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Humboldt County Planning Commission
Community Development Services Department
3015 H Street
Eureka, California 95501

HUMBOLDT COUNTY
PLANNING DIVISION

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RE: General Plan Update - Conservation and Open Space Elements
Biological Resources Chapter
Cultural and Scenic Resources Chapter

Dear Commissioners:

On June 21 the Planning Commission is scheduled to begin review of the above referenced Elements and chapters. The Humboldt Association of Realtors® has reviewed the drafts and commends planning staff on its attention to detail regarding these important natural resource issues.

We support some of the draft language as presented. However, there are many sections which do not provide enough information in order to make an informed decision. For this reason, we would prefer to not take any position on some of the language found in the "voting charts." However, given this is the format provided by the County, we are submitting responses to the "voting charts" to show how we would vote. In some cases we have indicated the proposed language be deleted until more information is provided. In other cases, there is language we suggest can be revised.

Our first comment relates to statements made in the "Preliminary CEQA Analysis" sections of the Conservation and Open Space Elements and Scenic Resources Chapter. In each there is a statement which reads, in part, the "new [General] Plan encourages the construction of new residential, commercial and industrial development...." We disagree with the use of the word "encourages." The potential increase in government regulation that the draft General Plan proposes cannot be characterized as "encouraging" development. In fact, such increase may have just the opposite effect.

Conservation and Open Space Elements

We do not support creation of the proposed "Recreational and Conservation Easement Program." In part because there is not a complete explanation of how it would actually function. Specifically, we do not support applying such a program to private property. It may be appropriate regarding public property,

but it is not otherwise necessary because private property owners already have sufficient means, for example through the Williamson Act, to participate in creation of conservation easements and other set asides.

In general, the Association supports the concept of "transfer of development rights." For example, it can help offset the devaluation of land by virtue of government action. However, the problem with its use here in Humboldt is there is no practical way to utilize such a transfer. We cannot, at this time, support a transfer of development rights as presented in this Element without further description.

Biological Resources

There is no question that protection of natural resources is important and that the General Plan plays a critical role in accomplishing this goal. Equally as important is the achievement of a reasonable balance between resource protection and meeting the housing and employment needs of the county's population. We suggest the Commission utilize such a balanced approach as it reviews these resource issues.

In the "voting chart" of this section, there are several staff remarks which state "modified for clarity and grammar," "modified for update," "modified for content" or "revised wording." The "voting charts" should provide a comparison of these modifications and revisions to the original Framework Plan language otherwise a vote on these details is a vote of ignorance by virtue of not having the comparable information at hand.

Cultural Resources

The problem of not knowing what the "modified" language has altered continues in this section. Again, the "voting charts" should provide a comparison of these modifications and revisions to the original Framework Plan language which would include the original, unaltered language.

A definitions and glossary section is suggested for each of these Conservation and Open Space Elements. There are many terms and phrases which are subject to arbitrary definition or at least simple misunderstanding. For example, in the phrase "...to provide for the protection and enhancement of cultural resources..." what exactly does "enhancement" mean?

This Cultural Resources chapter potentially offers many problems for property buyers. If a property is deemed culturally significant, then how is a subsequent buyer of that land made aware of this (see CU-P1, "Identification and Protection")? Under present policies, a buyer would not know this. We suggest the County consider, as a policy requirement, the recording of this information

so that future title reports reflect what is likely to be a constraining factor on the land. Related to this is the "Confidentiality" standard (see CU-S2). This is at odds with the suggested recording requirement and so must be deleted from the Plan.

Scenic Resources

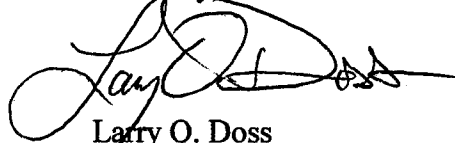
We note in staff's background discussion found in this chapter that much of the scenic resources in the County (e.g. timberlands or agricultural lands) are already restricted or protected. In the case of timberlands "state laws governing timber harvest regulations significantly narrow the scope of scenic protection measures in the County...." And further, "scenic protection of agricultural lands is...accomplished by policies in the Land Use Element...." Many coastal areas are already protected by design review requirements. Additional regulation, as proposed in this chapter, again leads to an over regulated environment hampering needed production of housing and employment opportunities in the County.

A definitions and glossary addendum should also be included in this section. This chapter is especially susceptible to subjective interpretation. For example, what is the meaning of "scenic"? An overreaching definition has the potential of removing land from development. This could be land suitable for new housing needed in the future. We suggest the existing Framework Plan, with modifications as noted in our "voting chart", works very well in addressing these Scenic Resource issues and that the rest of the proposed language should be deleted.

We would appreciate your review and consideration of these comments as well as those noted in the attached voting charts.

We look forward to continued participation in this update process and to working with the County in producing an effective General Plan.

Sincerely,



Larry O. Doss
2007 President



Ken Poletski
Government Relations Chair

Attachments (voting charts)

cc: Kirk Girard, Community Development Services Director
Humboldt County Board of Supervisors

Plan Alternatives Comparison Chart

The "Vote" column is provided for the user to indicate a policy preference. Enter a Retain, Delete or Modify.

