

**Palomar Enterprises Zone Change & Boundary Line  
Adjustment (Z-15-01 & BLA-15-03)  
Draft Initial Study/Mitigated Negative Declaration**

**County of Siskiyou**  
806 S. Main Street  
Yreka, CA 96097



June 2020

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## **1.0 Introduction**

# 1.0 Introduction

## 1.1 Introduction and Regulatory Guidance

This document is an Initial Study, with supporting environmental studies, which concludes that a Mitigated Negative Declaration is the appropriate CEQA document for the Palomar Enterprises Zone Change & Boundary Line Adjustment (Z-15-01 & BLA-15-03). This Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the State CEQA Guidelines, California Code of Regulations Section 15000 et seq.

An initial study is conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with CEQA Guidelines Section 15063, an environmental impact report (EIR) must be prepared if an initial study indicates that the proposed project under review may have a potentially significant impact on the environment that cannot be initially avoided or mitigated to a level that is less than significant. A negative declaration may be prepared if the lead agency also prepares a written statement describing the reasons why the proposed project would not have a significant effect on the environment and therefore why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- a) *The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or*
- b) *The initial study identifies potentially significant effects, but:*
  - (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and*
  - (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

If revisions are adopted in the proposed project in accordance with CEQA Guidelines Section 15070(b), including the adoption of mitigation measures included in this document, a Mitigated Negative Declaration is prepared.

## 1.2 Lead Agency

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b)(1), “The lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose.” Based on the criteria above, the County of Siskiyou (County) is the lead agency for the proposed Palomar Enterprises Zone Change & Boundary Line Adjustment (Z-15-01 & BLA-15-03).

## 1.3 Purpose and Document Organization

The purpose of this Initial Study is to evaluate the potential environmental impacts of the proposed Palomar Enterprises Zone Change & Boundary Line Adjustment (Z-15-01 & BLA-15-03). This document is divided into the following sections:

**1.0 Introduction:** This section provides an introduction and describes the purpose and organization of the document.

**2.0 Project Information:** This section provides general information regarding the project, including the project title, lead agency and address, contact person, brief description of the project location, general plan land use designation, zoning district, identification of surrounding land uses, and identification of other public agencies whose review, approval, and/or permits may be required. Also listed in this section is a checklist of the environmental factors that are potentially affected by the project.

**3.0 Project Description:** This section provides a detailed description of the proposed project.

**4.0 Environmental Checklist:** This section describes the environmental setting and overview for each of the environmental subject areas, evaluates a range of impacts classified as “no impact,” “less than significant,” “less than significant with mitigation incorporated,” and “potentially significant” in response to the environmental checklist.

**5.0 References:** This section identifies documents, websites, people, and other sources consulted during the preparation of this Initial Study.

## 1.4 Evaluation of Environmental Impacts

Section 4.0, Environmental Checklist, is the analysis portion of this Initial Study. The section provides an evaluation of the potential environmental impacts of the project. There are twenty-one environmental issue subsections within Section 4.0, including CEQA Mandatory Findings of Significance. The environmental issue subsections, numbered 1 through 21, consist of the following:

- |                                       |  |
|---------------------------------------|--|
| 1. Aesthetics                         | 11. Land Use and Planning              |
| 2. Agriculture and Forestry Resources | 12. Mineral Resources                  |
| 3. Air Quality                        | 13. Noise                              |
| 4. Biological Resources               | 14. Population and Housing             |
| 5. Cultural Resources                 | 15. Public Services                    |
| 6. Energy                             | 16. Recreation                         |
| 7. Geology and Soils                  | 17. Transportation                     |
| 8. Greenhouse Gas Emissions           | 18. Tribal Cultural Resources          |
| 9. Hazards and Hazardous Materials    | 19. Utilities and Service Systems      |
| 10. Hydrology and Water Quality       | 20. Wildfire                           |
|                                       | 21. Mandatory Findings of Significance |

Each environmental issue subsection is organized in the following manner:

The **Environmental Setting** summarizes the existing conditions at the regional, subregional, and local level, as appropriate, and identifies applicable plans and technical information for the particular issue area.

The **Checklist Discussion/Analysis** provides a detailed discussion of each of the environmental issue checklist questions. The level of significance for each topic is determined by considering the predicted magnitude of the impact. Four levels of impact significance are evaluated in this Initial Study:

**No Impact:** No project-related impact to the environment would occur with project development.

**Less Than Significant Impact:** The impact would not result in a substantial adverse change in the environment. This impact level does not require mitigation measures.

**Less Than Significant with Mitigation Incorporated:** An impact that may have a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (CEQA Guidelines Section 15382). However, the incorporation of mitigation measures that are specified after analysis would reduce the project-related impact to a less than significant level.

**Potentially Significant Impact:** An impact that is “potentially significant” but for which mitigation measures cannot be immediately suggested or the effectiveness of potential mitigation measures cannot be determined with certainty, because

more in-depth analysis of the issue and potential impact is needed. In such cases, an EIR is required.

## **2.0 Project Information**

## 2.0 Project Information

- 1. Project title:** Palomar Enterprises Zone Change & Boundary Line Adjustment (Z-15-01 & BLA-15-03)
- 2. Lead agency name and address:** Siskiyou County Community Development Department – Planning Division  
806 South Main Street  
Yreka, CA 96097
- 3. Contact Person and phone number:** Rachel Jereb, Senior Planner  
(530) 841-2100
- 4. Project Location** The project site, which is accessed via Gordon’s Ferry Rd., is located adjacent to the Klamath River approximately two miles southeast of the community of Happy Camp on APNs 016-290-021, 016-290-181, 016-290-331, and 016-290-361, Sections 7, 13 and 18, Township 16N, Range 7E, Humboldt Meridian (Latitude 41°46'31.00"N, Longitude 123°20'32.63"W).
- 5. Project sponsor’s name and address:** Buzz Culver  
Palomar Enterprises, Inc.  
PO Box 462947  
Escondido, CA 92046
- 6. General Plan designation:** Flood Hazard – Primary and Secondary Floodplains
- 7. Zoning:** Timberland Production District (TPZ) and Rural Residential Agricultural, 2.5-acre minimum parcel size (R-R-B-2.5)
- 8. Description of project:** The project is a proposed rezone of approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5, as well as a concurrent boundary line adjustment to distribute those 10.6

acres among three adjacent parcels that are zoned R-R-B-2.5 and located within the 100-year floodplain of the Klamath River. The purpose of the boundary line adjustment is to provide the three adjacent parcels subject to flooding with residentially zoned property outside of the 100-year floodplain.

**9. Surrounding land uses and setting:**

The project site is adjacent to the Klamath River and is substantially surrounded by undeveloped properties. Surrounding land uses within 0.5 mile of the project site include public lands and private parcels zoned for rural residential development.

**10. Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):**

- Regional Water Quality Control Board, North Coast Region (RWQCB)
- California Department of Forestry and Fire Protection (Cal Fire)

**11. Environmental factors potentially affected:**

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist on the following pages.

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

**12. Determination:** (To be completed by the lead agency)

On the basis of this initial evaluation:

- I find that the proposed project **could not** have a significant effect on the environment, and a **Negative Declaration** will be prepared.
  
- 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.
  
- I find that the proposed project **may** have a significant effect on the environment, and an **Environmental Impact Report** is required.
  
- 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.
  
- 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.

\_\_\_\_\_  
Signature on file  
Signature  
\_\_\_\_\_  
Rachel Jereb  
Printed Name  
\_\_\_\_\_  
Senior Planner  
Title

\_\_\_\_\_  
June 29, 2020  
Date  
\_\_\_\_\_  
County of Siskiyou  
Lead Agency

## **3.0 Project Description**

## 3.0 Project Description

### 3.1 Project Location

The project site is located approximately 14 miles south of the California-Oregon border and approximately two miles southeast of the unincorporated community of Happy Camp in Siskiyou County, California. The site, which is accessed via Gordon's Ferry Road off State Route 96 (Hwy 96), is adjacent to the Klamath River on Assessor Parcel Numbers (APNs) 016-290-021, 016-290-181, 016-290-331, and 016-290-361 in Sections 13 and 18, Township 16N, Range 7E, Humboldt Meridian (Latitude 41°46'31.00"N, Longitude 123°20'32.63"W). (See **Figure 3.0-1.**)

### 3.2 Existing Site Conditions

The 26-acre project site is comprised of three parcels and portion of a fourth, and is largely undeveloped, having been improved with a dirt roadway and a water storage tank that serve a residential property approximately 200 feet southwest of the project site and little else.

Within the project site, the terrain and vegetation vary with distance from the river. From relatively flat and dominated by annual grasses and low growing riparian vegetation in the western portion the site to slopes of 4 to 12 percent and densely growing conifers, including Douglas fir and ponderosa pine, in the east. Being situated adjacent to the Klamath River, much of the westerly portion of the project site is located within the 100-year floodplain.

### 3.3 Adjacent Land Uses

The project site is substantially surrounded by large, heavily forested parcels administered by the United States Forest Service - Klamath National Forest (USFS-KNF). In addition, the Klamath River is within close proximity to the project site (60-230 feet) to the west. While a few smaller residentially zoned parcels (≤5 acres) border the project site immediately to the south and west, only one of these properties has been developed. This property, which is owned by the project proponent, has been developed with a single-family dwelling, a caretaker's residence, and residential accessory structures, and is located approximately 200 feet southwest of the project site.

### 3.4 Project Overview

The project includes a proposed rezone of approximately 10.6 acres of a 251.5-acre parcel from Timberland Production (TPZ) to Rural Residential Agricultural, 2.5-acre minimum parcel size (R-R-B-2.5), as well as a concurrent boundary line adjustment that would distribute the 10.6 acres among three R-R-B-2.5-zoned parcels that are located immediately west of the TPZ-zoned parcel and adjacent to the Klamath River. (Please

refer to **Table 3.1** below, as well as **Figures 3.0-2**, and **3.0-3** on pages 3.0-7 and 3.0-9, respectively.

**Table 3.0-1  
Proposed Boundary Line Adjustment**

APNs	Original Acreage	Adjustment	Final Acreage
016-290-021	251.5	-10.6	240.9
016-290-181	11.1	-3.4	7.7
016-290-331	2.0	+4.8	6.8
016-290-361	2.3	+9.2	11.5

No new zoning designation would be introduced to the site, however, the acreage of TPZ zoning associated with APN 016-290-021 would decrease from 251.5 acres to approximately 240.9 acres, and the acreage of R-R-B-2.5 zoning associated with APNs 016-290-181, 016-290-331, and 016-290-361 would increase from approximately 15.4 acres to approximately 26 acres.

The intent of the project is to provide the three parcels currently zoned R-R-B-2.5 with sufficient area outside of the 100-year floodplain to accommodate future development of residences and/or accessory structures in areas free of flood hazard, as well as to facilitate a possible future boundary line adjustment for two additional river-adjacent parcels (APNs 016-290-261 and 016-290-231) that are also zoned R-R-B-2.5 and located adjacent to the project site. These two parcels are located south of the three river-adjacent parcels involved in the initial boundary line adjustment described above. However, because one of these parcels (APN 016-290-231) is already substantially developed with a single-family dwelling, a caretaker’s residence, and residential accessory structures, future development outside of the 100-year floodplain on this parcel is unlikely unless existing improvements are damaged or destroyed.

### **3.5 Project Approvals**

The County of Siskiyou is the Lead Agency for this project. In addition, permits and/or approvals may be required from the following agencies:

#### **Regional Water Quality Control Board, Central Valley Region (RWQCB)**

The RWQCB typically requires a General Permit for Discharges of Storm Water Runoff (Construction General Permit) be obtained under the National Pollution Discharge Elimination System (NPDES) for projects that disturb more than one acre of soil. Typical conditions associated with such a permit include the submittal of and adherence to a storm water pollution and prevention plan (SWPPP), as well as prohibitions on the release of oils, grease or other hazardous materials.

## **California Department of Forestry and Fire Protection (Cal Fire)**

Cal Fire provides wildland fire protection services to the project area, which has been identified as being located within a State Responsibility Area (SRA). Fire Safe Regulations have been prepared and adopted by the state to establish minimum wildfire protection standards for development within the SRA. Fire Safe Regulations are not intended to apply to existing structures, roads, streets, private lanes, or facilities. However, these regulations are applicable to all construction activities in conjunction with the creation of new parcels, new roads, use permit, and building permit approvals within the SRA, approved after January 1, 1991.

### **3.6 Relationship of Project to Other Plans**

#### **Siskiyou County General Plan**

The proposed project will be located entirely within the unincorporated area of Siskiyou County. The Siskiyou County General Plan is the principal document governing land use development in the unincorporated area of the county. The General Plan includes numerous goals and policies pertaining to land use, circulation, noise, open space, scenic highways, seismic safety, safety, conservation, energy, and geothermal. The General Plan Land Use Element was most recently adopted on August 12, 1980. The proposed project will be required to abide by all applicable goals and policies included in the County's adopted General Plan.

#### **Basin Plan for the North Coast Regional Water Quality Control Board**

The project site is located within the Klamath River Basin, which is under the jurisdiction of the North Coast Regional Water Quality Control Board (RWQCB). One of the duties of the RWQCB is development of "basin plans" for the hydrologic area over which it has jurisdiction. The Basin Plan sets forth water quality objectives for both surface water and groundwater for the region, and it describes implementation programs to achieve these objectives. The Basin Plan provides the foundation for regulations and enforcement actions of the North Coast RWQCB.

In June 2018, the RWQCB adopted the most recent version of the Water Quality Control Plan for the North Coast Region (Basin Plan). The Basin Plan defines existing and potential beneficial uses of surface water and groundwater in the Klamath River Basin and sets forth water quality objectives for these waters (RWQCB 2018).

