County of Del Norte, State of California

Assessor's Parcel Number(s): 122-020-019-000 & 122-030-029-000

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Del Norte)

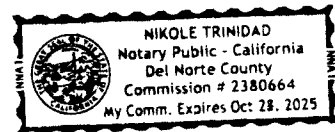
On October 6, 2022 before me, Nikole Trinidad Notary public
(insert name and title of the officer)

personally appeared Jacob Sedgley,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Nikole Trinidad (Seal)



RECORDING REQUESTED BY
Humboldt Land Title Company
WHEN RECORDED RETURN TO
AND MAIL TAX STATEMENTS TO:

Name **Nathan A. Dreyfuss**
Address 2406 Maher Ave.
Crescent City, CA 95531

Order No. 00149212-001-BW

Doc # **20142089**
Page 1 of 3
Date: **6/17/2014 11:04A**
Filed by: **HUMBOLDT LAND TITLE**
Filed & Recorded in Official Records
of COUNTY OF DEL NORTE
ALISSIA D. NORTHRUP
COUNTY CLERK-RECORDER
Fee: \$261.00

19-242-

GRANT DEED

THE UNDERSIGNED GRANTOR(s) DECLARE(s)
City of unincorporated area
Parcel No. 122-020-19
122-030-29

Documentary Transfer Tax is \$ 242.00
 computed on full value of interest or property conveyed, or
 full value less value of liens or encumbrances remaining at
the time of sale

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

John R. Selvage, Co-Trustee and David Somerville, Successor Trustee of The McLean Survivor's Trust under Trust Agreement dated June 1, 1987

hereby GRANT(s) to

Nathan A. Dreyfuss, an unmarried man, as to an undivided one-half interest and Eric M. Empting and Kandra M. Empting, husband and wife as community property, as to an undivided one-half interest

the following real property in the City of **unincorporated area**

County of **Del Norte**, State of **California**:

See Exhibit A attached hereto and made a part hereof.

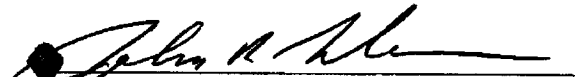

The McLean Survivor's Trust under Trust Agreement
dated June 1, 1987

Dated: April 25, 2014

State of California
County of Humboldt

On 6-2-14 before me, S. Wallace

a Notary Public, personally appeared
David Somerville II


John R. Selvage, Co-Trustee

David Somerville, Successor Trustee

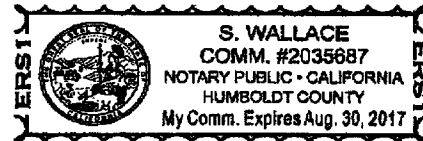
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

My commission expires: 8-30-17



(This area for official notarial seal)

DOC # 20224205 Page 3 of 5

ACKNOWLEDGMENT

State of California
County of Humboldt)

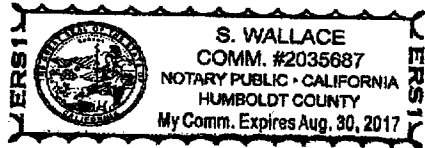
On June 3, 2014 before me, S. Wallace, Notary Public
(insert name and title of the officer)

personally appeared John R. Selvage
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



DOC # 20224205 Page 4 of 5
MC # 20142009 Page 2 of 3

Exhibit A

DESCRIPTION

That real property situate in the County of Del Norte, State of California, described as follows:

PARCEL ONE:

The North Half of the Southeast Quarter;
And the Southeast Quarter of the Southeast Quarter of Section 8;
The East Half of the Northeast Quarter;
And the Southwest Quarter of the Northeast Quarter of Section 17;

All in Township 17 North, Range 1 East, Humboldt Meridian.