<i>Table 20-4. Plan Alternatives Comparison Chart</i>							
<i>Plan Alternative</i>					<i>Goals</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B				CO-G1. Open Space Program for Working Landscapes. To provide an overall system for the conservation and preservation of open space lands.	Unnecessary – there are programs already in place	D
A	B	C	D		CO-G2. County Parks. To provide and adequately maintain park and recreation opportunities which are highly accessible and reflective of public needs; to protect park resources from incompatible uses; and to plan park development in such a manner as to minimize environmental impacts.		R
A	B				CO-G3. Support Conservation and Open Space Programs of Other Resource Land Management Agencies. To enhance the County's overall conservation and open space strategy by supporting conservation and open space programs of federal, and State agencies, as well as cities and tribes.	Unnecessary – there are programs already in place	D
A					OS-G4. Open Space Classification System. Establish an open space classification system to summarize open space resources in the County and serve as a framework for land use planning and environmental resource management programs.	More information needed - need to see classification system	D
A					OS-G5. Transfer of Development Rights. Supplement open space protection measures with a transfer of development rights program.	More information needed	D

Plan Alternative				Policies	Staff Remarks	Vote: R, D, M
A	B			CO-P1. Greenbelts. Establish greenbelts and agricultural and timberland buffers to insure separation of existing communities. Avoid merging urban growth boundaries of adjacent communities.	More information needed	D
A	B			CO-P2. Working Landscapes. Seek permanent protection for particularly important working landscapes through conservation easements and other mechanisms.	More information needed	D
A	B			CO-P3. Proactive Approach. Be proactive in conservation of open space by implementing a recreational and conservation easement program.	More information needed	D
A	B	C	D	CO-P4. Planning for Recreational Needs Within Communities. Policies addressing community recreational needs shall be prepared as part of planning efforts within each community. Implement park in-lieu fee programs in major communities. [FRWK 4430(7)]		R
A	B	C	D	CO-P5. Review of New Development for Impacts on Recreational Resources. During review of new development, the County Parks and Recreation Division staff shall continue to provide information regarding recreational opportunities within Humboldt County and input into land use planning decisions insofar as those decisions may affect recreational opportunities in the County. [FRWK 4430(6)]	Added "During review of new development," to the beginning of the policy	R
A	B	C	D	CO-P6. Pursuit of Funding. The County shall pursue sources of funding for the maintenance, development or acquisition of recreational facilities and programs consistent with this plan. [FRWK 4430(5)]	Deleted "all feasible" from the term "sources of funding"	R
A	B	C	D	CO-P7. Develop and Maintain County Parks. The County should continue to support efforts to secure, develop, and maintain county parks and recreation areas that are highly accessible to the public, and serve the present and future needs of County residents and tourists. [FRWK 4430(1)]	Replaced the word "acquire" with "secure"	R
A	B	C	D	CO-P8. Local Needs. The County should focus on local outdoor recreational needs in the acquisition, development and maintenance of County parks. [FRWK 4430(2)]	Substituted "local" for "residents"	R
A	B	C	D	CO-P9. Development of Additional Recreation Facilities. Plans for the development of additional County recreational facilities and opportunities shall consider the County's long term capabilities for the maintenance of all facilities and opportunities. [FRWK 4430(3)]		R
A	B	C	D	CO-P10. Encourage Private Outdoor Recreation. The County shall encourage the private acquisition, development, and preservation of outdoor recreational resources and opportunities and facilities. [FRWK 4430(4)]		R
A	B			CO-P11. Coordinate with Other Agencies. The County shall coordinate recreation plans with all appropriate agencies.	More information needed	D

Plan Alternative		Standards	Staff Remarks	Vote: R, D, M
A	B	CO-S1. Lead Agency. The Parks Division of the Department of Public Works shall be the lead agency of the County for developing public parks and access facilities.	More information needed	D
A	B	CO-S2. Handicapped Access. Outdoor recreation facilities shall be designed and constructed to be accessible to handicapped persons consistent with the requirements of the Americans with Disabilities Act.	This policy rewrites Policy 4440(4) of the existing Framework Plan.	R
<i>Implementation Measures</i>				
A	B	CO-IM1. Working Landscapes Open Space Program. Secure continued funding for a coordinated protection program for working landscapes and other priority open space lands through conservation easements and other mechanisms, in concert with public and private agencies.	More information needed	D
A	B	CO-IM2. General Plan, Zoning and Environmental Review. Implement policies for conservation and open space through General Plan, Zoning and CEQA review.	More information needed	D
A	B	CO-IM3. Pursuit of Funding. The County Public Works Department shall continue to pursue all feasible sources of funding for the maintenance, development or acquisition of recreational facilities and programs consistent with this plan.	More information needed	D
A		OS-IM4. Identify and Protect Open Space Linkages. Identify where appropriate linkages may be needed between parks and trails systems and the County's coastal access program using the open space classification system. Protect these linkages through acquisition or other mechanisms.	More information needed	D
A		OS-IM5. Establish a Transfer of Development Rights Program. Establish a transfer of development rights program to allow residential development potential to be transferred away from productive open space lands to ensure their continued productivity. <i>To other land within Humboldt County</i>		M

Plan Alternatives Comparison Chart

The "Vote" column is provided for the user to indicate a policy preference. Enter a Retain, Delete or Modify.

Table 12-x. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures						
<i>Plan Alternative</i>		<i>Goals & Policies</i>			<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
	B	C	D	BR-G1 Maximize Benefits of Biological Resources. To maximize where feasible, the long-term public and economic benefits from the biological resources within the County by maintaining and restoring fish and wildlife habitats.	FRWK 3430	R
A				BR-G1 Maximize Benefits of Biological Resources. To maximize the long-term public and economic benefits from the biological resources within the County by maintaining and restoring fish and wildlife habitats.	Alt A revised wording	D
	B	C	D	BR-P1 Maintain Important Habitats. Maintain values of significantly important habitat areas by assuring compatible adjacent land uses, where feasible, <i>excluding migratory fur-bearing animals..</i>	FRWK 3431.1	M
A				BR-P1 Maintain Important Habitats. Maintain values of significantly important habitat areas by assuring compatible adjacent land uses.	Alt A revised wording	D
	B	C	D	BR-P2 Critical Species Habitat. Habitats for "critical species" shall be protected under provisions of NEPA and CEQA.	FRWK 3431.2	R
A				BR-P2 Critical Species Habitat. Habitats for "critical species" shall be protected under provisions of NEPA, CEQA, and the provisions of this plan.	Alt A revised wording	D
A	B	C	D	BR-P3 Development in Stream Channels. Development within stream channels shall be permitted when there is no less environmentally damaging feasible alternative, where the best feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to essential, non-disruptive projects as listed in Standard BR-S6.	FRWK 3431.3	R
A	B	C	D	BR-P4 Streamside Management Areas. To protect sensitive fish and wildlife habitats and to minimize erosion, runoff and interference with surface water flows, the County shall maintain <u>Streamside Management Areas</u> (SMA's), along its blue line streams as identified on the largest scale U.S.G.S. topographic	FRWK 3431.4	R