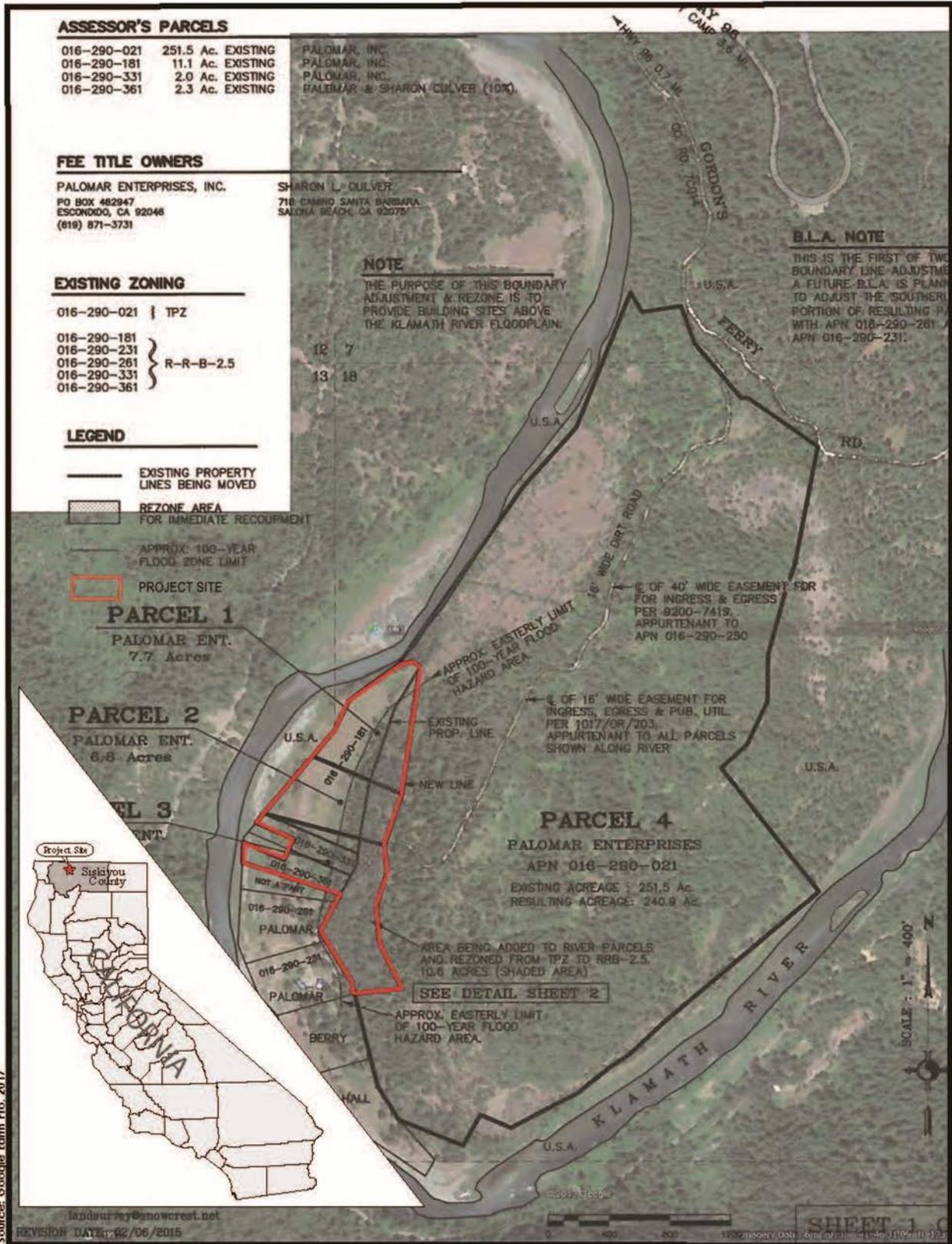
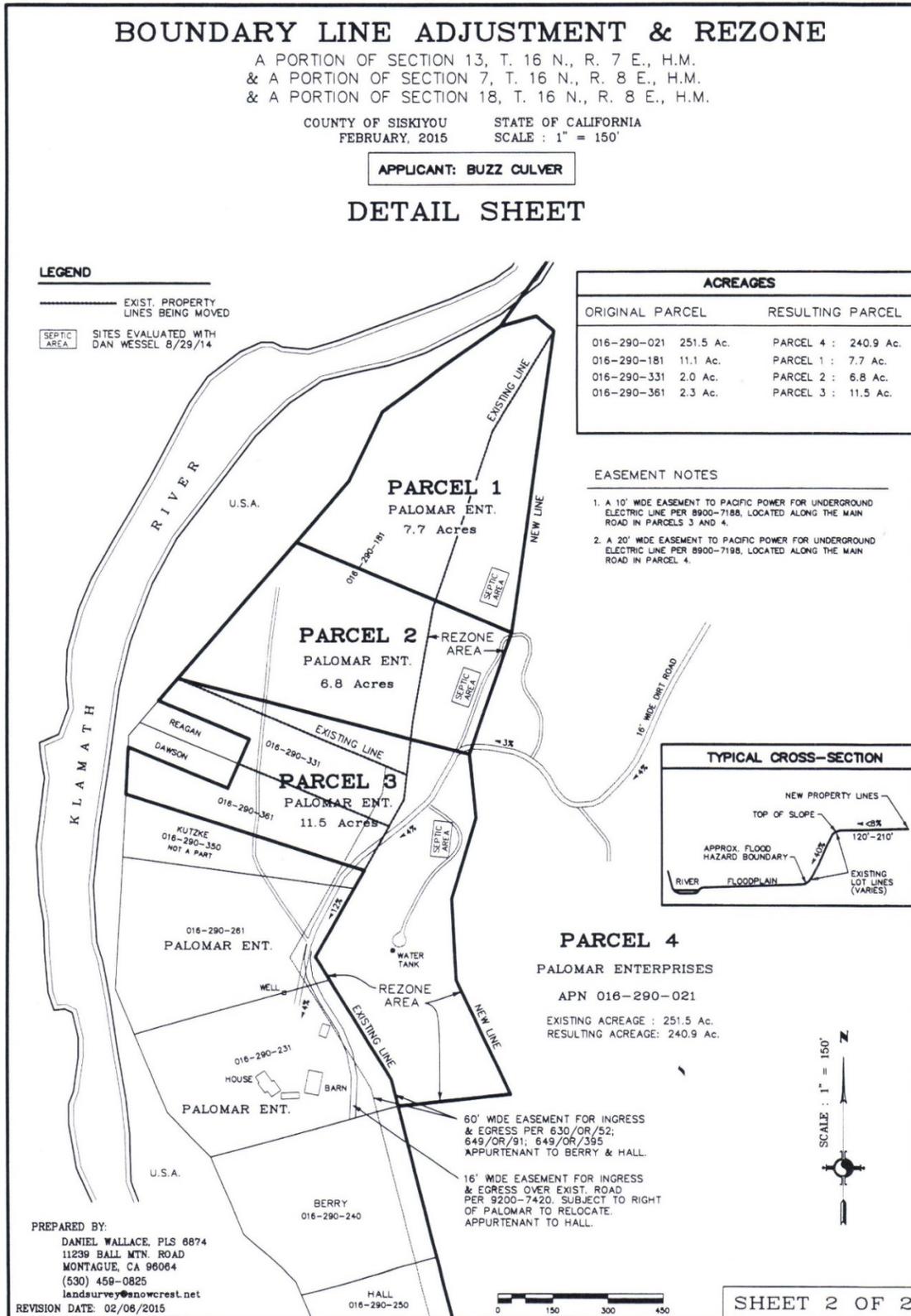


Figure 3.0-1 Project Location

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**Figure 3.0-3, Boundary Line Adjustment and Rezone – Detail Sheet**

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## **4.0 Environmental Checklist**

## 4.0 Environmental Checklist

### 4.1 Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Setting:

The project site is located adjacent to the Klamath River approximately two miles southeast of the community of Happy Camp and is predominantly surrounded by the Klamath National Forest, which includes nearly 1.7 million acres in Northern California and Southern Oregon. Prominent nearby topographic features visible from the project site include Cade Mountain and Slater Butte to the north and Frying Pan Ridge to the south.

Being located adjacent to the Klamath River, much of the western half of the 26-acre project site is within the river's 100-year floodplain. The site is relatively flat in this area with low-lying grasses and riparian vegetation giving way to more abundant tree cover on an elevated bench outside of the floodplain to the east. Nearby properties are of varying size (approx. 0.5 acre to 600 acres), include both public lands and privately-owned parcels zoned for rural residential use, and are largely undeveloped.

There are no officially designated state scenic highways in the project vicinity, however, State Highway 96, approximately one mile north of the project site, is eligible for designation as a State Scenic Highway (Caltrans, 2015) and is identified as a scenic highway in the Scenic Highways Element of the Siskiyou County General Plan.

## Discussion of Impacts:

- a) *Less Than Significant Impact.* Although the project site is located in a scenic area, it is not part of a scenic vista. The project would rezone approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5 to facilitate a boundary line adjustment with three other parcels currently zoned R-R-B-2.5 that are largely located within the 100-year floodplain of the Klamath River. The project is being proposed to accommodate future development of residences and/or accessory structures in areas that are free of flood hazard. The limited number of residences and other uses that would be entitled by the proposed rezone of 10.6 acres are presently permitted by-right on 15.4 acres of the project site and no greater development potential would result from the project. Further, The visual character of the project site is very similar to its surroundings and would remain so even if further developed with uses permitted in the R-R-B-2.5 zoning district. As such, potential visual impacts associated with the project are considered less than significant.
- b) *Less Than Significant Impact.* Although there are no state scenic highways in the project vicinity, State Highway 96 (approximately one mile to the north) is designated as a scenic highway in the Siskiyou County General Plan. However, due to intervening topography and vegetation, the project site is not visible from State Highway 96. Therefore, the proposed project would not damage scenic resources along a locally designated or state-designated scenic highway. Furthermore, no other scenic resources would be damaged as a result of the project.
- c) *Less Than Significant Impact.* See Response 4.1(a). The project is located in a non-urbanized area, and although the existing visual character of the project site would likely change somewhat as a result of future development of residences outside of the 100-year floodplain, such changes would be consistent with rural residential development in the area and would not be visible to the public outside of the stream corridor. Additionally, the R-R-B-2.5 zoning is already present at much of the site, so no new uses would be introduced as a result of the project. The project, as proposed, would only increase the acreage of R-R-B-2.5 zoning, but would not introduce new zoning designations or new permitted uses to the site. As a result, potential changes to the visual character and quality of the site are considered less than significant.
- d) *Less Than Significant Impact.* The project does not propose any new sources of light or glare. It's anticipated that any outdoor lighting resulting from future development of the lots would be consistent with existing development in the project vicinity. Furthermore, as with existing development, future development would also be subject to Section 10-6.5602 of the Siskiyou County Code, which requires that exposed sources of light, glare, or heat be shielded so as not to be directed outside the premises. Compliance with County Code Section 10-6.5602 further ensures that potential impacts associated with light or glare will remain less than significant.

**Mitigation Measures:**

None required.

## 4.2 Agriculture and Forestry Resources:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resource Board.

Would the Project:	Potentially Significant Impact	Less Than Significant 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 nonagricultural 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting:

The project site is surrounded by lots zoned Rural Residential Agricultural with varying minimum parcel size requirements (e.g., R-R-B-5, R-R-B-20, R-R-B-40). There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the project site or on surrounding parcels. The closest Williamson Act contracted lands are located over fifteen miles northeast of the project site.

## Discussion of Impacts:

- a) *No Impact.* As identified on the 2010 Siskiyou County Important Farmland Map published by the California Department of Conservation's Farmland Mapping and Monitoring Program, none of the land within the project site is considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.
- b) *No Impact.* There are no project components located on lands with a Williamson Act contract or that have the potential to impact agricultural activity and/or a Williamson Act contract.
- c) *Less Than Significant Impact.* Although the zoning on 10.6 acres of a 251.5-acre parcel would change from Timberland Production (TPZ) to R-R-B-2.5 as a result of the project, 240.9 acres, or roughly 96% of the parcel, would remain zoned TPZ. Further, the R-R-B-2.5 zoning district permits tree farming as an allowed use, there is no proposal to develop the parcels at present, and it is anticipated that the growing of timber would continue for the foreseeable future. Should development be proposed at some point in the future that would result in the removal of timber from the site, the property owner(s) would need to comply with the terms of a timber harvest plan approved by the California Department of Forestry and Fire Protection (Cal Fire) and/or obtain a one-time minor exclusion for development on less than two acres. As such, the potential loss of timberland associated with the project is considered less than significant.
- d) *Less Than Significant Impact.* See Response 4.2(c) above. The potential conversion of forest land is considered less than significant.
- e) *Less Than Significant Impact.* See Responses 4.2(a) through 4.2(d) above. The proposed rezone and boundary line adjustment would have a less than significant impact on agriculture and forestry resources.

## Mitigation Measures:

None required.

### 4.3 Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant 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"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in other emissions (such as those leading to odors) affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Setting:

The project site is located in a region identified as the Northeast Plateau Air Basin (NEPAB), which principally includes Siskiyou, Modoc, and Lassen counties. This larger air basin is divided into local air districts, which are charged with the responsibility of implementing air quality programs. The local air quality agency affecting the project area is the Siskiyou County Air Pollution Control District (SCAPCD). Within the SCAPCD, the primary sources of air pollution are wood burning stoves, wildfires, farming operations, unpaved road dust, managed burning and disposal, and motor vehicles.

As noted above, the SCAPCD is the local air quality agency with jurisdiction over the project site. The SCAPCD adopts and enforces controls on stationary sources of air pollutants through its permit and inspection programs and regulates agricultural and non-agricultural burning. Other District responsibilities include monitoring air quality, preparing air quality plans, and responding to citizen air quality complaints.

#### Ambient Air Quality Standards

Air quality standards are set at both the federal and state levels of government (Table 4.3-1). The federal Clean Air Act requires the Environmental Protection Agency (EPA) to establish ambient air quality standards for six criteria air pollutants: ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and suspended particulate matter. The California Clean Air Act also sets ambient air quality standards. The state standards are more stringent than the federal standards, and they include other pollutants as well as

those regulated by the federal standards. When the concentrations of pollutants are below the allowed standards within an area, that area is considered to be in attainment of the standards.