PARCEL TWO:

A non-exclusive easement 60 feet in width, over and across an existing road located in Section 9, Township 17 North, Range 1 East, Humboldt Base and Meridian, in Del Norte County, California, the center line of which road is described as follows:

BEGINNING at a point on the West line of the West Half of the Southwest Quarter, Section 9, Township 17 North, Range 1 East, Humboldt Base and Meridian, said point lying North 00 degrees 04 minutes 00 seconds West, a distance of 593.44 feet from the corner common to Sections 8, 9, 16, and 17, Township 17 North, Range 1 East, Humboldt Base and Meridian;

thence North 69 degrees 48 minutes 20 seconds East, 57.98 feet;

thence North 82 degrees 22 minutes 17 seconds East, 92.81 feet;

thence North 47 degrees 39 minutes 27 seconds East, 75.07 feet;

thence North 10 degrees 48 minutes 30 seconds West, 61.30 feet;

thence North 40 degrees 50 minutes 02 seconds West, 51.07 feet;

thence North 75 degrees 43 minutes 22 seconds West, 58.39 feet;

thence North 59 degrees 28 minutes 50 seconds West, 49.82 feet;

thence North 34 degrees 54 minutes 06 seconds West, a distance of 101.14 feet to a point on the West line of Section 9, Township 17 North, Range 1 East, Humboldt Base and Meridian, said point lying North 00 degrees 04 minutes 00 seconds West, 897.85 feet from the corner common to Sections 8, 9, 16, and 17, Township 17 North, Range 1 East, Humboldt Base and Meridian;

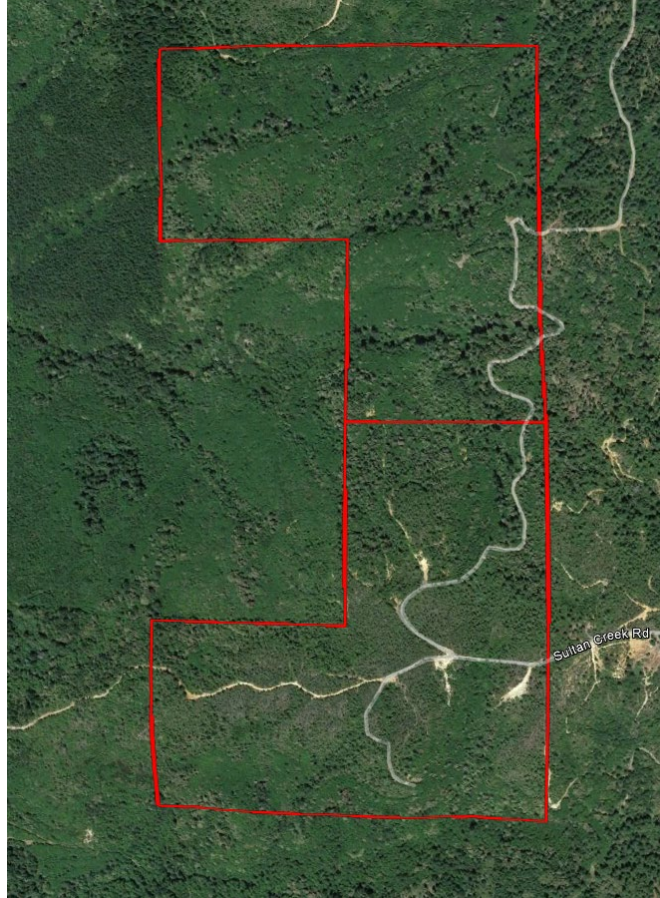
thence South 00 degrees 04 minutes 00 seconds East, a distance of 304.41 feet to the true point of beginning.

Said land above is pursuant to an approved minor subdivision approved by the Del Norte County Planning Commission on May 2, 1990, APP # MS 9053, as disclosed by Grant Deed recorded April 30, 1992, as Instrument No. 92 2480, Book 389, Page 418, Del Norte County Official Records.