Table 12-x. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures						
				maps most recently published, and any significant drainage courses identified through the CEQA process.		
A	B	C	D	BR-P5 Development in SMA's. Development within the Streamside Management Areas shall be permitted where mitigation measures (Standards BR-S8, S9, and S10) have been provided to minimize any adverse environmental effects, and shall be limited to uses as described in Standard BR-S7.	FRWK 3431.5	R
A	B	C	D	BR-P6 Biological Resource Maps. The Biological Resource Maps shall be incorporated into the project review process in order to identify sensitive habitat concerns. These maps shall be kept up to date with the most recent information obtainable. Accommodation of new resource information on the Biological Resource Maps may require an amendment to the adopted General Plan.	FRWK 3431.6	R
A	B	C	D	BR-P7 Agency Review. The County should request the Department of Fish and Game, as well as other appropriate agencies and organizations to review plans for development within sensitive habitat areas or Streamside Management Areas. Recommended mitigation measures shall be considered prior to project approval.	FRWK 3431.7	R
<i>Alternative</i>			<i>Standards</i>		<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
	B	C		<p>BR-S1 Proposed development occurring within areas containing sensitive habitats shall be subject to conditions and requirements of this policy except for the exclusions as follows:</p> <p>A. Timber management and harvest activities under a THP or NTMP, or activities exempt from local regulation per PRC 4516(f).</p> <p>B. Any area proposed for development which upon examination of the Biological Resource Maps and field inspection is not actually within or does not contain the indicated habitat.</p> <p>C. Forest management activities needed to improve timber productivity regulated by other agencies, where otherwise consistent with this Chapter.</p> <p>D. Agricultural operations needed to improve</p>	FRWK 3432.1 modified for clarity and grammar	<p>More Information Needed</p> <p>D</p>

Table 12-x. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures						
				<p>agricultural productivity, where otherwise consistent with this Chapter.</p> <p>Note: The above exclusions do not preempt other County regulations or those of other agencies.</p>		
A				<p>BR-S1 Proposed development occurring within areas containing sensitive habitats shall be subject to conditions and requirements of this policy except for the exclusions as follows:</p> <p>A. Timber management and harvest activities under a THP or NTMP, or activities exempt from local regulation per PRC 4516(f).</p> <p>B. Any area proposed for development which upon examination of the Biological Resource Maps and field inspection is not actually within or does not contain the indicated habitat.</p> <p>Note: The above exclusions do not preempt other County regulations or those of other agencies.</p>	<p>Alt A revised wording:</p> <p>FRWK 3432.1 modified for content, clarity and grammar</p> <p>More Information Needed</p>	D
A	B	C		<p>BR-S2 The County will seek recommendations from the Department of Fish and Game, agencies, and organizations that are specific and cite relevant code sections and standards.</p>	<p>FRWK 3432.2 modified for clarity and grammar</p> <p>More Information Needed</p>	D
A	B	C	D	<p>BR-S3 Critical habitats are sensitive habitats essential for a Federal or State designated endangered, threatened or rare species. This includes the portion of a critical species range which is essential to the existence of that species.</p>	<p>FRWK 3432.3</p>	R
A	B	C		<p>BR-S4 Sensitive habitats are defined as a unique, limited or economically important habitat type for a species whose habitat requirements, if significantly changed, would cause a threatening change to the species population and may include the following:</p> <p>A. Critical Habitat</p> <p>B. Migratory Deer Winter Range</p> <p>C. Roosevelt Elk Range</p> <p>D. Sensitive Species Rookery and Nest Sites</p> <p>E. Streams and Streamside Areas</p>	<p>FRWK 3432.4 modified for update</p> <p>More Information Needed & Duplicates State Law</p>	D

**Table 12-x. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards and Implementation Measures**

				<p>F. Natural ponds, springs, vernal pools, marshes, and wet meadows exhibiting standing water year long or riparian vegetation.</p> <p>G. Other sensitive habitat and communities listed in the Department of Fish and Game California Natural Diversity Data Base as amended periodically.</p>		
A	B			<p>BR-S5 Streamside Management Areas are identified and modified as follows:</p> <p>A. Areas specifically mapped as SMA and Wetland (WR) Combining Zones, subject to verification and adjustment pursuant to site-specific biological reporting and review procedures.</p> <p>B. For areas not specifically mapped as SMA and Wetland (WR) Combining Zones and outside of Urban Development and Expansion Areas, the outer boundaries of the SMA shall be defined as:</p> <ol style="list-style-type: none"> 1. 100 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams. 2. 50 feet, measured as the horizontal distance from the stream transition line on either side of intermittent streams. <p>C. For areas not specifically mapped as SMA and Wetland (WR) Combining Zones and inside of Urban Development and Expansion Areas, the outer boundaries of the SMA shall be defined as:</p> <ol style="list-style-type: none"> 1. 50 feet, measured as the horizontal distance from the stream transition line on either side of perennial streams. 2. 25 feet, measured as the horizontal distance from the, stream transition line on either side of intermittent streams. <p>D. Where not specifically mapped as a SMA and Wetland (WR) Combining Zone, the width of Streamside Management Areas shall be expanded as</p>	<p>FRWK 3432.4 modified for content</p> <p>More Information Needed & Duplicates State Law</p>	D