**Table 4.3-1  
Federal and State Ambient Air Quality Standards**

Pollutant	Averaging Time	Federal Primary <sup>1</sup>	Federal Secondary <sup>1</sup>	California <sup>2</sup>
Ozone	8 Hour	0.07 ppm	0.07 ppm	0.07 ppm
	1 Hour	--	--	0.09 ppm
Carbon Monoxide	8 Hour	9 ppm	--	9 ppm
	1 Hour	35 ppm	--	20 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.053 ppm	0.03 ppm
	1 Hour	100 ppb	--	0.18 ppm
Sulfur Dioxide	Annual	0.03 ppm	--	--
	24 Hour	0.14 ppm	--	0.04 ppm
	3 Hour	--	0.5 ppm	--
	1 Hour	75 ppb	--	0.25 ppm
Fine Suspended Particulate Matter (PM <sub>2.5</sub> )	Annual	12.0 µg/m <sup>3</sup>	15.0 µg/m <sup>3</sup>	12 µg/m <sup>3</sup>
	24 Hour	35.0 µg/m <sup>3</sup>	35.0 µg/m <sup>3</sup>	--
Suspended Particulate Matter (PM <sub>10</sub> )	Annual	--	--	20 µg/m <sup>3</sup>
	24 Hour	150 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>	50 µg/m <sup>3</sup>
Sulfates	24 Hour	--	--	25 µg/m <sup>3</sup>
Lead	30 Day Calendar Qtr	--	--	1.5 µg/m <sup>3</sup>
		1.5 µg/m <sup>3</sup>	1.5 µg/m <sup>3</sup>	--
Hydrogen Sulfide	1 Hour	--	--	0.03 ppm
Vinyl Chloride	24 Hour	--	--	0.01 ppm
Visibility-Reducing Particles	8 Hour (10 am - 6 pm PST)	--	--	(3)

Source: California Air Resources Board 2016

<sup>1</sup> National Primary Standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public.

National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM<sub>10</sub>, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m<sup>3</sup> is equal to or less than one. For PM<sub>2.5</sub>, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.

<sup>2</sup> California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter - PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility reducing particles, are values that are not to be

exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

<sup>3</sup> Extinction coefficient of 0.23 per kilometer - visibility of ten miles or more (0.07 - 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.

### Air Quality Monitoring

Ozone (hourly and 8-hour average) is the only contaminant that receives continuous monitoring in Siskiyou County. The closest air quality monitoring station to the project site is located approximately 35 miles east in the City of Yreka. This station formerly monitored both ozone and particulate matter. According to the SCAPCD, the District ceased its ongoing monitoring of PM<sub>10</sub> at the Yreka station at the end of December 2015 and ended its one-in-six-day monitoring of PM<sub>2.5</sub> at the end of June 2018. **Table 4.3-2** shows the results of monitoring efforts from 2016 – 2018 at the Yreka station.

**Table 4.3-2  
Siskiyou County Air Quality Data**

Pollutant	Standard	Year		
		2016	2017	2018
Ozone (O <sub>3</sub> )				
Maximum 1-Hour Concentration (ppm)		0.092	0.053	0.089
Maximum 8-Hour Concentration (ppm)		0.068	0.049	0.075
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	0	0	0
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.07 ppm	0	0	4
Ultra-Fine Particulates (PM <sub>2.5</sub> )				
Maximum 24-Hour Concentration (µg/m <sup>3</sup> )		25.1	78.8	143.2
Estimated No. of Days Exceeding Federal 24-Hour Standard	> 35 µg/m <sup>3</sup>	*	26	37

Source: California Air Resources Board 2019

\* Insufficient data

### Monitored and Previously Monitored Air Pollutants

Ozone is a gas comprising three oxygen atoms. It occurs both in the earth’s upper atmosphere and at ground level. Ozone can be either beneficial or detrimental to human health, depending on its concentration and where it is located. Beneficial ozone occurs naturally in the earth’s upper atmosphere, where it acts to filter out the sun’s harmful ultraviolet rays. Bad ozone occurs at ground level and is created when cars, industry, and other sources emit pollutants that react chemically in the presence of sunlight. Ozone exposure can result in irritation of the respiratory system, decreased lung function, aggravated asthma, and possible lung damage with persistent exposure.

PM<sub>2.5</sub> (i.e., suspended particulate matter less than 2.5 microns) is a major air pollutant consisting of tiny solid or liquid particles. The size of the particles (about 0.0001 inches or less) allows them to easily enter the lungs where they may be deposited. PM<sub>2.5</sub> is typically formed in the atmosphere from primary gaseous emissions that include sulfates emitted by power plants and industrial facilities and nitrates emitted by power plants, automobiles, and other types of combustion sources, including wildfires. The chemical composition of fine particles highly depends on location, time of year, and weather conditions. Inhalation of PM<sub>2.5</sub> can cause persistent coughing, phlegm, wheezing, and other physical discomfort. Long-term exposure may increase the rate of respiratory and cardiovascular illness.

As shown in **Table 3.2** above, neither the project site nor Siskiyou County have been identified as having significant air quality problems and are considered to be in attainment or unclassified for all federal and state air quality standards. As a result, the County is not subject to an air quality attainment or maintenance plan.

#### **Discussion of Impacts:**

- a) *No Impact.* Siskiyou County is classified as being in attainment or unclassified for all federal and state air quality standards and, as a result, is not subject to an air quality plan.
- b) *Less Than Significant Impact.* See Response 4.3(a). Any air contaminants likely to be generated as a result of future development of a limited number of residences outside of the floodplain would have a negligible impact on the County's ability to meet federal and state air quality standards.
- c) *Less Than Significant Impact.* Sensitive receptors are generally defined as facilities that house or attract groups of children, the elderly, persons with illnesses, and others who are especially sensitive to the effects of air pollutants. Schools, hospitals, residential areas, and senior care facilities are examples of sensitive receptors. The nearest sensitive receptor is the Happy Camp Elementary School roughly 1.8 miles northwest of the project site. Although there is one single-family residence in close proximity to the project site (approx. 200 feet to the southwest), it is a seasonal home owned by the project proponent. In addition to the project's lack of proximity to sensitive receptors, any land disturbance associated with future development of the project site outside of the 100-year floodplain is unlikely to result in substantial emissions. As such, the project's potential impact on sensitive receptors is considered less than significant.
- d) *Less Than Significant Impact.* See Response 4.3(c). The proposed project would not result in any emissions that would affect a substantial number of people, as the project is limited to the rezoning of land and the reconfiguring of boundary lines in a rural, sparsely populated area of the County. Future development of the project site could result in temporary, localized odors as a result of construction activity. Odors

would be generated by tailpipe emissions from diesel-powered construction equipment. However, these emissions would be very limited in duration, would not affect a substantial number of people, and are considered less than significant.

**Mitigation Measures:**

None required.

## 4.4 Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant 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 US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

### Setting:

The United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS) document species that may be rare, threatened or endangered. Federally listed species are fully protected under the mandates of the Federal Endangered Species Act (FESA). "Take" of listed species incidental to otherwise lawful activity may be authorized by either the U.S. Fish

and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS), depending upon the species.

Under the California Endangered Species Act (CESA), CDFW has the responsibility for maintaining a list of threatened and endangered species. CDFW also maintains lists of “candidate species” and “species of special concern” which serve as “watch lists.” State-listed species are fully protected under the mandates of CESA. “Take” of protected species incidental to otherwise lawful management activities may be authorized under Section 2081 of the Fish and Game Code of California.

Under Section 3503.5 of the California Fish and Game Code, it is unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (raptors) or to take, possess or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

The Native Plant Protection Act (California Fish and Game Code Sections 1900-1913) prohibits the taking, possessing, or sale within the state of any rare, threatened or endangered plants as defined by the CDFW. Project impacts on these species would not be considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with the project.

### Special Status Species

Special-status species are commonly characterized as species that are at potential risk or actual risk to their persistence in a given area or across their native habitat (locally, regionally, or nationally) and are identified by a state and/or federal resource agency as such. These agencies include governmental agencies such as CDFW, USFWS, or private organizations such as the California Native Plant Society (CNPS). The degree to which a species is at risk of extinction is the limiting factor on a species’ status designation. Risk factors to a species’ persistence or population’s persistence include habitat loss, increased mortality factors (take, electrocution, etc.), invasive species, and environmental toxins. In the context of environmental review, special-status species are defined by the following codes:

- 1) Listed, proposed, or candidates for listing under the federal Endangered Species Act (ESA) (50 Code of Federal Regulations [CFR] 17.11 – listed; 61 Federal Register [FR] 7591, February 28, 1996 candidates);
- 2) Listed or proposed for listing under the California Endangered Species Act (CESA) (Fish and Game Code [FGC] 1992 Section 2050 et seq.; 14 California Code of Regulations [CCR] Section 670.1 et seq.);
- 3) Designated as Species of Special Concern by the CDFW;
- 4) Designated as Fully Protected by the CDFW (FGC Sections 3511, 4700, 5050, 5515); and

- 5) Species that meet the definition of rare or endangered under the California Environmental Quality Act (CEQA) (14 CCR Section 15380) including CNPS List Rank 1B and 2.

### CDFW Early Consultation

Prior to development of the Initial Study, County staff contacted CDFW for the purpose of early consultation, and on May 13, 2015, CDFW submitted comments regarding the potential for six special-status species to occur within the project vicinity. The species are: coho salmon (*Oncorhynchus kisutch*), Siskiyou Mountains salamander (*Plethodon stormii*), bald eagle (*Haliaeetus leucocephalus*), steelhead, (*Oncorhynchus mykiss*), Del Norte salamander (*Plethodon elongatus*), and robust false lupine (*Thermopsis robusta*). Due to the number of special-status species potentially occurring in the project vicinity, CDFW recommended that an evaluation of the potential for special-status species to occur on the project site be completed. In addition, in order to protect aquatic resources, CDFW recommended that a 150-foot no-disturbance buffer be established adjacent to the Klamath River and that a buffer also be established to protect a spring noted as occurring “uphill from the current homesites”.

In response to CDFW’s early consultation comments, Criss & Co. Consultants completed a Biological Assessment Report (April 2016) that evaluated the project’s potential to adversely impact biological resources within and adjacent to the project site. The report included an assessment of potential impacts to the six special-status species previously identified by CDFW, as well as potential impacts to five other special-status species with the potential to occur in the project vicinity as determined through a review of CDFW, USFWS, and CNPS databases: northern spotted owl (*Strix occidentalis caurina*), willow flycatcher (*Empidonax traillii*), Pacific fisher (*Pekania pacifica*), gray wolf (*Canis lupus*), and Townsend’s big eared bat (*Corynorhinus townsendii*). The report also analyzed potential impacts to water quality and sensitive habitats (**see Attachment B**).

Upon review of a draft of the Biological Assessment Report, CDFW submitted comments indicating that because the report noted the presence of potential Pacific fisher habitat on the project site, a focused survey for Pacific fisher should be conducted to determine whether the species was utilizing the site.

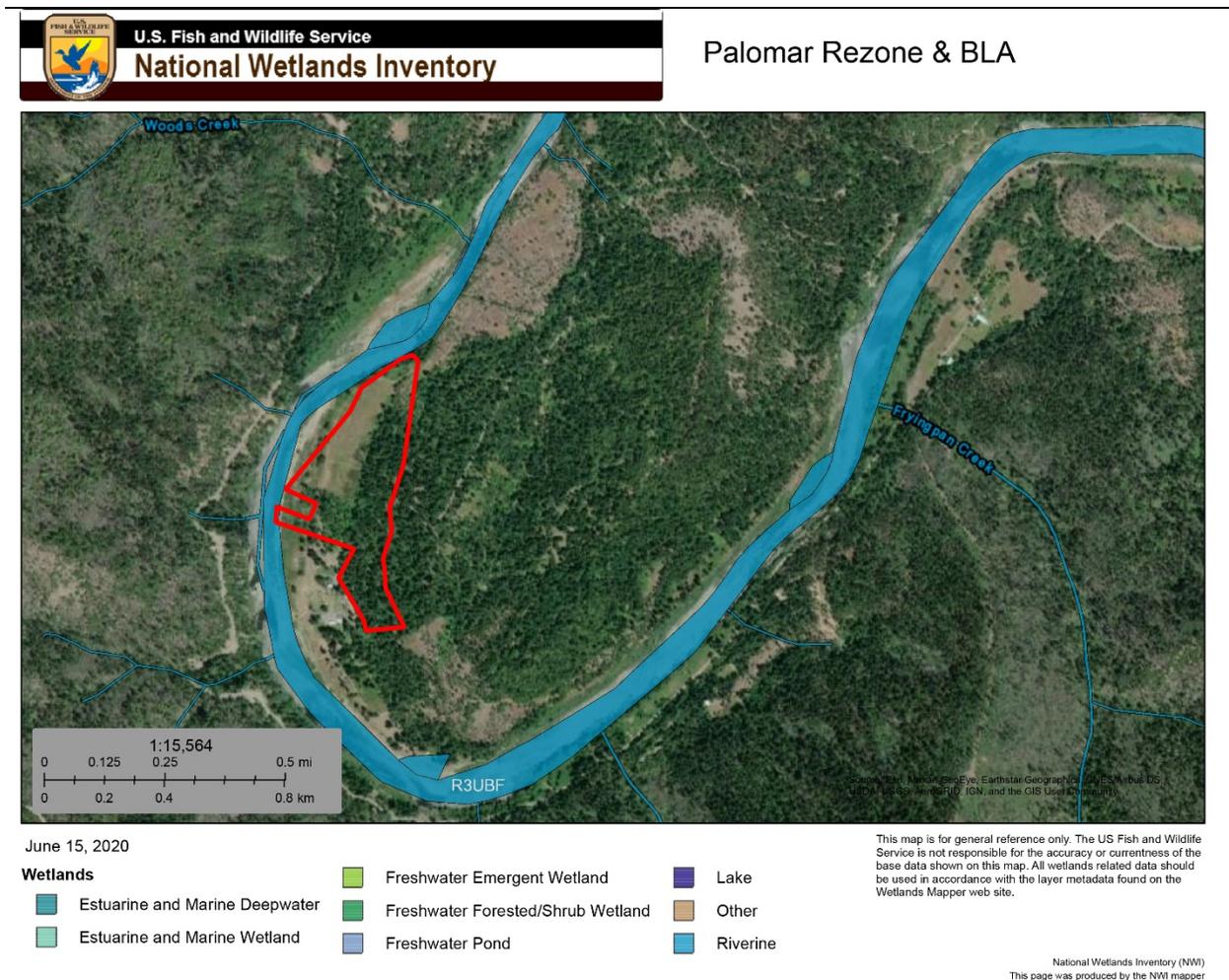
Per CDFW’s recommendation and in accordance with standard field survey techniques, Criss & Co. Consultants conducted a focused survey for Pacific fisher between October 29, 2015, and December 2, 2015 (**see Attachment C**). According to the Criss & Co. Consultants’ report, the Pacific fisher survey involved the placement of bait traps containing fresh chicken parts and cans of commercial cat food to lure any Pacific fisher utilizing the site, with wildlife cameras pointed at the bait traps to record activity. The baited camera stations were set up in three different locations, one within the 26-acre project site and two outside the project site on the larger 251.5-acre property for which

the partial rezone is proposed. The stations were checked on a weekly basis for any pictures that were triggered, to refresh batteries, and for restocking of the bait traps.