DOC # 20224205 Page 5 of 5
DOC # 20142009 Page 3 of 3

Initial Study and Draft Negative Declaration

Minor Subdivision of APNs 122-020-019-000 & 122-030-029-000 *January 2023*



Prepared By
Del Norte County
Community Development Department
Planning Division
981 H Street, Suite 110
Crescent City, California 95531

www.co.del-norte.ca.us

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Exhibits and Appendices Follow

Project Information Summary

1. **Project Title:** Minor Subdivision of APNs 122-020-019-000 & 122-030-029-000
2. **Lead Agency Name and Address:** Del Norte County
Planning Commission
981 H Street, Suite 110
Crescent City, CA 95531
3. **Contact Person and Phone Number:** Jacob Sedgley
(707) 464-7254
Jacob.Sedgley@co.del-norte.ca.us
4. **Project Location and APN:** Low Divide Rd, Smith River, CA 95567
APN 122-020-019 & 122-030-029
5. **Project Sponsor's Name and Address:** Applicant: Nathan Dreyfuss
900 Northcrest Drive, #137
Crescent City, CA 95531

Agent: Ward Stover
711 H St
Crescent City, CA 95531
6. **County Land Use:** Timberland
7. **County Zoning:** TPZ (Timberland Preserve Zone)
8. **Description of Project:**

The Applicant proposes to split Parcel "4" that was created pursuant to a minor subdivision approved by the Del Norte County Planning Commission on May 2, 1990, APP #MS9053 as disclosed by Grant Deed recorded April 30, 1992, as Instrument No. 19922480, Book 389, Page 418, Del Norte County Official Records. The intent is to divide the 240-acre parcel at the Section Line common to Sections 8 and 17, Township 17 North, Range 1 East, Humboldt Meridian, Del Norte County, California, resulting in a new parcel consistent with the Grant Deed recorded at Document #20162223. That Grant Deed created a parcel that does not conform to the Subdivision Map Act. This subdivision would remediate that deed and result in two parcels approximately 120 acres each.

This non-conformity of the parcel was originally discovered by Stover Engineering and the applicant was referred to the Del Norte County Planning Division to remediate the violation of the Subdivision Map Act. This violation stemmed from what is very likely a misunderstanding, in that the parcel is cut in half by a section line; as such, the Assessor's Parcel Maps show the parcel on two different pages with two separate Assessor's Parcel Numbers, while it is in fact described as one parcel. Pursuant to Government Code §66499.35 a notice of violation has been recorded against the property (see attached) and the applicant is now pursuing this subdivision to remediate the situation.

No other development is proposed as part of this project. Existing private roads and drainage improvements appear to be within recorded easements serving the proposed parcels. Any structures that may exist on the parcel at this time will be removed prior to recording the new deeds.

A Negative Declaration has been proposed, as the project does not impact any Appendix G resources and no mitigation measures were found necessary to incorporate into the project, as justified as follows.

9. Surrounding Land Uses and Settings:

The project area is heavily timbered area that is sparsely developed. Adjacent zoning includes timber preserve and public ownership zoning. Both adjacent 120-acre parcels (totaling 240-acres) are situated near the first ridge approximately 2 miles east of Kings Valley in the upper reaches of Little Mill and Sultan Creeks.

10. Required Approvals: Adoption of a Negative Declaration (Del Norte County Planning Commission)

11. Other Approval (Public Agencies): Del Norte County Community Development Department, CAL FIRE

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Native American tribes, traditionally and culturally affiliated with the project area have been notified of the project application completion and the beginning of the AB 52 consultation period pursuant to PRC §21080.3.1. Notification of the beginning of the AB 52 consultation period was provided 12/16/2022. No requests for consultation pursuant to PRC §21080.3.1 were not received.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" without mitigation as indicated by the checklist on the following pages. All mitigation measures are provided in the Mitigation Monitoring and Reporting Program.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials
<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Wildfire	<input type="checkbox"/> Mandatory Findings of Significance

Determination

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Jacob Sedgley
Planner, Del Norte County

4/20/23

Date

Environmental Checklist

1. Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- No development or alteration of the existing land is proposed in conjunction with this minor subdivision project. No impacts would occur.
- There is no proposed change to the land or the features present on it as a part of this project and no historic buildings are located in the project area. As such, no impact to scenic resources would occur.
- The project is located in a rural area and no development is proposed. No impacts would occur.
- The project will not create any lighting sources. No impact would occur.