**Table 12-x. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards and Implementation Measures**

			<p>necessary to include significant areas of riparian vegetation adjacent to the buffer area, slides and areas with visible evidence of slope instability, not to exceed 200 feet measured as a horizontal distance. Where Forest Practice Rules designate wider stream buffer areas, the width of the SMA shall be expanded to be consistent with those regulations when they are applicable.</p> <p>E. The Streamside Management Area may be reduced or eliminated where the County determines, based on specific factual findings, that:</p> <ol style="list-style-type: none"> 1. The USGS mapping of the stream as perennial or intermittent is not accurate, and typical stream flow can be shown to be less than that required to be classified as either perennial or intermittent, or 2. It will not result in a significant adverse impact to fish, wildlife, riparian habitat, or soil stability. <p>F. Streamside Management Areas do not include watercourses consisting entirely of a drainage ditch, or other man-made drainage device, construction, or system.</p>		
A	B		<p>BR-S6 Development within stream channels may be approved where consistent with Policy BR-P3 and is limited to the following projects.</p> <ol style="list-style-type: none"> A. Fishery, wildlife, and aquaculture enhancement and restoration projects. B. Road crossings consistent with Standard BR-S9 of this section. C. Flood control and drainage channels, levees, dikes and floodgates. D. Mineral extraction consistent with other County regulations. E. Small scale hydroelectric power plants in compliance with applicable County regulations and those of other agencies. F. Agricultural diversions, wells and springboxes. G. New fencing, so long as it would not impede the natural drainage or would not adversely effect the stream environment or wildlife. 	<p>FRWK 3432.6 modified for clarity</p> <p>More Information Needed & Duplicates State Law</p>	D

Table 12-x. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures					
			H. Bank protection, provided it is the least environmentally damaging alternative. I. Other essential projects, including municipal groundwater pumping stations, provided they are the least environmentally damaging alternative, or necessary for the protection of the public's health and safety.		
	B		<p>BR-S7 Development within Streamside Management Areas may be approved where consistent with Policy BR-P5 and shall be limited to the following uses:</p> <p>A. Development permitted within stream channels per BR-S6.</p> <p>B. Timber management and harvests not otherwise excluded by Applicability Section as well as noncommercial cutting of firewood and clearing for pasturage, provided:</p> <ol style="list-style-type: none"> 1) Cottonwoods are retained. 2) Remaining willows and alders, as well as other unmerchantable hardwoods or shrubs should be protected from unreasonable damage. <p>C. Road and bridge replacement or construction, when it can be demonstrated that it would not degrade fish and wildlife resources or water quality, and that vegetative clearing is kept to a minimum.</p> <p>D. Removal of vegetation for disease control or public safety purposes.</p> <p>E. Nature trails consistent with Dept. of Fish & Game recommendations.</p>	FRWK 3432.7 modified for clarity More Information Needed & Duplicates State Law	D
	A		<p>BR-S7 Development within Streamside Management Areas may be approved where consistent with Policy BR-P5 and shall be limited to the following uses:</p> <p>A. Development permitted within stream channels per BR-S6.</p> <p>B. Timber management and harvests not otherwise excluded by Applicability Section, provided:</p> <ol style="list-style-type: none"> 1) At least 50% of the treecrown canopy and other vegetation are retained. 2) Cottonwoods are retained. 3) Remaining willows and alders, as well as 	Alt A revised wording.	D

Table 12-x. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures					
			other unmerchantable hardwoods or shrubs should be protected from unreasonable damage. C. Road and bridge replacement or construction, when it can be demonstrated that it would not degrade fish and wildlife resources or water quality, and that vegetative clearing is kept to a minimum. D. Removal of vegetation for disease control or public safety purposes. E. Nature trails consistent with Dept. of Fish & Game recommendations.		
A	B		BR-S8 Mitigation measures for development within Streamside Management Areas shall, at a minimum, include: A. Retaining snags unless felling is required by CAL-OSHA, or by California Department of Forestry forest and fire protection regulations, or for public health and safety reasons, approved by the appropriate County department. Felled snags shall be left on the ground if consistent with fire protection regulations as long as they have no economic value. B. Retain live trees with visible evidence of use as nesting sites by hawks, owls, eagles, osprey, herons, or egrets. C. Replanting of disturbed areas with riparian vegetation (including such species as alders, cottonwoods, willows, sitka spruce, etc.) shall be required prior to the completion of the development project. D. Erosion control measures (Standard BR-S9).	More Information Needed & Already in Grading Ordinance	D
A	B	D	BR-S9 Erosion control measures for development within Streamside Management Areas shall include the following: A. During construction, land clearing and vegetation removal will be minimized. B. Construction sites will be planted with native or naturalized vegetation and mulched with natural or chemical stabilizers to aid in erosion control and insure revegetation. C. Long slopes will be minimized to increase	More Information Needed & Already in Grading Ordinance	D