Although no Pacific fisher were detected on the project site, one was detected approximately 0.25-mile distant at one of the two survey sites on the larger 251.5-acre property. As a result, Criss & Co. Consultants' Pacific fisher report includes a number of recommendations to ensure future construction activities do not adversely impact the species. Those recommendations have been incorporated herein below as mitigation measures.

### Wetlands

A review of the USFWS National Wetland Inventory database indicates the presence of potential jurisdictional wetlands at the western edge of the project site within and adjacent to the Klamath River (see Figure 4.0-1 below). In addition, the Biological Assessment Report, identified a spring located adjacent to the project site and a formerly wetted meadow on the project site.



**Figure 4.0-1, USFWS National Wetlands Inventory**

**Discussion of Impacts:**

*a) Less Than Significant with Mitigation Incorporated.*

Special-Status Plants: Based on comments received from CDFW, robust false lupine (*Thermopsis robusta*), a CNPS List 1B species, has the potential to occur in the project vicinity. As a result, Criss & Co. Consultants conducted a field investigation of the project site in July 2015 during the blooming period for the species and found that it does not exist within the project area. As such, potential impacts to special-status plant species are considered less than significant.

Special-Status Wildlife: A number of special-status wildlife species have been identified as potentially occurring in the project vicinity, including northern spotted owl, coho salmon, bald eagle, steelhead, Siskiyou Mountains salamander, Del Norte salamander, willow flycatcher, Pacific fisher, Townsend’s big-eared bat, and gray wolf.

The Biological Assessment Report prepared for the project evaluated the project's potential impact on each of the special-status wildlife species noted above and concluded that although the project site contains potential habitat for several of the species, none are likely to be adversely impacted by the project. The report determined that for some of the special-status species there is insufficient or inadequate habitat on the project site to meet the species' needs, and for others the report indicates the species are more likely to occupy more attractive, higher-grade habitat nearby. For those species not limited by habitat on the project site, the species were not observed during field surveys and are considered to have little likelihood of being present. For those species bound to the river outside the project site, such as salmon and steelhead, the report indicates that the project's potential to impact water quality and the species' aquatic habitat is negligible. Lastly, the report concludes that due to the nature of the project, it is unlikely to negatively impact any of the special-status species and/or their habitat.

Nevertheless, because the project site contains potential habitat for Pacific fisher, and at the request of CDFW, a subsequent focused survey for Pacific fisher was completed that resulted in a single individual being detected outside of and approximately 0.25-mile away from the project site. As a result, the survey included various recommendations to ensure that potential impacts to Pacific fisher remain less than significant during future development of the project site. Those recommendations have been incorporated herein below as mitigation measures **MM 4.1**, **MM 4.2**, and **MM 4.3**.

In addition, because future development outside of the 100-year floodplain has the potential to result in tree removal, which could in turn impact nesting migratory birds, mitigation measure **MM 4.4** is provided below. Implementation of this mitigation measure and the others noted above would reduce potential impacts to special-status species to a level that is considered less than significant.

- b) *Less Than Significant Impact.* Riparian vegetation grows adjacent to the Klamath River at the western edge of the project site. During early consultation, CDFW requested that a 150-foot buffer be established adjacent to the river to preclude future development or disturbance in this area. Criss & Co. Consultants agreed that such a buffer would protect the river corridor and retain the conservation advantages of the planned actions. However, much of the land located within 150 feet of the river, is owned by the Klamath National Forest, not the project proponent. Furthermore, while there is some riparian vegetation located along the western border of the project site, there is no component of the project that would potentially impact riparian vegetation. It is the intent of the project to establish sufficient residentially zoned acreage outside of the Klamath River's floodplain, and therefore away from riparian vegetation, to accommodate future development. As a result, with little to no potential for disturbance to riparian vegetation and/or aquatic resources resulting

from the project (see **Section 4.8, Hydrology and Water Quality**), no mitigation measures, such as the recommended buffer, were determined necessary to protect sensitive natural communities.

- c) *Less Than Significant Impact.* See Responses 4.4(a) and 4.4(b). As discussed above, the USFWS National Wetland Inventory database shows the presence of potential jurisdictional wetlands at the far western edge of the project site, and the Biological Assessment Report, identified a spring adjacent to the project site and a formerly wetted meadow on the project site. When informed of the finding prior to completion of the Biological Assessment Report, CDFW requested that a no-development buffer be established around the spring to protect it. During a follow-up conversation with Mr. Steve Criss of Criss & Co. Consultants, however, Mr. Criss explained that the spring consists of a pipe plumbed to a water tank and that it does not support wetland vegetation or riparian habitat. The Biological Assessment Report ultimately determined that no wetlands or wet meadow areas would be impacted by the project and the project as proposed was unlikely to affect water quality. As a result, potential impacts to state or federally protected wetlands are considered less than significant.
- d) *Less Than Significant Impact.* Migratory birds and other special-status species are known to occur in the vicinity of the project area and are likely to pass through the project area as well. However, the proposed project will not substantially interfere with the movement of these species, or the migration of any other species
- e) *No Impact.* The proposed project would not conflict with any local policies or ordinances protecting biological resources.
- f) *No Impact.* No habitat conservation plans, natural community conservation plans, or other local, regional, or state habitat conservation plans affect the proposed project.

## **Mitigation Measures:**

**MM 4.1** Prior to development on the project site, the project proponent shall coordinate with the California Department of Fish and Wildlife and the United States Fish and Wildlife Service to ensure that planned construction activities will not negatively impact Pacific fisher.

Timing/Implementation: Prior to ground disturbance and/or construction activities associated with development of the site.

Enforcement/Monitoring: California Department of Fish and Wildlife

**MM 4.2** According to research conducted by UFWS, USFS, BLM, and CDFW, secondary poisoning of Pacific fisher from eating dead or dying rodents exposed to rodenticides is a major cause of species decline. Therefore, to

safeguard Pacific fisher populations from inadvertent poisonings, no rodenticides shall be used on the property.

Timing/Implementation: Ongoing

Enforcement/Monitoring: California Department of Fish and Wildlife

**MM 4.3** Ground disturbing activities and/or construction activities during development of the site shall occur outside of the Pacific fisher denning period of March through August, when the female Pacific fisher and kits are vulnerable to incidental take while residing in tree dens or ground dens in the area.

Timing/Implementation: During ground disturbance and/or construction activities associated with development of the site

Enforcement/Monitoring: California Department of Fish and Wildlife

**MM 4.4** In order to avoid impacts to nesting migratory birds and/or raptors protected under Fish and Game Code Section 3503, one of the following shall be implemented:

- a) Vegetation removal shall be limited to September 1 through January 31 when birds are not nesting; or
- b) If vegetation removal will occur during the avian breeding season of February 1 through August 31, a survey for nesting migratory birds shall be completed by a qualified biologist no more than one week prior to vegetation removal. If an active nest is located during the survey, no vegetation shall be removed until the young have fledged, as determined through additional monitoring by a qualified biologist. The results of the nesting bird survey(s) shall be sent to the Department at: California Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA 96001

Timing/Implementation: No more than one week prior to vegetation removal during the avian breeding season of February 1 through August 31

Enforcement/Monitoring: California Department of Fish and Wildlife

## 4.5 Cultural Resources

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

### Setting:

#### Northeast Information Center

At the request of the County, the Northeast Information Center (NEIC), a regional office of the California Historical Resources Information System (CHRIS), completed a records search of the project site and vicinity. According to NEIC records, areas of the project site had been previously surveyed for cultural resources in 1982 and 1993. The record search found no documented or recorded prehistoric resources on the project site as a result of these surveys, however, NEIC noted that four prehistoric sites are located in the project vicinity. In addition, NEIC indicated that six historic sites are located in the project vicinity and one historic site has been recorded on the project site. According to NEIC records, the historic resource located within the project site consists of ditches, mines, rock piles, tailings, trash scatters, ponds, a levy, and hydraulic blow-outs.

The NEIC indicated that because the project is located in an area considered highly sensitive for prehistoric and historical resources, there could be unrecorded prehistoric and historic cultural resources in the project area. Further, because existing surveys are more than ten years old and areas of the site have not yet been surveyed, NEIC recommended that a professional archaeologist conduct a cultural resources survey of the site and that local tribal representatives be contacted to determine whether traditional cultural properties are located on the site.

At the time the NEIC was contacted, a map showing a significantly larger project site was provided (263.5 acres rather than 26 acres), which created ambiguity as to the extent of prior surveys and the position of historic resources relative to the project site. As a result, NEIC was again contacted to clarify the project boundaries and to better assess potential impacts to cultural resources. Nevertheless, due to the extent of historic mining activity on Morgan Point, NEIC was unable to verify whether the previously noted resource was located on the project site.

## Archaeological Reconnaissance Report

Because NEIC was unable to verify whether the previously noted resource was located on the project site, a review of the 1982 cultural resource survey identified by the NEIC has having been prepared for Morgan Point was undertaken. The survey, “An Archaeological Reconnaissance Report of the James Murray CFIP Property in Siskiyou County, California,” describes the history of Morgan Point and nearby Happy Camp prior to and post European contact and includes maps of areas surveyed and the locations of recorded resources.

The survey was undertaken by the California Department of Forestry for a forest improvement project on Morgan Point that entailed broadcast burning, the planting of trees, and use of heavy equipment for brush removal, land leveling, and the construction of new roads in and around the current project site. Land disturbance associated with the forest improvement project is described as being “relatively high over most of the project area.”

The report indicates that much of the area proposed for rezone, as well as a large area within the 100-year floodplain were surveyed for cultural resources. These areas are described as having been heavily impacted by historic mining activity that removed several feet of soil and left bedrock exposed in an “unnatural state.” Elsewhere in the report, the western portion of Morgan Point, which is general location of the current project, is described as a “denuded, placer-mined landscape.”

The report concludes that due to the extent of historic disturbance on much of Morgan Point, the archaeologist was recommending clearance for the forest improvement project, as well as mitigation to protect the historic resources located on Morgan Point. While this mitigation remains in effect, all resources recommended for protection were determined to be located outside the project site and sufficiently distant from the project site that they would be unaffected by the proposed project.

## Tribal Consultation

The project site is within the ethnographic territory of the Karuk Tribe. In August 2019, the Karuk Tribe was notified of the project and the opportunity to consult pursuant to Assembly Bill 52 (2014). The purpose of AB 52 consultation is to engage tribes that are traditionally and culturally affiliated with the geographic area to avoid impacts to tribal cultural resources. In September 2019, the Tribe responded to the County’s AB 52 invitation and the project was discussed at the Karuk Resources Advisory Board (KRAB) in November 2019. Following the Advisory Board’s review, a site visit was conducted in January 2020 by Karuk Tribal Preservation Officer-Archaeologist Dr. Alex Watts Tobin and county planning staff. In addition, a follow-up site visit was conducted by Dr. Watts Tobin and another tribal representative in March 2020. Following the second site visit, KRAB again met and discussed the project.

In Dr. Watts Tobin’s letter to the County concluding the consultation process on March 31, 2020, it is noted that the “The THPO office concurs with the Siskiyou County

provisional finding of a Mitigated Negative Declaration, with respect to this project;” and the “action was not considered to be truly ground-disturbing by KRAB members. Please inform the Karuk THPO if and when ground-disturbing work is planned for those parcels.”

### **Discussion of Impacts:**

- a) *Less Than Significant with Mitigation Incorporated.* One historic site was identified by the NEIC as having been recorded within the project site. However, upon review of the maps contained in “An Archaeological Reconnaissance Report of the James Murray CFIP Property in Siskiyou County, California” (1982) relative to project site boundaries, it was determined that there are no prehistoric or historic resources that were recommended for protection within the boundaries of the project site. Although unlikely, it is still possible that ground disturbance associated with future development of the project site could uncover previously unrecorded historic resources. Therefore, to ensure that impacts to previously unrecorded historic resources remain less than significant, mitigation measures **MM 5.1** and **MM 5.2** are provided below.
- b) *Less Than Significant with Mitigation Incorporated.* No known archaeological or tribal cultural resources exist on the project site. Further, the site is describes as having been heavily disturbed by previous mining activity that resulted in considerable loss of soil such that any cultural resources present prior to the disturbance would likely have been lost or destroyed. Nevertheless, it is still possible, that ground disturbance associated with future development of the site could uncover and possibly impact previously unknown, subsurface archaeological resources if any are present. Therefore, to ensure that impacts to previously unrecorded archaeological resources remain less than significant, mitigation measures **MM 5.1** and **MM 5.2** are provided below.
- c) *Less Than Significant with Mitigation Incorporated.* There is no record of Native American or early European burial sites within or adjacent to the project site. Regardless, there is a possibility for an unanticipated and accidental discovery of human remains during ground-disturbing project-related activities. Therefore, mitigation measures **MM 5.1** and **MM 5.3** are provided below to address the potential discovery of any unrecorded or previously unknown resources and reduce this potential impact to a level that is considered less than significant.

### **Mitigation Measures:**

- MM 5.1** Prior to ground disturbance activities associated with development of the site, the property owner shall notify the Karuk Tribal Historic Preservation Office so that a Tribal representative can be present to monitor ground disturbing activities if desired by the Tribe.

Timing/Implementation: Prior to ground disturbance activities associated with development of the site

Enforcement/Monitoring: Siskiyou County Community Development Department - Planning Division

**MM 5.2** If, during ground disturbance associated with development of the site, cultural resources (i.e., prehistoric sites, historic features, isolated artifacts, and features such as concentrations of shell or glass) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and a professional archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery. The County shall consider mitigation recommendations presented by a professional archaeologist and implement a measure or measures that the County deems feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.

Timing/Implementation: During ground disturbance activities associated with development of the site

Enforcement/Monitoring: Siskiyou County Community Development Department - Planning Division

**MM 5.3** If, during ground disturbance associated with development of the site, human remains are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and the County Coroner must be notified, according to Section 5097.98 of the California Public Resources Code and Section 7050.5 of the California Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in California Code of Regulations Section 15064.5(d) and (e) shall be followed.

Timing/Implementation: During ground disturbance activities associated with development of the site

Enforcement/Monitoring: Siskiyou County Community Development Department - Planning Division

## 4.6 Energy

Would the project:	Potentially Significant Impact	Less Than Significant 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"/>

### Setting:

State and local agencies regulate the use and consumption of energy through various methods and programs. As a result of the passage of Assembly Bill 32 (the California Global Warming Solutions Act of 2006), which seeks to reduce the effects of Greenhouse Gas (GHG) emissions, a majority of the state regulations are intended to reduce energy use and GHG emissions. These include, among others, California Code of Regulations Title 24, Part 6–Energy Efficiency Standards, and the California Code of Regulations Title 24, Part 11– California Green Building Standards (CALGreen).