2. Agriculture and Forest Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				
---	--	--	--	--

Discussion of Impacts

- a. No prime or unique farmlands exist on-site and no development is proposed as part of the application. No impacts will occur.
- b. There is no existing Williamson Act contract associated with the project area. The parcels are not zoned agriculture, nor are adjacent parcels to this project area. No impacts will occur.
- c. The entire project area is Timberland Production Zone. The project does not seek to rezone any portion of the project and, pursuant to Government Code §51119.5, a joint timber management plan has been prepared for the proposed subdivision of the 240-acre parcel. Given that the registered professional forester states that the two parcels can be effectively managed as two separate parcels, no zoning conflicts would occur.
- d. The project will not result in the loss of forestland, nor in conversion of forest land to a non-forest use. The integrity of the timber stand on the parcel will remain intact, as described in the joint timber management plan prepared for the proposed subdivision. No impact would occur.
- e. The project would not involve changes in the existing environment which would result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impact would occur.

3. Air Quality

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. No development and no increase in use or activity at the project site is expected based on this project proposal. No conflict with or obstruction of air quality implementation plans are expected as a result of this project.
- b. Del Norte County is in attainment for all Federal and State criteria air pollutants. The attainment status for each criteria air pollutant is based on measurements collected at monitoring stations throughout the county. Monitoring results have shown that the principal pollutant in the North Coast Air Basin is PM10. As noted above under Section (a), no increase in land use or activity on the land is expected as a result of this project. No impact in the measurable amount of pollutants is expected.
- c. The project area is not known to be located in close proximity to any sensitive receptors or any significant population centers. No impact is expected.
- d. No increase in emissions of any kind as a result of this project is expected.

4. Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-f. A Preliminary Biological Resource Review was prepared, as part of the JTMP, to provide data concerning the type and extent of biological resources located on the parcel. Both adjacent 120-acre parcels (totaling 240-acres) are situated near the first ridge approximately 2 miles east of Kings Valley in the upper reaches of Little Mill and Sultan Creeks. Preliminary review of regional information shows habitat on and around both parcels to consist of heavily managed forest lands. Numerous CEQA equivalent documents from the subject and neighboring parcels describe this region to be occupied primarily by Douglas-fir and redwood forest with other species including western hemlock and red alder. The Biological Assessment Area for the review in the JTMP included the Hiouchi 7.5' USGS Quadrangle and the 8 surrounding quadrangles. This area was chosen because given the location of the property, it is of sufficient size to include both the coastal plain and interior mountain biological influences. Additionally, a shift in soil composition and associated habitats for special status plants (ultramafic serpentine) occurs in the region of the property.

The property is in the Little Mill Creek Planning Watershed (CALWNUM 1103.110001) and situated along the mid to upper reach of Little Mill Creek. The headwaters of Sultan Creek are located at the Southeast corner of the property. Other perennial and intermittent tributaries of Little Mill Creek and Sultan Creek are also present throughout the property. According to maps reviewed from harvest plans downstream along Little Mill and Sultan Creeks, there are no fish bearing watercourses within or adjacent to the property area. All drainages from the property goes to the Smith River approximately 2 miles downstream.

Primary watercourses on and adjacent to the property include Little Mill Creek and Sultan Creek to the South. Numerous unnamed perennial and intermittent creeks are present throughout the property which were all heavily vegetated with overstory canopy and dense shrub cover. Multiple saturated (wetland-like) areas were identified on the northern parcel providing habitat with areas of vegetation dominated by hydrophytes and dense red alder overstory as well as areas lacking overstory vegetation (potentially anaerobic conditions). These areas would require further delineation and assessment in the event a project is proposed around them. Potential threats to aquatic resources on the property are generally isolated to existing stream crossings. The road system was rocked and in good condition with some roads requiring vegetation removal and some grading prior to use. Some watercourse crossings were inspected and observed to be sufficiently functioning. Road drainage structures were in place and no hydrological connection was observed. Crossings should be monitored regularly for functionality across the property to ensure water quality is maintained.

Botanical scoping picked up a large range of plants associated with both coastal dunes and Lake Earl to the West and Southwest as well as ultramafic (serpentine) soils to the East and Northeast. While there are numerous occurrences of serpentine dependent special status plant populations to the East and Northeast of the property, serpentine soils or plant communities were not observed during the site visit. Suitable habitat for special status species is present in some of the Class II watercourses as well as in roadways, cut banks, landings and similar micro-sites where growing space is available. The property hosts a high species diversity and is within proximity to known occurrences of special status plants, particularly Indian pipe (*Monotropa uniflora*). While a seasonally appropriate botanical surveys were not conducted, the property hosts marginal to unsuitable habitat for a large portion of target special status species.