**Table 12-x. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards and Implementation Measures**

			<p>infiltration and reduce water velocities down cut slopes by such techniques as soil roughing, serrated cuts, selective grading, shaping, benching, and berm construction.</p> <p>D. Concentrated runoff will be controlled by the construction and continued maintenance of culverts, conduits, non-erodible channels, diversion dikes, interceptor ditches, slope drains or appropriate mechanisms. Concentrated runoff will be carried to the nearest drainage course. Energy dissipaters may be installed to prevent erosion at the point of discharge where discharge is to natural ground or channels.</p> <p>E. Runoff shall be controlled to prevent erosion by on-site or off- site methods. On-site methods include, but are not limited to, the use of infiltration basins, percolation pits, or trenches. On-site methods are not suitable where high groundwater or slope stability problems would inhibit or be aggravated by on-site retention or where retention will provide no benefits for groundwater recharge or erosion control. Off-site methods include detention or dispersal of runoff over non-erodible vegetated surfaces where it would not contribute to downstream erosion or flooding.</p> <p>F. Disposal of silt, organic, and earthen material from sediment basins and excess material from construction will be disposed of out of the Streamside Management Area to comply with California Fish and Game and Regional Water Quality Control Board.</p> <p>Winter operations (generally October 15 thru April 15) shall employ the following special considerations:</p> <p>G. Slopes will be temporarily stabilized by stage seeding and/or planting of fast germinating seeds such as barley or rye grass; and mulched with protective coverings such as natural or chemical stabilizations.</p> <p>H. Runoff from the site will be temporarily detained or filtered by berms, vegetated filter strips, and/or catch basins to prevent the escape of sediment from the site. Drainage controls are to be maintained as</p>		
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Table 12-x. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures						
				long as necessary to prevent erosion throughout construction.		
A	B	C		<p>BR-S10 Wetlands and Other Wet Areas. For natural ponds, springs, vernal pools, marshes, and wet meadows (exhibiting standing water yearlong or riparian vegetation), and wetlands as defined in the California Fish & Game Code Section 2785(g): Development shall be consistent with the standards for streamside management areas, as applicable, including recommended buffer setbacks where appropriate.</p>	<p>Already controlled by State Fish & Game Dept.</p>	D
A				<p>BR-S10a Wetland Buffer Areas.</p> <ol style="list-style-type: none"> 1. A Wetland Buffer Area shall be defined as the area around a non-SMA wetland where restrictions on development are required to protect the wetland from significant impact. 2. If the entire parcel is within the Wetland Buffer Area, the buffer may be reduced to allow principally permitted uses when: <ol style="list-style-type: none"> A. The prescribed buffer would prohibit development of the parcel for the principal permitted use for which it is designated; or B. The applicant for the proposed development demonstrates that, to the satisfaction of the County and to the Department of Fish and Game, the principally permitted use will not result in significant adverse impacts to the wetland habitat and will be compatible with the continuance of such habitats. Any such buffer reduction may require mitigation measures, in addition to those specified below, to ensure new development does not adversely affect the wetland habitat values. <p><i>Development Within Wetland Buffer Areas</i></p> <ol style="list-style-type: none"> 3. To prevent land uses or development which may degrade adjacent wetlands, all development within the wetland buffer shall include the following mitigation measures: <ol style="list-style-type: none"> A. No more than 25% of the lot surface shall be made effectively impervious by development activities. 	<p>Alt A, revised from McKCP.</p>	D

**Table 12-x. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards and Implementation Measures**

				<p>B. The release rate of storm runoff to adjacent natural wetlands, in any size storm, shall not exceed the natural rate of storm runoff for a 50 year storm of 10 minute duration.</p> <p>C. Stormwater outfalls, culverts, gutters, and other similar facilities, shall be dissipated.</p> <p>D. Septic systems or alternative waste disposal systems must meet standards of the Humboldt-Del Norte Health Department and the Regional Water Quality Control Board.</p> <p>E. Areas disturbed during construction, grading, or related activities within 100 feet of the boundary of the wetland in areas outside of the Urban Development Area, and 50 feet of the boundary of the wetland in areas within the Urban Development Area, shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area.</p> <p>F. Development and construction shall minimize cut and fill operations and erosion and sedimentation potentials through construction of temporary and permanent sediment basins, seeding or planting bare soil, diversion of run-off away from graded areas and areas heavily used during construction, and avoidance of grading in the buffer areas during the rainy season (November to April).</p> <p>19. No land use or development shall be permitted in Wetland Buffer Areas which degrade the wetland or detract from the natural resource value.</p> <p>20. The County shall request the Department of Fish and Game to review plans for development within 200 feet of the boundary of the wetland.</p>		
A	B	C		<p>BR-S11 Other Sensitive and Critical Habitats. In addition to the preceding policies for streams, adjacent streamside areas, wetlands, and buffer areas adjacent to wetlands, several other sensitive and critical habitat areas</p>	<p>More Information Needed definitions</p>	D

**Table 12-x. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards and Implementation Measures**

				<p>exist within the Community Planning Area. These include:</p> <ul style="list-style-type: none"> • Habitat for listed and candidate rare, unique, threatened, and endangered species in the federal and state Endangered Species Acts. • Sensitive Avian Species Rookery and Nest Sites (e.g., Osprey, Great Blue Heron, Egret sp.). • Rare and endangered vascular plant communities as compiled by the California Native Plant Society. • Other sensitive habitats and communities as listed in the Department of Fish and Game's California Natural Diversity Data Base, as amended periodically. <p>As part of the review of all discretionary development project applications within the Plan Area, the Planning & Building Department will consult with the California Department of Fish and Game, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and other regional, state and federal resource and trustee agencies, as applicable to the specific project location, class of development, or natural resource involved.</p>		
<i>Alternative</i>				<i>Implementation Measures</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	D	<p>BR-IM1. Streamside Management Area Ordinance. (HCC 314-61.1) Provides minimum standards pertaining to lands located within streamside management areas, wetlands, and other wet areas. Review and revise to be consistent with any adopted revisions to the policies and standards of this Chapter.</p>	<p>Directed revisions of the ordinance will differ among alternatives. Need to see alternatives</p>	D
A	B	C	D	<p>BR-IM2. Streamside Management Areas and Wetlands (WR) Combining Zone. (HCC 314-38.1) Utilize WR Combining Zone to assist in the application of minimum standards pertaining to lands located within streamside management areas, wetlands, and other wet areas.</p>	<p>This is an implementation of Frwk policy 3431.6 adopted as part of the 2002 McKCP More Info. Needed</p>	D
A	B	C	D	<p>BR-IM3. CEQA Review. Use review required by the California Environmental Quality Act (CEQA) to assist in implementing biological resource policies and standards.</p>		D

Plan Alternatives Comparison Chart

The "Vote" column is provided for the user to indicate a policy preference. Enter a **Retain**, **Delete** or **Modify**.

[Note: the underlined text below indicates modifications of existing Framework text.]