At the local level, the County’s Building Division enforces the applicable requirements of the Energy Efficiency Standards and Green Building Standards in Title 24. In addition, the Energy Element of the Siskiyou County General Plan (1993) contains various implementation measures that have been adopted for the purpose of avoiding or reducing energy impacts associated with development and/or to encourage efficient energy use in the County.

### Discussion of Impacts:

- a) *No Impact.* The project would rezone approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5 to facilitate a boundary line adjustment with three other parcels currently zoned R-R-B-2.5 that are largely located within the 100-year floodplain of the Klamath River. The project is being proposed to accommodate future development of residences and/or accessory structures in areas that are free of flood hazard. The limited number of residences and other uses that would be entitled by the proposed rezone of 10.6 acres are presently permitted by-right on 15.4 acres of the project site and no greater development potential would result from the project. As such, there would be not be a significant change in energy demand resulting from the project.

b) *No Impact*. See Response 4.6(a). The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

**Mitigation Measures:**

Not required.

## 4.7 Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant 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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Setting:

As indicated on the 2010 Fault Activity Map of California (DOC 2019), there are a number of faults in the region. The closest of these include the Peak Fault and Preston Fault to the west, and the Scott Valley Fault to the southeast. Although these faults are not necessarily inactive, they have shown no evidence of displacement during Quaternary time (the most recent 1.6 million years). The nearest potentially active fault (i.e., a fault along which displacement has occurred within the past 200 years) is the Stephens Pass Fault in the Cedar Mountain fault system, located roughly 80 miles southeast of the project site.

The Seismic Safety and Safety Element of the Siskiyou County General Plan states that over a 120-year period, nine or ten earthquakes capable of “considerable damage” have occurred in the region. No deaths have been reported from these quakes and building damage was considered minor or unreported. Regardless, Siskiyou County, like much of California, is located in an area with potential for major damage from earthquakes corresponding to intensity VII on the Modified Mercalli Scale.

Landslides are well documented in the project vicinity, particularly on steeper slopes adjacent to stream channels and road cuts and on fire denuded slopes underlain with serpentinite. While the project site is in an area having varying topography, slopes within and above the site are heavily vegetated and do not show signs of instability. Standard construction practices also limit the amount of potential erosion, and the California Building Code addresses necessary construction techniques to accommodate soils with expansive characteristics.

According to the USDA Natural Resources Conservation Service (NRCS), which classifies soils throughout the United States, project site soils are classified as #139 – Holland-Aiken families association, 2 to 15 percent slopes above the 100-year floodplain and #174 – Riverwash, within the 100-year floodplain. The Holland-Aiken families association consists of very deep, well-drained soils that formed in residuum weathered from igneous and metamorphic rock. This soil type has moderate shrink-swell potential, slow to moderately slow permeability, high runoff potential, and moderate erosion potential. Riverwash is a moderately deep, highly permeable and excessively drained soil type that formed from sandy and gravelly alluvium. It has little to no shrink swell potential, little to no erosion potential, and negligible runoff potential.

## **Discussion of Impacts:**

a)

- i. *Less Than Significant Impact.* There are no known active or potentially active faults within or adjacent to the project site. The closest mapped potentially active faults to the project area lie approximately 80 miles to the southeast. The California Geologic Survey does not identify the project site as being in an area affected by this fault or any other Alquist-Priolo Earthquake Fault Zone.
- ii. *Less Than Significant Impact.* See Response 4.7(a)(i) above. The project site is located in a potentially seismically active area and, as a result, any structures that may be developed in the future would likely be subject to future seismic activity. Improperly designed and/or constructed structures could be subject to damage from seismic activity with resulting injury or death for the occupants. However, any future development resulting from the project would be required to be designed to meet all California Building Code seismic design standards, as well as site-specific and project-specific

recommendations contained in the geotechnical analysis required prior to building permit issuance.

*iii. Less Than Significant Impact.* Liquefaction occurs when loose sand and silt that is saturated with water behaves like a liquid when shaken by an earthquake. Liquefaction can result in the following types of seismic-related ground failure:

- Loss of bearing strength – soils liquefy and lose the ability to support structures
- Lateral spreading – soils slide down gentle slopes or toward stream banks
- Flow failures – soils move down steep slopes with large displacement
- Ground oscillation – surface soils, riding on a buried liquefied layer, are thrown back and forth by shaking
- Flotation – floating of light buried structures to the surface
- Settlement – settling of ground surface as soils reconsolidate
- Subsidence – compaction of soil and sediment

Three factors are required for liquefaction to occur: (1) loose, granular sediment; (2) saturation of the sediment by groundwater; and (3) strong shaking. Impacts associated with liquefaction are unlikely given the well-drained soils on the project site and low incidence of seismic activity in the region.

*iv. Less Than Significant Impact.* Landslides are known to occur in the project vicinity. However, slopes within and adjacent to the project site are gentle to moderate, are heavily vegetated, and do not show signs of instability. As such, the potential for landslides is considered low. Additionally, the limited number of residences and other uses that would be entitled by the proposed rezone of 10.6 acres are presently permitted by-right on 15.4 acres of the project site and no greater development potential would result from the project.

b) *Less Than Significant Impact.* Erosion is the process by which soil material is detached and transported from one location to another by wind or water. Erosion occurs naturally in most systems but is often accelerated by human activities that disturb soil and vegetation. The rate at which natural and accelerated erosion occur is largely a function of climate, soil cover, slope conditions, and inherent soil properties. According to the NRCS, the Holland-Aiken families association identified in the area proposed for rezone exhibits a moderate erosion potential. However,

because no land disturbance is proposed at this time, no new uses would be introduced to the site, and ground disturbance associated with future development outside the 100-year floodplain would be relatively minor, potential erosion impacts are considered less than significant.

- c) *Less Than Significant Impact.* The potential for landslides on the project site was addressed under Response 4.7(a)(iv) and was determined to be less than significant. The potential for lateral spreading, liquefaction, subsidence, and other types of ground failure or collapse was addressed under Response 4.7(a)(iii) and was also determined to be less than significant.
- d) *Less Than Significant Impact.* Expansive or shrink-swell soils are soils that swell when subjected to moisture and shrink when dry. Expansive soils typically contain clay minerals that attract and absorb water, greatly increasing the volume of the soil. This increase in volume can cause damage to foundations, structures, and roadways. The Holland-Aiken families association identified on the project site in the area proposed for rezone is considered to have moderate shrink-swell potential; however, project-specific recommendations contained in the geotechnical analysis required prior to building permit issuance and standard procedures required by the California Building Code would reduce any potential impact associated with shrink-swell soils to a level that is considered less than significant.
- e) *No Impact.* The Siskiyou County Community Development Department - Environmental Health Division has reviewed the project and approved on-site sewage disposal areas for the four parcels involved in the boundary line adjustment.
- f) *Less Than Significant with Mitigation Incorporated.* No known unique geological or paleontological resources exist at the project site. Nevertheless, unanticipated and accidental discoveries of paleontological resources are possible during future development of the project site. Therefore, in order to ensure that potential impacts to paleontological resources remain less than significant, mitigation measure **MM 7.1** is provided below.

## **Mitigation Measures:**

- MM 7.1** If, during ground disturbance activities associated with development of the site, paleontological resources (e.g., fossils) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. The County shall consider the mitigation recommendations presented by a professional paleontologist and implement a measure or measures that the County deems feasible and appropriate. Such measures may include

avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.

Timing/Implementation: During ground disturbance activities associated with development of the site

Enforcement/Monitoring: Siskiyou County Community Development Department - Planning Division

## 4.8 Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting:

Greenhouse gases (GHGs) are released as byproducts of fossil fuel combustion, waste disposal, energy use, land use changes, and other human activities. This release of gases, such as carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and chlorofluorocarbons, creates a blanket around the earth that allows light to pass through but traps heat at the surface, preventing its escape into space. While this is a naturally occurring process known as the greenhouse effect, human activities have accelerated the generation of GHGs beyond natural levels. The overabundance of GHGs in the atmosphere has led to an unexpected warming of the earth and has the potential to severely impact the earth's climate system and environment.

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. CH<sub>4</sub> traps over 25 times more heat per molecule than CO<sub>2</sub>, and N<sub>2</sub>O absorbs 298 times more heat per molecule than CO<sub>2</sub> (Intergovernmental Panel on Climate Change [IPCC] 2013, 2014). Often, estimates of GHG emissions are presented in carbon dioxide equivalents (CO<sub>2</sub>e). Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO<sub>2</sub> were being emitted.

In California, major polluting entities are required to report their annual GHG emissions under the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions (MRR). A "major polluting entity" is defined as an industrial source that emits more than 10,000 metric tons of CO<sub>2</sub>e. The MRR program captures approximately 80 percent of the GHG emissions included in the State's GHG inventory (CARB 2017).

With adoption of Assembly Bill 32 and Senate Bill 97, the State of California established GHG reduction targets and has determined that GHG emissions as they relate to global climate change are a source of adverse environmental impacts. However, neither the State of California nor the County of Siskiyou have established significance criteria for greenhouse gas (GHG) emissions generated by a proposed project. Indeed, many regulatory agencies are sorting through suggested thresholds and/or making project-by-

project analyses. This approach is consistent with that suggested by the California Air Pollution Control Officers Association (CAPCOA) in its technical advisory entitled *CEQA and Climate Change: Addressing Climate Change through the California Environmental Quality Act Review* (CAPCOA 2008):

“ In the absence of regulatory standards for GHG emissions or other specific data to clearly define what constitutes a ‘significant project,’ individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice.”

The impact that GHG emissions have on global climate change does not depend on whether the emissions were generated by stationary, mobile, or area sources, or whether they were generated in one region or another. Thus, consistency with the state’s requirements for GHG emissions reductions is the best metric for determining whether the proposed project would contribute to global warming. In the case of the proposed project, if the project substantially impairs the state’s ability to conform to the mandate to reduce GHG emissions to 1990 levels by the year 2020 – a reduction of approximately 30 percent, then the impact of the project would be considered significant.

### **Discussion of Impacts:**

- a) *Less Than Significant Impact.* Neither the proposed zone change or boundary line adjustment would have a direct impact on greenhouse gas emissions. Future development of the project site, however, would result in minor greenhouse gas emissions associated with the use of fossil fuel powered equipment during construction of single-family homes and/or other permitted uses outside of the 100-year floodplain. Nevertheless, these emissions would be of a limited scope and duration and would result in a less-than-significant impact on the environment.
- b) *No Impact.* See Response 4.8(a). The proposed project would not conflict with any adopted plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions.

### **Mitigation Measures:**

None required.

## 4.9 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 area or, where such a plan has not been adopted, within 2 miles of a public airport or a 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 checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting:

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR), Title 22, Section 662601.10, as follows:

A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.

Most hazardous material regulation and enforcement in Siskiyou County is managed by the Siskiyou Community Development Department - Environmental Health Division, which refers large cases of hazardous materials contamination or violations to the North Coast Regional Water Quality Control Board (RWQCB) and the California Department of Toxic Substances Control (DTSC). When issues of hazardous materials arise, it is not at all uncommon for other agencies to become involved, such as the Siskiyou County Air Pollution Control District and both the federal and state Occupational Safety and Health Administrations (OSHA).

Under Government Code Section 65962.5, both DTSC and the State Water Resources Control Board (SWRCB) are required to maintain lists of sites known to have hazardous substances present in the environment. Both agencies maintain up-to-date lists on their websites. A search of the DTSC and SWRCB lists did not identify any hazardous waste violations in the vicinity of the project site.

### **Discussion of Impacts:**

- a) *Less Than Significant Impact.* Because the proposed zoning of the project site outside the 100-year floodplain is Rural Residential Agricultural consistent with the zoning of the project site within the 100-year floodplain, and because the R-R zoning district does not permit intensive industries that routinely transport, use, or dispose of hazardous materials (see **Attachment A**), the project is not anticipated to result in the routine transport, use, or disposal of hazardous materials. Although permitted uses in the R-R zoning district, such as small acreage farming and tree farming, sometimes include the use of chemicals, it is considered to be a minor and infrequent component of these uses. Furthermore, small acreage farming and tree farming are already permitted uses on much of the project site. As such, potential impacts are considered less than significant.
- b) *Less Than Significant Impact.* See Response 4.9(a). Although unlikely, a potential accidental release of hazardous materials could occur during future development of the project site outside of the 100-year floodplain. Any such release would likely be minor spillages of fuels and oils associated with construction equipment. However, no new land uses would be introduced to the site as a result of the project and there is nothing specific to the project that would indicate a greater likelihood for an accidental release of hazardous materials than during development of a limited number of rural residential properties elsewhere in the County. As such, potential impacts are considered less than significant.

- c) *No Impact.* The project is not located within one-quarter mile of an existing or proposed school. The nearest schools are Happy Camp Elementary and Happy Camp High School, both of which located roughly two miles to the northwest.
- d) *No Impact.* According to the DTSC Envirostor database and SWRCB GeoTracker database, which were reviewed on June 16, 2020, the project site has not been identified as a hazardous material spill site, nor is it located adjacent to such a site.
- e) *No Impact.* The project site is more than two miles from any public or private airport. The closest public airport to the project site is the Happy Camp Airport, located approximately 2.5 miles to the northwest.
- f) *No Impact.* There is nothing about the proposed project that would substantially interfere with an adopted emergency response or evacuation plan.
- g) *Less Than Significant Impact.* There is the potential for wildland fires in the region given the relatively dry summer climate, with hot days and wind, and a heavily forested project site and surroundings. According to Cal Fire, the project site is located in a Very High Fire Hazard Severity Zone. The most recent wildfire in the project vicinity, known as the Eclipse Complex, occurred from July 25, 2017 to September 29, 2017, burned over 100,000 acres, and came within three miles of the project site. Although the project site is located in an area potentially impacted by wildfires, there is nothing about the proposed rezone or boundary line adjustment that would exacerbate wildfire risks or expose a greater number of people to fire risks than is currently possible without the project. Further, any future residential development that occurs on the project site will be required to comply with Fire Safe Regulations adopted by the State to increase fire safety. As a result, potential impacts associated with wildfires are considered less than significant impact.

### **Mitigation Measures:**

None required.