Given the location of the property, as well as its proximity to documented occurrences of special status plants and animals, seasonally appropriate surveys may need to be conducted prior to activities that could negatively impact protected natural resources. However, this resource subdivision does not propose any impacts to existing resources. As such, no impacts to biological resources would occur as a result of this project.

5. Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-c. No cultural resources are known to exist on-site. The County records were searched for known cultural sites in the general project vicinity, and none were identified. Notice was provided to the two tribes traditionally culturally affiliated with the project area and no comment was given with regard to cultural resources. Additionally, cultural staff from the Tolowa-Dee-ni' Nation is a voting member of the County Environmental Review Committee which reviews projects and makes CEQA recommendations.

The joint timber management plan prepared for the project did analyze the potential for cultural and archaeological resources to be located on the property. As state in the plan, Native American cultural resources are commonly situated on ridgelines and associated spurs; saddles; midslope terraces; at vegetative ecotones;

at confluences of drainages, and areas adjacent to seasonal and perennial watercourses including springs. Prehistory states that the region was inhabited by the Athabaskan Group, the Tolowa. The Tolowa were the people of Smith River and the adjacent ocean frontage. Given the presence of many of the aforementioned features within the JTMP area it is likely that resources associated with Native Americans may be found within the project area.

Given that this parcel does not involve development, no substantial adverse impacts would occur to any potential resources as a result of this project. This document, among others prepared for the parcel, will serve as a resource to inform any future timber harvest or development, and mitigation measures should be incorporated into any future development.

6. Energy

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. There is no expected impact to energy consumption due to this project.
- b. The project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no impact on energy resources will occur.

7. Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

indirect risks to life or property?				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-f. No impacts related to geology and/or soils as a result of this project are expected to occur. This project subdivides property designated for timber harvest and does not proposed any development. No analysis for residential development has been completed as a result of the General Plan land use designation. Steep slopes exist on the majority of the parcel, making development infeasible on most of the property. Should development be proposed in the future, further geotechnical studies would be necessary to comply with the County Hillside Development Criteria.

8. Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-b. Global temperatures are affected by naturally occurring and anthropogenic-generated atmospheric gases such as water vapor, carbon dioxide, methane, and nitrous oxide. Gases that trap heat in the atmosphere are called greenhouse gases (GHGs). Emissions of GHGs from human activities such as electricity production, motor vehicle use, and agriculture, are elevating the concentration of GHGs in the atmosphere and are reported to have led to a trend of unnatural warming of the earth’s climate, known as global warming or global climate change, and should be lessened and/or mitigated whenever possible.

In 2002, the California legislature declared that global climate change was a matter of increasing concern for the state’s public health and environment, and enacted laws requiring the state Air Resources Board (ARB) to control GHG emissions from motor vehicles (Health & Safety Code §32018.5 et seq.). CEQA Guidelines define greenhouse gases to include carbon dioxide (CO2), nitrous oxide (N2O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The California Global Warming Solutions Act of 2006 (Assembly Bill 32) definitively established the state’s climate change policy and set GHG reduction targets (Health & Safety Code §38500 et seq.). The State set its target at reducing greenhouse gases to 1990 levels by 2020. Executive Order B-30-15 and SB 32 extended the goals of AB 32 and set a 2030 goal of reducing emissions 40 percent from 2020 levels. This action keeps California on target to achieve the level of reductions scientists say is necessary to meet the Paris Agreement goals (CA Air Resources Board Climate Change Scoping Plan 2017).

In 2011, the CEQA Guidelines Section 15064.4 Appendix G was modified to include thresholds of significance for Greenhouse Gases. The project would have potential significant impacts if the project would: generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment;

or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Because no increased use or development of any kind is proposed during this project, no impact to the environment is expected from greenhouse gases.

9. Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-g. The project would not create impacts related to hazards or hazardous materials. This subdivision would not facilitate the transport of hazardous materials, the release of hazardous materials, nor would it create additional exposure to wildland fires.

10. Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

may impede sustainable groundwater management of the basin?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional source of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-e. The JTMP area is located within the Little Mill Creek Watershed (CALWNUM: 1103.110001). The "Water Quality Control Plan for the North Coast Region" defines "beneficial use" as those waters of the state "that may be protected against water quality degradation which include, but are not necessarily limited to, domestic, municipal, agricultural, and industrial supply, power generation, recreation, aesthetic enjoyment, navigation, and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves." The remoteness and lack of public access along the entire length of Little Mill and Sultan Creeks eliminates concern for many of the potential beneficial uses often listed in timber harvest planning. The beneficial uses that could potentially be affected by future proposed projects include issues related to aquatic species and wildlife habitat. Natural events coupled with past logging activities have all contributed to the present condition of these creeks. The THP process, which is implemented by CALFIRE, may trigger one or more permits or other entitlements to carry out the project and ensure the protection of water quality. The range of permits needed depends on the type of action. There are also numerous federal requirements that only apply where an action is "federalized" due to funding or the need for a federal permit. All potential permits or entitlements are summarized below.

- a. A Section 1602 or 1611 Streambed Alteration Agreement is required through the California Department of Fish & Game when an alteration to a bed, channel, or bank of a stream will occur, such as a crossing installation.
- b. The California Endangered Species Act (CESA) requires consultations with the California Department of Fish and Wildlife to determine if an activity is likely to affect or result in the take of a plant or animal (fish) listed by the State as threatened or endangered. Similar to CESA, the Federal Endangered Species Act (FESA) requires formal or informal consultation with the US Fish and Wildlife Service or the NOAA Fisheries where it is likely that the project could affect federally listed threatened or endangered species.
- c. Section 401 of the federal Clean Water Act requires that State water quality standards not be violated by the discharge of fill or dredged material into "Waters of the United States." The owner or operator of any facility or activity that discharges, or proposes to discharge, waste that may affect groundwater quality, or from which waste may be discharged in a diffused manner (for example, erosion from soil disturbance), must first obtain waste discharge requirements (WDRs) from the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the Clean Water Act and the Porter-Cologne Water Quality Act. However, typically THP activities in the North Coast Region are covered either by a categorical waiver or by general WDRs.

This is a resource subdivision of timberlands. Future development proposals would necessitate additional permitting and analysis. As such, no development is proposed that would impact hydrology and water quality.

11. Land Use and Planning

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation of an agency adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-b. This project does not divide an established community nor does it cause a conflict with any land use plan in the County.

12. Mineral Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-b. Soil is the basic resource that allows a forest to grow, and measures should be taken to protect the resource. Soil erosion potential is increased with concentration of runoff on bare mineral soil. Dispersion of water from roads and landings is the key to limiting erosion after logging. The landowner is encouraged to maintain all existing drainage structures and facilities on truck and skid roads. Most of these erosion control structures and facilities observed are adequately functioning, but nevertheless should still be periodically checked prior to the winter period to ensure that they are functional. Future timber harvesting will likely re-use these existing truck roads and skid roads and their maintenance will be important for successive harvests and future management activities. No other mineral resources are known to exist on-site, and no impacts to mineral resources would occur as a result of this project.

13. Noise

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-b. This project would have no impacts through noise generation itself. The subdivision is occurring on timberlands with no lands zoned for sensitive development types located nearby.

14. Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. The project would not create the ability to allow for substantial population growth in the area. The subdivision would not create residential parcels.
- b. The project would not displace any number of existing people or housing.

15. Public Services

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. The project would not result in substantial adverse impacts associated with the need for new or altered governmental facilities and/or public services. The project would not increase the density in this rural project area as it is a resource subdivision of timberlands.

16. Recreation

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a-b. The project does not impact existing recreational areas nor does it increase the need for additional recreational facilities. The subdivision does not increase the development potential above what currently exists.

17. Transportation

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision(b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a-d. The project does not impact transportation in any way. The subdivision does not conflict with any County transportation plan or policy, does not increase Vehicle Miles Traveled, increase transportation hazards, nor does it result in inadequate emergency access.

18. Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. No cultural resources are known to exist on-site. The County records were searched for known cultural sites in the general project vicinity, and none were identified. Notice was provided to the two tribes traditionally culturally affiliated with the project area and no comment was given with regard to cultural resources. Additionally, cultural staff from the Tolowa-Dee-ni’ Nation is a voting member of the County Environmental Review Committee which reviews projects and makes CEQA recommendations.

The joint timber management plan prepared for the project did analyze the potential for cultural and archaeological resources to be located on the property. As state in the plan, Native American cultural resources are commonly situated on ridgelines and associated spurs; saddles; midslope terraces; at vegetative ecotones; at confluences of drainages, and areas adjacent to seasonal and perennial watercourses including springs. Prehistory states that the region was inhabited by the Athabascan Group, the Tolowa. The Tolowa were the people of Smith River and the adjacent ocean frontage. Given the presence of many of the aforementioned features within the JTMP area it is likely that resources associated with Native Americans may be found within the project area.

Given that this parcel does not involve development, no substantial adverse impacts would occur to any potential resources as a result of this project. This document, among others prepared for the parcel, will serve as a resource to inform any future timber harvest or development, and mitigation measures should be incorporated into any future development.

19. Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-e. The project would not have any impact on utilities and service systems. No utilities systems are proposed as these are not residential or commercially-designated parcels. The project area is designated timberland and this resource subdivision would not generate demands or adverse impacts to utilities and service systems.

20. Wildfire

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-d. The project site is located in a State Responsibility Area for fire management and is in a Very High Fire Hazard Area. The project would not be expected to be growth inducing as it is a resource subdivision in designated timberlands. This project does not impair any adopted emergency response plan, nor does it require the installation or maintenance of associated infrastructure that may exacerbate fire risks. Should future development be proposed, the County Fire Safe Regulations would be implemented in coordination with CAL FIRE staff as appropriate.

21. Mandatory Findings of Significance

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-c. The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife species to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Additionally, the project does not have impacts that are individually limited but cumulatively considerable and does not have environmental effects which will cause substantial adverse effects on human beings directly nor indirectly.



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
619 2nd Street,
Eureka, CA 95501
(707) 441-6493
<http://www.wildlife.ca.gov>

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address:

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(707) 951-7909

CEQA Lead Agency: Del Norte County

Project Title: Minor Subdivision of APNs 122-020-019-000 & 122-030-029-000

CEQA Document Type: Negative Declaration

State Clearinghouse Number/local agency ID number: 2023010402

Project Location: APNs 122-020-019 & 122-030-029; Sections 8 & 17, T17N, R1E, HM, Del Norte County, California

Brief Project Description:

The applicant is seeking to divide the 240-acre parcel at the Section Line common to Sections 8 and 17, Township 17 North, Range 1 East, Humboldt Meridian, Del Norte County, California, resulting in a parcel consistent with the Grant Deed recorded at Document #20162223. That Grant Deed mistakenly created a parcel that does not conform to the Subdivision Map Act. This subdivision would remediate that deed and result in two legal parcels of approximately 120 acres each. Pursuant to Government Code section 66499.35, a notice of violation has been recorded against the property and the applicant is now pursuing this subdivision to remediate the situation. No other development is proposed as part of this project. Any structures that may exist on the parcel at this time will be removed prior to recording the new deeds.

Determination: Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish & G. Code, § 711.4, subd. (c)) the project has no effect on fish, wildlife or their habitat; therefore, the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at the time of filing the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor’s Office of Planning and Research (i.e., State

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Nathan Dreyfuss
February 3, 2023
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Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code section 711.4, subdivision (c)(3).

Approved by: _____ ^{DocuSigned by:} Michael van Hattem _____ Date: 2/6/2023
689BB18539B6406...
Signature

Michael G. van Hattem, Senior Environmental
Scientist Supervisor
Name, Title

FOR COUNTY CLERK USE ONLY

Stamp or initial inside the box to indicate acceptance of this signed No Effect Determination in lieu of a CEQA Document Filing Fee.

County Clerk Stamp or Initial