<p align="center">Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures</p>							
<i>Plan Alternative</i>				<i>Goals & Policies</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>	
A	B	C	D	<p>CU-G1 Protection and Enhancement of Cultural Resources. To provide for the protection and enhancement of cultural resources. for the historic, scientific, educational, and social contributions they render to the present generation and to generations that follow.</p>	(FRWK 3530)	M	
A	B	C		<p>CU-P1 Identification and Protection. <u>Cultural resources, as defined,</u> shall should be identified where feasible, assessed as to significance, and, if found to be significant, protected from loss or destruction.</p>	(FRWK 3531.1, <u>modified</u>) Who will assess? Define cultural resources	M	
A	B	C		<p>CU-P2 Consultation. <u>Tribal organizations,</u> historical organizations and applicable agencies shall should be consulted during project review <u>and plan amendments</u> for the identification and protection of cultural resources.</p>	(FRWK 3531.2, <u>modified</u>) to reflect current law.	M	
A	B	C	D	<p>CU-P3 Avoid Loss or Degradation. Projects located in areas found to have cultural resources shall should be conditioned and designed to avoid loss or degradation of these resources, where reasonable.</p>	(FRWK 3531.3)	M	
A	B	C	D	<p>CU-P4 Assessment of Impacts. Expert opinions and field reconnaissance at the applicant's expense may be required during environmental assessment to determine the presence, extent, and condition of cultural resources and the likely impact upon such resources.</p>	(FRWK 3531.4)	R	
A	B	C		<p>CU-P5 Findings. <u>Cultural resources</u> shall not be knowingly destroyed or lost through a discretionary action unless: A. The site or resource has been found to be of insignificant value. by representatives of the cultural resources community and relevant experts; B. There is an overriding public benefit from the project, and compensating mitigation to offset the loss is made part of the project. (FRWK 3531.5, <u>modified</u>)</p>	(FRWK 3531.5, <u>modified</u>)	M	
A	B	C		<p>CU-P6 Mitigation. Mitigation measures shall should</p>	(FRWK 3531.6,		

Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures					
			be required considered where new development would adversely impact cultural resources, as defined. (FRWK 3531.6, modified)	modified) define cultural resources	M
A			CU-P7 County Historical Resource Commission. Establish a Historical Resource Commission to review projects related to historical resources. Require a Historic Resource Assessment Report for discretionary projects which may impact historic resources. The report shall be reviewed by the Historical Resource Commission, which will provide recommendations regarding preservation of historic resources to the Planning Commission.		D
A			CU-P8 CEQA Review. As part of the review of discretionary projects under the California Environmental Quality Act (CEQA), a determination must be made as to whether a project will have a significant impact on historical resources. Historical resources as provided in Section 15064.5 of the State CEQA Guidelines include: 1) a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources; 2) a resource listed in a local register of historical resources; or 3) any object, building structure, site, area or place which the County Planning Division determines to be historically significant.		D
A			CU-P9 Historic Assessment Study. Projects with a potential to impact a historic resource will require a preliminary assessment report (Historic Assessment Study), consisting of a visual examination of the property and literature review conducted by a professional historic resource consultant who then prepares a written report that contains findings and recommendations. The report will also describe any further actions that might be needed to avoid or lessen development related impacts to any historical resources encountered.		D
			ADD NEW POLICY HERE: If Cultural and Historic resources prevent any development, or if the mitigation causes it to be cost prohibitive, the county and/or other organization interested in the preservation of the resource shall have one year to purchase the land affected at fair market value or the project will be allowed to proceed, removing the resources which can reasonably be removed.		

Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures						
<i>Alternative</i>			<i>Standards</i>	<i>Staff Remarks</i>	<i>Vote: R. D. M</i>	
A	B	C	<p>CU-S1 Cultural Resources. "Cultural Resources" include, but are not limited to, are defined as any object, building, structure, site, area, or place which is <u>culturally</u>, historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, education, social, political, military, or cultural annals of Humboldt County. Sites, resources, or structures placed in Federal, State, or local historic registration programs shall also be recognized as historical resources. <u>Cultural resources also include cultural places as defined by PRC 5097.9 and 5097.993, including any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; or any Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historic Resources, including any historic or prehistoric ruins, any burial ground, and any archeological or historic site.</u></p>	<p>(FRWK 3532.1, modified) This should be CU-P1 as defines cultural resources</p>	M	
A	B	C	D	<p>CU-S2 Confidentiality. The exact location of archeological, paleontological, and grave sites shall not be publicly identified by public agencies in order to prevent the possibility of theft or vandalism.</p>	<p>(FRWK 3532.2) Per our letter, needs to be recorded</p>	M
A	B	C		<p>CU-S3 Tribal Organizations, Historical Organizations and Applicable Agencies. "<u>Tribal organizations, historical organizations, and applicable agencies</u>" include should include, but are not be limited to, <u>tribal governments, the Humboldt County Historical Society, North Coastal Information Center, California Archeological Site Survey at Sonoma State University and Humboldt County Public Works and Planning Departments. , the California State Office of Historic Preservation, and other Native American groups and affected citizens.</u></p>	<p>(FRWK 3532.3, modified)</p>	M
A	B	C	D	<p>CU-S4 Conditioning, Designing or Mitigating Projects to Avoid Loss. Conditioning, designing, or mitigating projects to avoid loss of cultural resources in general, but archeological or paleontological resources in particular, shall include, where applicable: A. Changing building and construction sites and/or road locations to avoid sensitive areas; or</p>	<p>(FRWK 3532.4)</p>	R