## 4.10 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant 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 groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting:

The State Water Resources Control Board (SWRCB) regulates the quality of California's water resources, with oversight provided by nine Regional Water Quality Control Boards (RWQCB) around the state. RWQCB boundaries are based on watersheds, while water quality requirements are based on the unique differences in climate, topography, geology, and hydrology for each watershed. Each RWQCB makes critical water quality decisions for its region, including setting standards, issuing waste discharge requirements, determining compliance with those requirements, and taking appropriate enforcement actions. The project site is located within Region 1, which is overseen by the North Coast RWQCB.

One of the duties of each RWQCB is the development of a basin plan, or water quality control plan, for the hydrologic area over which it has jurisdiction. Basin plans are

comprehensive in scope, contain a brief description of the region, describe known water quality and quantity issues, and identify current and potential beneficial uses of waters in the region. The water quality objectives contained in a basin plan are prescribed for the purposes of protecting the beneficial uses. The "Implementation Plans" section of a basin plan describes the measures, including specific prohibitions, action plans, and policies, that form the basis for the control of water quality in the region.

According to the North Coast Basin Plan (2018), the Klamath River mainstem in the vicinity of the project site was listed for nutrient and temperature impairment in 1996 and for organic enrichment/low dissolved oxygen in 1998. To address this, the Plan establishes Total Maximum Daily Loads for nutrient and organic matter, dissolved oxygen, and temperature, as well as a set of Actions that are enforced through Memorandums of Understanding with other governmental agencies, including the County of Siskiyou.

The most significant hydrologic feature in the project vicinity is the Klamath River, which substantially surrounds Morgan Point on which the project site is located. In addition, Fryingpan Creek and Horse Creek are located approximately one mile east of the project site. No other significant surface water features exist in the project vicinity.

Most precipitation falls over a roughly eight-month period from October until May, with most snowfall occurring from December to March. The area receives an average of 49.47 inches of total annual precipitation and 19.5 inches of total average snowfall. The least amount of precipitation occurs during the summer, with July receiving an average of 0.34 inch (Western Regional Climate Center 2020).

With no municipal sewer and water infrastructure located in the vicinity of the project site, water and wastewater disposal services needed to serve development outside the 100-year floodplain would be provided by individual well and on-site sewage disposal systems, both of which require permits from the Siskiyou County Community Development Department - Environmental Health Division. The Siskiyou County Environmental Health Division has previously evaluated the site and approved on-site sewage disposal areas for the parcels involved in the boundary line adjustment.

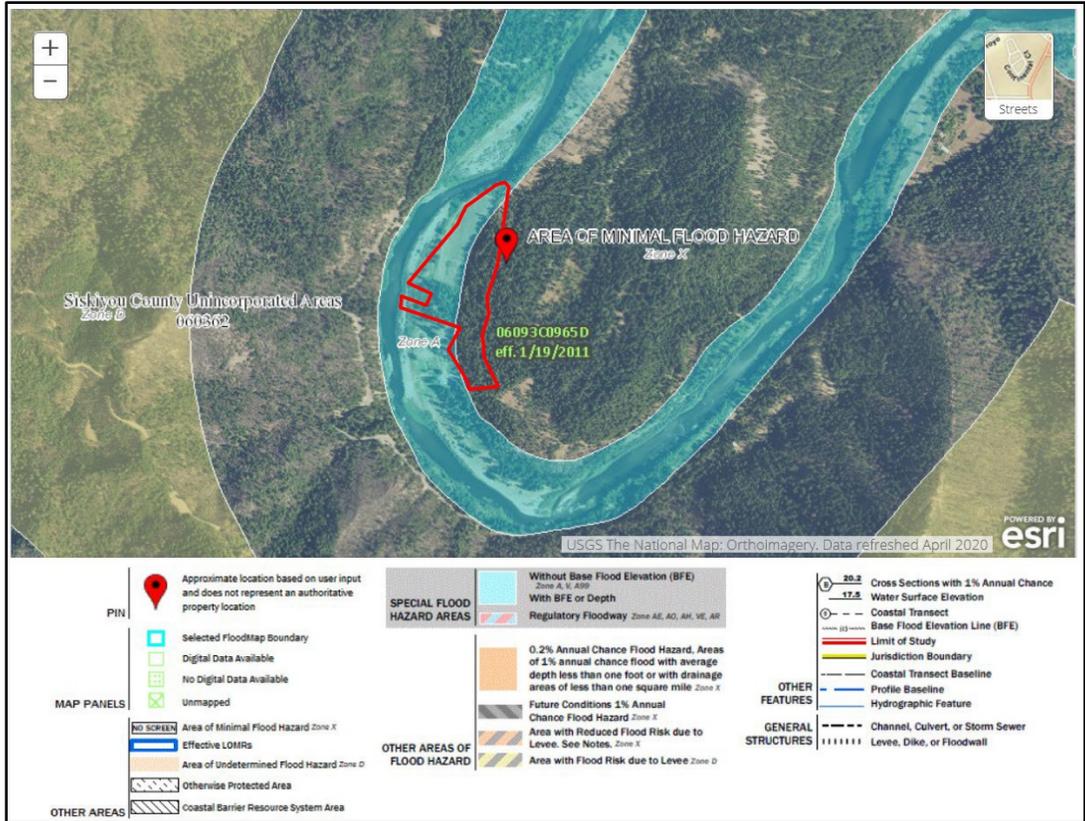


Figure 4.0-4, FEMA Flood Map

As mapped by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Mapping program, and as shown in **Figure 3.0-1**, **Figure 3.0-2**, and **Figure 4.0-4** above, the majority of the three river adjacent parcels involved in the boundary line adjustment are located within the 100-year flood hazard area of the Klamath River (FIRM Map 06093C0965D). More precisely, this portion of the project site is located in Zone A, which FEMA defines as:

“Areas subject to inundation by the 1-percent-annual-chance flood event generally determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.

**Discussion of Impacts:**

- a) *Less Than Significant Impact.* The proposed project would not impact water quality standards and/or waste discharge requirements. Should the area outside the 100-year floodplain develop with single-family dwellings and associated structures in the future, it is anticipated that some grading will be necessary to prepare home sites for development. Projects that result in a land disturbance of one acre or more or that disturb less than one acre but are part of a larger common plan of development that

in total disturbs one or more acres are required to obtain a Construction Activities Storm Water General Permit from the SWRCB. If a Storm Water General Permit is required, the property owner(s) will need to prepare a stormwater pollution prevention plan (SWPPP) that is subject to RWQCB review and approval and that includes best management practices (BMPs) designed to reduce or eliminate erosion and runoff into waterways. BMPs typically include the use of straw wattles, covering of stockpiled materials, revegetation that includes hydroseeding, silt fences, and other physical means of slowing stormwater flow from graded areas in order to allow sediment to settle before entering stream channels. The methods used vary depending upon the circumstances of construction.

While it is not clear whether a Storm Water General Permit will be required given the lack of proposed development at this time, the purpose of the rezone and boundary line adjustment is to establish residentially zoned property above the Klamath River's 100-year floodplain. As such, it is likely that any future development that does occur would be located on the 10.6 acres proposed for rezone, which Criss & Co. Consultants identified in the Biological Assessment Report prepared for the project as being sufficiently distant from the Klamath River (400-700 feet) to prevent potential impacts to water quality. As a result, potential impacts to water quality are considered less than significant.

b) *Less Than Significant Impact.* See Response 4.10(a) above. Although future development outside the 100-year floodplain is likely to be accompanied by the creation of impervious surfaces, these surfaces would be limited relative to the size of the undeveloped land surrounding them and, as a result, they would not interfere with groundwater recharge. In addition, due to the limited scope of development allowed under the Rural Residential Agricultural zoning, existing entitlements for residential development on the project site, and the nature of the project, the project would not substantially deplete groundwater supplies.

c)

i) *Less Than Significant Impact.* See Responses 4.10(a) and 4.10(b) above. The project would not impact the existing drainage pattern of the site or area or result in substantial erosion or siltation on- or off-site. The project would rezone approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5 to facilitate a boundary line adjustment with three other parcels currently zoned R-R-B-2.5 that are largely located within the 100-year floodplain of the Klamath River. The project is being proposed to accommodate future development of residences and/or accessory structures in areas that are free of flood hazard. The limited number of residences and other uses that would be entitled by the proposed rezone of 10.6 acres are presently permitted by-right on 15.4 acres of the project site and no greater development potential

would result from the project. Accordingly, potential impacts are considered less than significant.

- ii) *Less Than Significant Impact.* See Responses 4.10(a) through 4.10(c)(i) above. There is nothing about the project that would substantially increase the rate or amount of surface runoff or that would result in flooding on- or off-site.
  - iii) *Less Than Significant Impact.* See Responses 4.10(a) through 4.10(c)(ii) above. Any increase in stormwater runoff resulting from the project would be negligible.
  - iv) *Less Than Significant Impact.* See Responses 4.10(a) through 4.10(c). There is no floodway identified on the project site, however, much of the project site, including most of the 10.6 acres proposed for rezone, is located within the 100-year floodplain of the Klamath River. Should future development be proposed within the 100-year floodplain, that development would be required to comply with the County's Flood Damage Prevention Ordinance (Title 10, Chapter 10 of the Siskiyou County Code (SCC)). Compliance with SCC Sec. 10-10.07.1 relative to obtaining a development permit prior to construction within identified flood hazard areas would ensure that floodwaters would not be redirected or impeded as a result of the development. Nevertheless, the purpose of the project is to establish properly zoned land outside of the 100-year floodplain for a limited number of single-family dwellings. Accordingly, project impacts relative to flood flows are considered less than significant.
- d) *Less Than Significant Impact.* None of the streams in the project vicinity, including the Klamath River, have the potential to be affected by seiche or tsunami. The project site is not located near an ocean or large body of water. As discussed under Response 4.10(c)(iv), a large portion of the 10.6 acres proposed for rezone is located within the Klamath River's 100-year floodplain. However, no development or change in land use is proposed or would be likely to occur within the floodplain. As such, there would be little to no change in the risk of pollutant release resulting from inundation of the project site.
- e) *No Impact.* There is no development or change in land use that would be likely to result from the project that has the potential to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

### **Mitigation Measures:**

None required.

## 4.11 Land Use and Planning

Would the project:	Potentially Significant Impact	Less Than Significant 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 conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting:

#### Siskiyou County General Plan

The basis for land use planning in the unincorporated areas of Siskiyou County, which includes the project site, is the Siskiyou County General Plan. The Land Use Element of the General Plan provides the primary guidance on issues related to land use and land use intensity. The Land Use Element provides designations for land within the County and outlines goals and policies concerning development and use of that land.

The primary goal of the Land Use Element of the Siskiyou County General Plan is to allow the physical environment to determine the appropriate future land use pattern that will develop in the County. This is contrary to conventional planning practice in which one master land use map indicates future land use patterns based primarily on social, political, and economic factors. Its focus is for future development to occur in areas that are easiest to develop without entailing great public service costs, that have the least negative environmental effect, and that do not displace or endanger the county's critical natural resources.

The technique used for the development of the Land Use Element involved preparation of a series of overlay maps identifying development constraint areas. Constraints take the form of both natural, physical barriers or problems and those culturally imposed on the basis of resource protection. The combination of overlay maps provides a visual display of tones representing physical constraints in a particular geographic area in terms of the perceived effect of development. In identifying an absence of physical constraints, it also indicates where development may proceed without encountering known physical problems.

The Land-Use Element of the Siskiyou County General Plan identifies the project site as being located within the following mapped areas: Flood Hazard. The following are the applicable policies established for development within the mapped resource and natural hazard areas:

- Policy 22 No development may be allowed within the designated floodways, and any development proven to be outside the designated floodway and within the 100-year flood hazard boundary shall be in

accordance with the requirements of the County's flood plain management ordinance.

Policy 24 Single-family residential, light commercial, light industrial, open space, non-profit, and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted if the requirements of Policy 22 have been met.

The permitted uses will not create erosion or sedimentation problems.

Policy 25 A minimum parcel size of one acre on 0-15% slope, and 5 acres on 16-29% slope only may be permitted if the requirements of Policy 22 have been met.

The permitted density will not create erosion or sedimentation problems.

Policy 26 All flood plain requirements of the Federal Government shall take precedence to Policies 21-23.

### Composite Overall Policies

In addition to the policies noted above, the following composite policies have been determined to be applicable to the proposed project:

Policy 41.3(e) All proposed uses of the land shall be clearly compatible with the surrounding and planned uses of the area.

Policy 41.3(f) All proposed uses of the land may only be allowed if they clearly will not be disruptive or destroy the intent of protecting each mapped resource.

Policy 41.5 All development will be designed so that every proposed use and every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, or fire hazard or any other resource or environmentally related problems.

Policy 41.6 There shall be a demonstration to the satisfaction of the Siskiyou County Health Department and/or the California Regional Water Quality Control Board that sewage disposal from all proposed development will not contaminate ground water.

Policy 41.8 All proposed development shall be accompanied by evidence acceptable to the Siskiyou County Health Department as to the adequacy of on-site sewage disposal or the ability to connect into an existing city or existing Community Services District with adequate capacity to accommodate the proposed development. In these cases the minimum parcel sizes and uses of the land permitted for all development will be the maximum density and lands uses permitted

that will meet minimum water quality and quantity requirements, and the requirements of the county's flood plain management ordinance.

- Policy 41.9 Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.
- Policy 41.12 All significant historic and prehistoric places and features when identified shall be preserved and protected in accordance with accepted professional practices.
- Policy 41.13 All rare and endangered plant species identified and recognized by state and federal government shall be preserved and protected in accordance with accepted professional practices.
- Policy 41.18 Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

### Siskiyou County Code

In concert with the General Plan, the Siskiyou County Code establishes zoning districts within the County and specifies allowable uses and development standards for each district. Under state law, each jurisdiction's zoning must be consistent with its general plan. The proposed zoning of the project site is Rural Residential Agricultural, 2.5-acre minimum parcel size (R-R-B-2.5). Pursuant to Section 10-6.4802 of the Siskiyou County Code, uses permitted in the Rural Residential Agricultural zoning district include: one single-family dwelling; small acreage farming; crop and tree farming; one guesthouse; greenhouses; and accessory uses and buildings normally incidental to single-family dwellings or small farming. (The regulations pertaining to the R-R zoning district are provided in Attachment A.)