**Table 15-1. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards and Implementation Measures**

			<p>B. Providing protective cover for sites that cannot be avoided; or</p> <p>C. Where appropriate and with the approval of all parties concerned, providing for the removal or transfer of culturally significant material by a cultural heritage specialist, professional archeologist, or geologist.</p>		
A			<p>CU-S5 Historic Assessment Study Contents. The historic assessment study should, at the minimum, contain:</p> <p>(1) Evidence of a full background literature search through the depository at the Humboldt County Historical Society. Whether the resource is on any federal, State or local list of designated historic resources. Whether the resource is identified in any information in the historical archives;</p> <p>(2) A brief description of the project parcel(s) and the expectations of the consultant at the onset of the inventory report;</p> <p>(3) A clear description of the methods and results of the field inventory including rationale for surface coverage and a brief discussion of any historic resources encountered. This treatment should be patterned after the <i>Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION</i> [As Amended and Annotated] - http://www.cr.nps.gov/local-law/arch_stnds_0.htm ;</p> <p>(4) A generally accurate map (7.5' USGS topographic, parcel map or engineers map) in a scale sufficient to show the intensity and coverage of the field inventory as well as the location of any resources encountered;</p> <p>(5) A description and evaluation of any structures and a determination of whether or not they qualify as historical resources. This evaluation should answer the following questions with respect to possible historic significance:</p> <p>a) Is it associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California, or the United States;</p> <p>b) Is it associated with the lives of persons important to local, California, or national history;</p> <p>c) Does it embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master or possess high artistic</p>		D

**Table 15-1. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards and Implementation Measures**

			<p>values;</p> <p>d) Has it yielded, or does it have the potential to yield, information important to the prehistory or history of the local area, California, or the nation.</p> <p>(6) a) Given the answers to 5. a. through d., Does the resource qualify as an historic resource? If the answer to 6a is no, and any of the answers to 5a through 5d is yes, explain why, in your assessment, the resource does not qualify as historic.</p> <p>b) Does the resource have integrity for the period of significance? The period of significance is the date or span of time within which significant events transpired, or significant individuals made their important contributions. Integrity is the authenticity of a historical resource's physical identity as evidenced by the survival of characteristics or historic fabric that existed during the resource's period of significance.</p> <p>c) Identify whether or not the resource retains enough of its historic character of appearance to be recognizable as an historical resource and able to convey the reasons for significance. If it is determined that a resource has lost its historic character or appearance, does it still have the potential to yield significant scientific or historical information or specific data?</p> <p>d) Is the historic resource located within a historic district or a concentration of historic buildings, structures, objects, or sites with precise boundaries that share a common historical, cultural or architectural background? If so, and if it is determined that the resource lacks individual significance as an historic resource, could the resource be considered a contributor to the significance of the historic district or concentration of historic structures?</p> <p>(7) If the resource is historic, provide recommended means to avoid or lessen development related impacts to any historical resources encountered on the parcel(s);</p> <p>(8) The names of any local persons consulted during the preparation of the report;</p> <p>(9) Statement of Qualifications (education, employment, field experience, previous reports and publications in historic resources).</p>		
A			<p>CU-S6. Historic Resource Commission Recommendations & Mitigation. The conclusions, findings and recommendations of the historic assessment</p>		D

Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures						
				study will be evaluated during the environmental review process, and will be referred to the Historic Resource Commission. The Historic Resource Commission will make recommendations on historic resources to the Planning Commission. Applicants should be encouraged to avoid impacts to historical resources where feasible. When this is not feasible, mitigation measures shall be incorporated into the project to lessen the impact of the project on these resources. Mitigation shall be in accordance with Appendix K of the State CEQA Guidelines.		
<i>Alternative</i>				<i>Implementation Measures</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	D	CU-IM1 Review Existing Protections. Review existing ordinances and guidelines and make necessary amendments to assure the protection of cultural resources.	(FRWK 5-3530.1) Being done now	D
A	B	C		CU-IM2 <u>Implementation Guidelines.</u> Adopt <u>implementation guidelines for cultural heritage, archeological, or paleontological resources and for historic resources.</u>	(FRWK 5-3530.2 modified)	D
A	B	C		CU-IM3 <u>Historical & Cultural Registration.</u> Encourage and actively support federal, state, and local county historical voluntary registration programs.	(FRWK 5-3530.3 modified)	M
A	B	C	D	CU-IM4 <u>Historic Building Code.</u> Promote the use of the Historic Building Code of the State of California for historical sites.	(FRWK 5-3530.4) More information needed	D
	B			CU-IM5 <u>Historic Building Identification.</u> Establish and maintain a system for identifying historic properties.	More information needed	D
A				CU-IM6 <u>Historical Resource Protection Regulations.</u> Historical resources and sites shall be protected through zoning (e.g. Design Review combining zone for historic resources in historic communities such as Samoa or Scotia) and other suitable regulatory means to ensure that new development shall be compatible with existing historical resources and to maintain the special values and unique character of the historic properties. Repair or rehabilitation of historic structures may be permitted upon determination that the proposed repair or rehabilitation will not preclude the structure's continued		D

Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures				
			designation as a historic structure or that appropriate mitigation measures have been taken to minimize impact of the repair or rehabilitation.	
A			<p>CU-IM7 Certified Local Government Program. Pursue County certification under the Certified Local Government Program through the State Office of Historic Preservation (SHPO). Requirements of the program include:</p> <ul style="list-style-type: none"> -Enforce appropriate legislation for the designation and protection of historic properties. -Establish and maintain a qualified historic preservation commission. -Maintain a system for identifying historic properties. -Provide for public participation and perform other agreed functions delegated by SHPO. 	D

Plan Alternatives Comparison Chart

The "Vote" column is provided for the user to indicate a policy preference. Enter a Retain, Delete or Modify.