### **Discussion of Impacts:**

- a) *No Impact.* The project is located in an area of sparse development and would not result in the division of an existing community.
- b) *No Impact.* The project would not conflict with applicable plans that have jurisdiction over the project area. Future development resulting from the project would be located outside of the Klamath River's floodway and floodplain and would be consistent with the County's general plan and zoning.

### **Mitigation Measures:**

None required.

## 4.12 Mineral Resources

Would the project:	Potentially Significant Impact	Less Than Significant 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 checked="" type="checkbox"/>	<input 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"/>

### Setting:

Historically, mining was responsible for the establishment of several communities within Siskiyou County, including nearby Happy Camp. The historic Muck-A-Muck mine is located in close proximity to the project site and mining claims border much of the Klamath River adjacent to the project site. Although some mining still takes place in the project vicinity, the resource is greatly diminished and no longer plays a significant role in the economy. Nevertheless, gold continues to draw interest in the region, especially when gold prices are high.

The State Mining and Geology Board has the responsibility to inventory and classify mineral resources and could designate such mineral resources as having a statewide or regional significance. If this designation occurs, the local agency must adopt a management plan for such identified resources. At this time, there are no plans to assess local mineral resources for the project area or Siskiyou County.

### Discussion of Impacts:

- a) *Less Than Significant Impact.* Although much of the project site was mined during the gold rush, the limited residential development potentially resulting from the project would not result in a loss of available known mineral resources of value to the region or residents of the state.
- b) *No Impact.* See Response 4.11(a) above. There are no locally important mineral resource recovery sites within the project area delineated in the County's general plan.

### Mitigation Measures:

None required.

## 4.13 Noise

Would the project result in:	Potentially Significant Impact	Less Than Significant 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 standards established in the local general plan or noise ordinance or of applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) For a project located within the vicinity of a private airstrip area or an airport land use plan, where such a plan has not been adopted, within two miles of a public airport or a 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"/>

### Setting:

The Siskiyou County General Plan Noise Element identifies land use compatibility standards for exterior community noise for a variety of land use categories for project planning purposes. For residential land uses, an exterior noise level of 60 Ldn (Day-Night Level) is identified as being “acceptable” requiring no special noise insulation or noise abatement features unless the proposed development is itself considered a source of incompatible noise for a nearby land use. The outdoor noise level planning criteria identified in the Noise Element are intended to “assure that a 45 Ldn indoor level will be achieved by the noise attenuation of regular construction materials.”

Noise from residential development and local and through traffic is negligible. State Highway 96 is approximately one mile north of the project site and the project site is located in an area of sparse development.

### Discussion of Impacts:

- a) Less Than Significant Impact. The project would rezone approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5 to facilitate a boundary line adjustment with three other parcels currently zoned R-R-B-2.5 that are largely located within the 100-year floodplain of the Klamath River. The project is being proposed to accommodate future development of residences and/or accessory structures in areas that are free of flood hazard. The limited number of residences and other uses that would be entitled by the proposed rezone of 10.6 acres are presently permitted by-right on 15.4 acres of the project site and no greater development potential would result from the project. As such, any increase in noise resulting from the project is considered less than significant.

- b) Less Than Significant Impact. See Response 4.13(a). The project would not generate excessive groundborne vibration or noise.
- c) No Impact. There are no airports within two miles of the project site. The closest public airport to the project site is the Happy Camp Airport, approximately 2.3 miles to the northwest.

**Mitigation Measures:**

None required.

## 4.14 Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

### Setting:

The project site is located approximately two miles east of the community of Happy Camp, estimated population 1,190 (2010 US Census). The project site is in an area of sparse development. Nearby zoning designations include Rural Residential Agricultural (R-R) zoned parcels of varying sizes and several parcels zoned Timber Production District (TPZ).

### Discussion of Impacts:

- a) *Less Than Significant Impact.* The project is a proposed rezone of approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5, as well as a concurrent boundary line adjustment to accommodate future development of residences and/or accessory structures in areas that are free of flood hazard. Pursuant to Siskiyou County Code Section 10-6.4801, the proposed R-R zoning district permits single-family dwellings or mobile homes in lieu thereof, and one second dwelling per legal lot, resulting in a theoretical build-out potential of six dwellings. However, much of the project site is currently zoned R-R-B-2.5 and, as a result, the same number of residences could be developed without the project. As such, the project would not induce substantial population growth either directly or indirectly and potential impacts are considered less than significant.
- b) *No Impact.* No people or housing would be displaced, either directly or indirectly, as a result of the proposed rezone or boundary line adjustment.

### Mitigation Measures:

None required.

## 4.15 Public Services

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 following public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting:

#### Fire Protection

Fire protection services for the project site and immediate vicinity are provided by the California Department of Forestry and Fire Protection (Cal Fire) and the United States Forest Service (USFS). The nearest Cal Fire station that is staffed year-round is located at 14638 Bradley Henry Road in Hornbrook, approximately 66 driving miles from the project site, while the nearest USFS stations are located in Happy Camp approximately 1.5 miles distant and the Oak Knoll Work Camp approximately 41 miles distant.

#### Police Protection

Police protection services are provided by the Siskiyou County Sheriff's Department. The nearest Sheriff's Department substation is located at 30 4th Avenue in Happy Camp, approximately five road miles from the project site.

#### Schools

The area is served by the Happy Camp Union Elementary School District for kindergarten through 8th grade at 114 Park Way in the community of Happy Camp. The Siskiyou Union High School District serves high school-aged children in grades 9 through 12 at Happy Camp High School, located at 234 Indian Creek Road in Happy Camp. Both schools currently operate below their design capacity. In addition, the Siskiyou Union High School District imposes development fees on new construction to offset any impact development would have on enrollment.

## Parks

Recreational opportunities for both youth and adults are varied in the project area. The Klamath River provides opportunities for swimming, rafting, fishing, gold panning, and other activities. Additionally, the project site is located near the unincorporated community of Happy Camp, which includes recreational facilities at area schools, and the Klamath National Forest, which provides opportunities for a wide variety of active and passive recreational activities.

## Other Public Facilities

Other local public facilities found in the project vicinity include dispersed recreation facilities located on public lands owned and administered by the Bureau of Land Management.

## **Discussion of Impacts:**

- a) *Less Than Significant Impact.* The possible development of a limited number of residences outside the 100-year floodplain would not substantially impact on the provision of fire protection services.
- b) *Less Than Significant Impact.* The possible development of a limited number of residences outside the 100-year floodplain would not substantially impact on the provision of police protection services.
- c) *Less Than Significant Impact.* Should the project site develop with additional residences in the future, there could be a minor increase in school enrollment at schools serving the project site. However, because the schools are currently operating below their capacity and could accommodate the potential minor increase in enrollment resulting from future development, the project would not generate a need for new school facilities.
- d) *Less Than Significant Impact.* There are no nearby park facilities, however, should residences be developed outside the 100-year floodplain, it could result in a minor increase in utilization of facilities in the Klamath National Forest and nearby Happy Camp. However, any such increase in use would be insignificant, particularly given the size of Klamath National Forest at roughly 1.7 million acres.
- e) *No Impact.* The project would not impact any other government services or facilities.

## **Mitigation Measures:**

None required.

## 4.16 Recreation

	Potentially Significant Impact	Less Than Significant 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 checked="" type="checkbox"/>	<input 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"/>

### Setting:

Recreational opportunities for both youth and adults are varied in the project area. As noted in Section 4.15, Public Utilities above, the Klamath River provides opportunities for fishing, swimming, rafting, gold panning, and other recreation activities. In addition, the project site is located near the Klamath National Forest, which provides a variety of active and passive recreation opportunities.

### Discussion of Impacts:

- a) *Less Than Significant Impact.* Any minor increase in population as a result of future development of a limited number of residences outside the 100-year floodplain would have a less-than-significant impact on recreation facilities and would not cause deterioration or the need for new or expanded facilities.
- b) *No Impact.* See Response 4.16(a). The project does not include or require the construction or expansion of recreational facilities.

### Mitigation Measures:

None required.

## 4.17 Transportation

Would the project:	Potentially Significant Impact	Less Than Significant 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a geometric 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"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting:

The project site is located off of Gordon's Ferry Road, a county-maintained roadway. No new roads are being proposed as part of the project. The project vicinity is not served by a public transit system, and although roads in the vicinity of the project site have extremely low traffic volumes, bicycle and pedestrian infrastructure is limited.

### Discussion of Impacts:

- a) *Less Than Significant Impact.* Based on the County standard of 7.5 average daily trips (ADT) per dwelling unit and assuming an occupied single-family dwelling and an occupied second dwelling development on each of the three parcels, the project site could theoretically generate approximately 46 average daily trips if development occurs. However, as previously discussed, much of the project site is currently zoned for residential development and no new uses are being introduced as result of the project. Further, any potential increase in traffic resulting from the project would be insubstantial relative to the existing traffic load and capacity of the area road network, and all area road segments and intersections would continue to maintain a level of service of "C" or better. Therefore, because the project would not decrease the level of service of the area road network or the intersections to less than "C", the proposed project is consistent with the Siskiyou County Circulation Element and impacts are considered less than significant.
- b) *Less Than Significant Impact.* CEQA Guidelines Section 15064.3(b) provides criteria for analyzing transportation impacts based on a vehicle miles traveled (VMT) methodology instead of the now superseded (as of January 1, 2019) level of service

(LOS) methodology. However, Section 15064.3(b)(3) allows an agency to determine a project's transportation impact on a qualitative basis if a VMT methodology is unavailable, as is the case with the proposed project. Additionally, Section 15064.3(c) allows an agency to use the VMT methodology immediately or defer until July 1, 2020, when the VMT methodology will be required of all agencies in the State. Because Siskiyou County does not have an adopted VMT methodology at this time, the County chose to use the LOS methodology to determine the project's impact to County roadways.

The project would rezone approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5 to facilitate a boundary line adjustment with three other parcels currently zoned R-R-B-2.5 that are largely located within the 100-year floodplain of the Klamath River. The project is being proposed to accommodate future development of residences and/or accessory structures in areas that are free of flood hazard. The limited number of residences and other uses that would be entitled by the proposed rezone of 10.6 acres are presently permitted by-right on 15.4 acres of the project site and no greater development potential would result from the project. Accordingly, the project would not substantially increase area traffic or otherwise affect the level of service standard established for County roadways.

- c) *No Impact.* The closest public airport to the project site is the Happy Camp Airport, located approximately 2.3 miles to the northwest. There are no project components that would affect air traffic patterns associated with this airport or any other airport.
- d) *No Impact.* No new design elements or equipment would be introduced to the project site or project vicinity as a result of the project. Accordingly, the project would not increase hazards due to a design feature or incompatible uses.
- e) *No Impact.* Access to the project site is from an existing dirt road that connects with Gordon's Ferry Road, a county-maintained road. The project would not impair emergency access to the site or create off-site impediments to emergency access vehicles.

### **Mitigation Measures:**

None required.

## 4.18 Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Would the project 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:</p>				
<p>a) 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</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) 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.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Setting:

On January 1, 2015, Public Resources Code (PRC) Section 21074, which defines a “tribal cultural resource”, became effective. PRC Section 21074 states the following:

- a) “Tribal cultural resources” are either of the following:
  - 1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    - A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
    - B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
  - 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

- b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

### Consultation with California Native American Tribe(s)

Assembly Bill (AB) 52 requires that prior to the release of a CEQA document for a project, an agency begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation.

As discussed in Section 4.5, Cultural Resources, the project area is traditionally affiliated with the Karuk Tribe. Pursuant to AB 52, the County circulated the project to the Karuk Tribe when providing notification to those tribes on the County’s AB 52 notification list, which also included the Torres Martinez Band of Desert Cahuilla Indians. Only the Karuk Tribe responded to the County’s notification and requested consultation. The consultation process that was followed with the Karuk tribe and the outcome of that consultation are discussed in Section 4.5, Cultural Resources.

### **Discussion of Impacts:**

- a) *Less Than Significant with Mitigation Incorporated.* The project would rezone approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5 to facilitate a boundary line adjustment with three other parcels currently zoned R-R-B-2.5 that are largely located within the 100-year floodplain of the Klamath River. The project is being proposed to accommodate future development of residences and/or accessory structures in areas that are free of flood hazard. The limited number of residences and other uses that would be entitled by the proposed rezone of 10.6 acres are presently permitted by-right on 15.4 acres of the project site and no greater development potential would result from the project. Further, no features are to known to presently exist on the property, such as objects, sites, or landscapes, that are considered as having cultural value to California Native American tribes, or that are eligible for listing in the California Register of Historic Resources. Nevertheless, should any unknown tribal cultural resources be present within the project site, implementation of mitigation measures **MM 5.1** and **MM 5.2** would reduce potential impacts to them to a level that is considered less than significant.

b) *Less Than Significant with Mitigation Incorporated.* See Response 4.18(a). Prior to environmental review, the project was circulated to all tribes on the County's AB 52 notification list. The purpose of the notification was to invite consultation and avoid potential impacts to tribal cultural resources. No tribal cultural resources were identified as a result of this process. Nevertheless, should any tribal cultural resources be discovered during future land disturbance activities within the project site, mitigation measures **MM 5.1** and **MM 5.2** would provide adequate mitigation to reduce potential impacts to a level that is considered less than significant.

**Mitigation Measures:**

Implement mitigation measures **MM 5.1** and **MM 5.2** (see Section 4.5, Cultural Resources).

## 4.19 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new water, wastewater treatment, stormwater, drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's 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 checked="" type="checkbox"/>	<input 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"/>

### Setting:

#### Water Service

Potable water for future development on the project site would be provided by individual on-site water wells or through a connection to the existing spring source. In addition, the project has received water clearance from the Siskiyou County Community Development Department - Environmental Health Division.

#### Wastewater

None the parcels included in the project have not been developed with sewage disposal systems. The Siskiyou County Environmental Health Division has reviewed the project and has approved on-site sewage disposal areas for the parcels outside of the 100-year floodplain.

## Storm Drainage

Given the low density of development in the project vicinity, storm drainage facilities are non-existent. Proposed parcel configurations are large enough to accommodate stormwater runoff from future development.

## Solid Waste

The Siskiyou County Integrated Solid Waste Management Regional Agency manages solid waste collection and disposal in the County. As shown in **Table 4.19-1**, the majority of the County's solid waste is exported to Oregon. The nearest transfer station is the Happy Camp Transfer Station on Chambers Road approximately three miles from the project site.