Table 15.2-2. Plan Alternatives Comparison Chart: Policies, Standards and Implementation Measures					
Plan Alternative			Goals and Policies	Staff Remarks	Vote: R, D, M
A	B	C	Goal SR-G1. Scenic Areas Protection. Conserve, enhance, and protect scenic areas to increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County.	Per our letter, all new goals and policies should be deleted	D
A	B	C	SR-G2. Community Separators. Preserve the identities of communities by maintaining visible open space areas between cities and communities.		D
A	B	C	SR-P1. Development in Scenic Areas. In highly scenic areas, new development shall be subordinate to the character of the area, and natural contours, including slope, visible contours of hilltops and treelines, bluffs and rock outcroppings, shall suffer the minimum feasible disturbance compatible with development of any permitted use.		D
A	B		SR-P2. Heritage Landscapes. Protect the scenic quality of mapped heritage landscape areas with appropriate land use designations and design review standards to ensure that new development enhances the heritage landscape values of the area.		D
A	B		SR-P3. Scenic Roadway Protection. Protect the scenic quality of designated scenic roadways for the enjoyment of natural and scenic resources, landmarks, or points of historic and cultural interest.		D
A	B		SR-P4. Community Separators. The scenic quality of Community Separators shall be protected from degradation by maintaining adequate open space between communities and cities.		D
A	B		SP-P5. Development Within Community Separators. Retain a rural character and promote low intensities of development in Community Separators. Avoid their annexation or inclusion in spheres of influence for sewer and water services. Provide opportunities for consideration of additional development in community separators in exchange for permanent open space preservation and other overriding public benefits		D

Plan Alternative		Goals and Policies	Staff Remarks	Vote: R, D, M
A	B	SR-P6. Limit the Term of Off-Premise Billboards. Limit the term of new off-premise billboards with use agreements to provide for their removal.		D
A	B	SR-P7. Reduce Scenic Impacts of Billboards in Sensitive Habitat Areas. Limit the location of billboards in industrial zones with mapped sensitive habitat areas.	See revised wording for Alt. A	D
A		SR-P8. Removal or Relocation of Billboards in the Northwestern Pacific Railroad Right of Way. Support efforts of the Northwestern Pacific Railroad Authority to remove or relocate billboards from their right of way between Fields		D
A	B	SR-P8. Removal or Relocation of Billboards in the Northwestern Pacific Railroad Right of Way. Support efforts of the Northwestern Pacific Railroad Authority to remove or relocate billboards from their right of way between Fields Landing and Arcata		D
A	B	SR-P9. Removal of Illegal Billboards Petition the State Outdoor Advertising Branch to remove illegal billboards.	See revised wording for Alt. A	D
A		SR-P10. Wayfarers signage. Establish a local scenic byways network designed to direct travelers to areas of scenic, cultural and historic interest.		D
Standards				
		SR-S1. Natural Landform Protection. Natural contours, including slope, visible contours of hilltops and treelines, bluffs and rock outcroppings, shall suffer the minimum feasible disturbance compatible with development of any permitted use, and the following standards shall at a minimum secure this objective: Under any permitted alteration of natural landforms during construction, mineral extraction or other approved development, the topography shall be restored to as close to natural contours as possible, and the area planted with attractive vegetation common to the region.	Per our letter, all new standards should be deleted	D

Plan Alternative	Standards and Implementation Measures	Staff Remarks	Vote: R, D, M
	<p>SR-S1. Natural Landform Protection (con't) A. In permitted development, land form alteration for access roads and public utilities shall be minimized by running hillside roads and utility corridors along natural contours where feasible, and the optional waiving on minimum street width requirements, where proposed development densities or sue of one-way circulation patterns make this consistent with public safety, in order that necessary hillside roads may be as narrow as possible. (HBAP 3.40 (B)(2), modified)</p>		D
	<p>SR-S2. Scenic and Visual Quality Protection. The scenic and visual qualities of scenic areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along scenic areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas shall be subordinate to the character of its setting. (Coastal Act, Section 30251 of the Public Resources Code)</p>		D
A B	<p>SR-S3 Scenic Highway Plan Standards. The plan developed for official scenic highway designation should consider the following standards:</p> <p>Visual Buffer Width. The width of the visual buffer along the scenic highway shall not exceed 200 feet from the edge of the traveled roadway. If additional land is to be included in the buffer, scenic easements shall be negotiated.</p> <p>Permitted Uses. Permitted uses shall be allowed except that within the visual buffer area, measures may be required to protect scenic qualities of the site.</p>		D

<p>A B</p>	<p>SR-S3 Scenic Highway Plan Standards (con't). Site Development. Buildings and landscaping within the visual buffer shall be designed and located on the site to create a harmonious visual relationship with surrounding development and the natural terrain and vegetation.</p> <p>Existing topography, vegetation and scenic features of the site shall be retained to the maximum extent possible and incorporated into the proposed development.</p> <p>Structures and signs shall be limited in height, bulk, and siting to be visually compatible with, and subordinate to the character of the surrounding area.</p> <p>Consideration of Views. Structures, signs, and plant materials within the visual buffer shall be constructed, installed and planted to complement, enhance, and retain scenic views. Vegetative screening shall be used where needed to prevent significant intrusion or degradation of public views.</p> <p>Location and Screening of Unsightly Features. Within the visual buffer area, potentially unsightly features such as parking lots, etc. shall be located in areas not visible from the Scenic Highway. Where it is not possible to locate such features out of view, they shall be screened from view by planting and/or fences, walls, or berms. Screening shall utilize primarily natural materials rather than solid fencing, preferably vegetation in conjunction with low earth berms.</p> <p>Site Grading. Any grading or earth-moving operation within the visual buffer area shall be planned and executed in such a manner that final contours appear to be consistent with the existing terrain both on, and adjacent to, the site.</p> <p>Vegetative cover shall be provided within a reasonable time after grading is completed to prevent visible scars remaining on the land from such operations.</p> <p>Contours altered by grading should be restored by means of land sculpturing and a cover of top soil in such a manner as to minimize runoff and erosion and prevent ponding of water.</p> <p>Finished contours shall be planted with plant materials native to the area, so as to require minimum care and to be visually compatible with the existing ground cover. subordinate to, the character of surrounding areas.</p>	<p>See revised wording for Alt. A</p>	<p>D</p>
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