**Table 4.19-1  
Solid Waste Disposal Facilities Used by the Siskiyou County  
Integrated Solid Waste Management Regional Agency**

Destination Facility	Solid Waste Disposal (tons/year)			Landfill Information		
	2015	2016	2017	Remaining Capacity (cubic yards)	Remaining Capacity Date	Cease Operation Date
Altamont Landfill	-	-	3.69	65,400,000	12/31/2014	1/1/2025
Anderson Landfill Inc.	72.42	262.09	149.61	7,184,701	3/1/2017	12/1/2023
Forward Landfill Inc.	5.60	10.81	-	22,100,000	12/3/2012	1/1/2020
McKittrick Waste Treatment	-	-	15.78	769,790	4/5/2012	12/31/2059
Potrero Hills Landfill	7.9	2.91	22.87	13,872,000	1/1/2006	2/14/2048
Recology Hay Road	5.33	18.18	67.36	30,433,000	7/28/2010	1/1/2077
Recology Ostrom Road LF Inc.	5.75	1.00	-	39,223,000	6/1/2007	12/31/2066
West Central Landfill	4.15	40.38	46.17	22,100,000	12/31/2012	1/1/2020
Exported to Oregon	35,204.56	37,090.34	40,264.40	N/A	N/A	N/A
<b>Yearly Total</b>	35,305.71	37,425.70	40,569.88			
<b>Average per Resident (lbs/day)</b>	4.3	4.6	N/A			
<b>Average per Employee (lbs/day)</b>	15.4	15.8	N/A			

Source: CalRecycle 2019a, 2019b, and 2019c

## **Discussion of Impacts:**

- a) *Less Than Significant with Mitigation Implemented.* The project would rezone approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5 to facilitate a boundary line adjustment with three other parcels currently zoned R-R-B-2.5 that are largely located within the 100-year floodplain of the Klamath River. The project is being proposed to accommodate future development of residences and/or accessory structures in areas that are free of flood hazard. The limited number of residences and other uses that would be entitled by the proposed rezone of 10.6 acres are presently permitted by-right on 15.4 acres of the project site and no greater development potential would result from the project. Future development of

the project site would be served by individual on-site septic systems, wells, and/or connection to the existing spring source. Underground power is available along the main access road through the project site. Mitigation measures contained elsewhere herein, including **MM 4.1**, **MM 4.3**, **MM 4.4**, **MM 5.1** through **MM 5.3**, and **MM 7.1** adequately mitigate potential impacts associated with future development of the project site.

- b) *Less Than Significant Impact*. See Response 4.19(a). The project would be served by individual on-site water wells and/or connection to the existing spring source. The Siskiyou County Community Development Department - Environmental Health Division has determined that there are adequate water supplies to serve the project, resulting in the issuance of water clearance for the project. Neither the proposed rezone or boundary line adjustment would generate an increase in water demand beyond that which would occur without the project.
- c) *No Impact*. See Response 4.19(a). There is no wastewater treatment provider that serves or would serve the project. Wastewater generated on the project site would be disposed of via county-approved septic systems.
- d) *Less Than Significant Impact*. See Response 4.19(a). As residences are developed outside the 100-year floodplain, it is expected that they will generate the types and quantities of solid waste normally associated with single-family uses. This would result in a minor increase in solid waste being transported to the Happy Camp Transfer Station and subsequently disposed of at one of the County's contracted landfills. With the potential for only a limited number of single-family dwellings and no increase in development potential, the project would not generate a significant increase in solid waste.
- e) *No Impact*. The proposed project would comply with all state and federal statutes regarding solid waste.

### **Mitigation Measures:**

Implement **MM 4.1**, **MM 4.3**, **MM 4.4**, **MM 5.1** through **MM 5.3**, and **MM 7.1**.

## 4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less Than Significant 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 actors, 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting:

The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface-area-to-mass ratio and require less heat to reach the ignition point, while fuels such as trees have a lower surface-area-to-mass ratio and require more heat to reach the ignition point.

The California Department of Forestry and Fire Protection (Cal Fire) designates locations around the State based on the severity of fire hazard present, as well as whether fire suppression and prevention are the responsibility of a state or local agency at that location. Cal Fire is responsible for fire suppression and prevention within State Responsibility Areas (SRAs) and non-state or federal agencies are responsible for fire suppression and prevention within Local Responsibility Areas (LRAs). Cal Fire has

designated the project site as being within a SRA Very High Fire Hazard Severity Zone (Cal Fire 2007).

### **Discussion of Impacts:**

- a) *No Impact.* The project would rezone approximately 10.6 acres of a 251.5-acre parcel from TPZ to R-R-B-2.5 to facilitate a boundary line adjustment with three other parcels currently zoned R-R-B-2.5 that are largely located within the 100-year floodplain of the Klamath River. The project is being proposed to accommodate future development of residences and/or accessory structures in areas that are free of flood hazard. The limited number of residences and other uses that would be entitled by the proposed rezone of 10.6 acres are presently permitted by-right on 15.4 acres of the project site and no greater development potential would result from the project. Further, the approximately 26-acres included in the boundary line adjustment are sufficiently distant from area roadways to not impede the flow of traffic or constrain area roadways at the time of development. As such, the project would not impair an adopted emergency response plan or emergency evacuation plan.
- b) *Less Than Significant Impact.* See Responses 4.9(g) and 4.20(a). There is the potential for wildland fires throughout much of the region, including within and adjacent to the project site. The most recent wildfire in the project vicinity burned within three miles of the project site. Although the project site is located in an area potentially affected by wildfires and wildfire smoke, there is nothing about the proposed rezone or boundary line adjustment that would exacerbate wildfire risks or expose a greater number of people to fire risks than is currently possible without the project. Though the project would provide for the creation of homesites on an elevated bench above the river, any future residential development that occurs on the project site will be required to comply with Fire Safe Regulations adopted by the State to increase fire safety, including the creation and maintenance of defensible space. As a result, potential impacts associated with wildfires are considered less than significant impact.
- c) *Less Than Significant Impact.* See Responses 4.19(a) and 4.20(a). As described in response 4.19(a), underground power is available along the main access road through the project site. As shown in Figure 3.0-3, the resultant parcels would be accessible by existing roadways. When the parcels develop, it is anticipated that the extension of roadways, powerlines, and other residential infrastructure will occur. Still, all uses resulting from the proposed rezone are currently entitled on the project site and there would be no increase in residential development potential resulting from the project. Furthermore, the proposed rezone and reconfiguring of parcel boundaries would have the beneficial effect of locating future residential home sites in much closer proximity to existing roadways, thereby minimizing the extension of utilities and potential impacts associated with these improvements.

- d) *Less Than Significant Impact.* See Responses 4.20(a) and 4.20(b). Wildfires and landslides are both well documented in the surrounding area, and a large portion of the project site is located within the 100-year flood hazard area of the Klamath River. Nevertheless, the project is proposed to accommodate development in areas that are free of flood hazard, would not introduce new land uses that are not presently entitled on portions of the project site, and would not increase allowable residential densities on the project site.

**Mitigation Measures:**

None required.

## 4.21 Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant 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 rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion of Impacts:

- a) *Less Than Significant With Mitigation Incorporated.* While potentially significant environmental impacts have been identified in the analyses contained herein, including potential impacts to special-status species and cultural resources, all potential impacts have been reduced to a level that is considered less than significant as a result of the mitigation measures that have been incorporated above.
- b) *Less Than Significant Impact.* There are no project-related impacts that, in conjunction with other approved or pending projects in the region, have the potential to result in cumulatively considerable impacts on the physical environment.
- c) *Less Than Significant Impact.* The proposed project would not result in adverse impacts on human beings either directly or indirectly.

## **5.0 References**

## 5.0 References

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### 5.1 Documents Referenced in Initial Study and/or Incorporated by Reference

The following documents were used or to determine the potential for impact from the proposed project. Compliance with federal, state, and local laws is assumed in all projects.

California Air Pollution Control Officers Association (CAPCOA). 2008. CEQA and Climate Change: Addressing Climate Change through the California Environmental Quality Act Review. [www.energy.ca.gov/2008publications/CAPCOA-1000-2008-010/CAPCOA-1000-2008-010.PDF](http://www.energy.ca.gov/2008publications/CAPCOA-1000-2008-010/CAPCOA-1000-2008-010.PDF)

California Air Resources Board (CARB). 2016. "Ambient Air Quality Standards." [www.arb.ca.gov/research/aaqs/aaqs2.pdf](http://www.arb.ca.gov/research/aaqs/aaqs2.pdf). Website accessed June 15, 2020.

———. 2019. "Top 4 Measurements and Days Above the Standard." [www.arb.ca.gov/adam/](http://www.arb.ca.gov/adam/). Website accessed June 15, 2020.

California Department of Conservation (DOC). 2019a. Division of Land Resource Protection, Farmland Mapping and Monitoring Program. "Siskiyou County Important Farmland 2010." <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/sis10.pdf>. Website accessed June 15, 2020.

———. 2019b. California Geological Survey. "2010 Fault Activity Map of California." [www.quake.ca.gov/gmaps/FAM/faultactivitymap.html](http://www.quake.ca.gov/gmaps/FAM/faultactivitymap.html). Website accessed June 18, 2020.

———. 2019c. California Geological Survey. "Alquist-Priolo Earthquake Fault Zones." [www.quake.ca.gov/gmaps/WH/regulatorymaps.htm](http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm). Website accessed June 18, 2020.

California Department of Fish and Wildlife (CDFW). 2019a. "California Natural Diversity Database." [www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp](http://www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp). Website accessed January 31, 2018.

California Department of Forestry and Fire Protection (CAL FIRE). 2007. Fire Hazard Severity Zones in SRA. [osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/](http://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/)

California Department of Resources Recycling and Recovery (CalRecycle). 2020a. Multi-year Countywide Origin Summary.

[www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Origin/CountywideSummary](http://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Origin/CountywideSummary).

- \_\_\_\_\_. 2020b. SWIS Facility/Site Search.  
[www2.calrecycle.ca.gov/SWFacilities/Directory/](http://www2.calrecycle.ca.gov/SWFacilities/Directory/).
- \_\_\_\_\_. 2020c. Countywide, Regionwide, and Statewide Jurisdiction Diversion / Disposal Progress Report.  
[www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DiversionDisposal](http://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DiversionDisposal).
- California Department of Toxic Substances Control (DTSC). 2020. "Envirostor Database." [www.envirostor.dtsc.ca.gov/public/](http://www.envirostor.dtsc.ca.gov/public/). Website accessed June 15, 2020.
- California Department of Transportation (Caltrans). 2020. "California Scenic Highway Mapping System". [dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways](http://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways). Website accessed June 15, 2020.
- Criss and Co. Associates. 2015. Pacific Fisher – Presence /Absence Survey: Palomar Enterprises Zone Change (Z-15-01) and Boundary Line Adjustment (BLA-15-03) Siskiyou County.
- \_\_\_\_\_. 2016. Biological Assessment Report: Palomar Enterprises Zone Change (Z-15-01) and Boundary Line Adjustment (BLA-15-03) Siskiyou County.
- Federal Emergency Management Agency (FEMA). 2020. Flood Insurance Rate Map, Map No. 06093C0965D. <https://msc.fema.gov/portal>.
- Klamath Forest Alliance. Undated. The Eclipse Fire Report.  
[www.klamathforestalliance.org/documents/2017\\_Eclipse\\_Fire\\_Report.pdf](http://www.klamathforestalliance.org/documents/2017_Eclipse_Fire_Report.pdf).
- North Coast Regional Water Quality Control Board (RWQCB). 2018. *Water Quality Control Plan for the North Coast Region*.  
[www.waterboards.ca.gov/northcoast/water\\_issues/programs/basin\\_plan/190204/Final%20Basin%20Plan\\_20180620\\_lmb.pdf](http://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/190204/Final%20Basin%20Plan_20180620_lmb.pdf).
- Siskiyou County. 2014. Siskiyou County General Plan, 2014 Housing Element for the County of Siskiyou.  
[www.co.siskiyou.ca.us/sites/default/files/docs/GP\\_HousingElement.pdf](http://www.co.siskiyou.ca.us/sites/default/files/docs/GP_HousingElement.pdf).
- \_\_\_\_\_. 1980. *Siskiyou County General Plan, Land Use and Circulation Element*.  
[www.co.siskiyou.ca.us/sites/default/files/docs/GP\\_LandUse-CirculationElement.pdf](http://www.co.siskiyou.ca.us/sites/default/files/docs/GP_LandUse-CirculationElement.pdf).
- \_\_\_\_\_. 1975. *Siskiyou County General Plan, Seismic Safety and Safety Element*.  
[www.co.siskiyou.ca.us/sites/default/files/docs/GP\\_SeismicSafety-SafetyElement.pdf](http://www.co.siskiyou.ca.us/sites/default/files/docs/GP_SeismicSafety-SafetyElement.pdf).
- \_\_\_\_\_. 1993. *Siskiyou County General Plan, Energy Element*.  
[www.co.siskiyou.ca.us/sites/default/files/pln\\_gp\\_energyelement.pdf](http://www.co.siskiyou.ca.us/sites/default/files/pln_gp_energyelement.pdf).

Siskiyou County Department of General Services. 2019. "STAGE (Siskiyou Transit and General Express)." [www.co.siskiyou.ca.us/content/transportation-division-stage](http://www.co.siskiyou.ca.us/content/transportation-division-stage). Website accessed June 19, 2020.

State Water Resources Control Board (SWRCB). 2019. "GeoTracker Database." [geotracker.waterboards.ca.gov/](http://geotracker.waterboards.ca.gov/). Website accessed June 16, 2020.

United States Census Bureau, 2010. United States Census. [www.census.gov/data.html](http://www.census.gov/data.html)

United States Department of Agriculture, Natural Resources Conservation Service (NRCS). "Web Soil Survey." [websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx](http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx). Website accessed June 17, 2020.

United States Fish and Wildlife Service (USFWS). 2020. National Wetlands Inventory. [www.fws.gov/wetlands/data/mapper.html](http://www.fws.gov/wetlands/data/mapper.html). Website accessed June 18, 2020.

Western Regional Climate Center. 2020. Happy Camp Ranger Station - Period of Record Monthly Climate Summary (1914-2016). [wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca3761](http://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca3761).

## 6.0 Attachments

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Attachment A  
Rural Residential Agricultural Zoning District  
Regulations

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## **Article 48. - Rural Residential Agricultural District (R-R)**

### **Sec. 10-6.4801. - R-R District.**

The regulations set forth in this article shall apply in the Rural Residential Agricultural District. The R-R District is intended to provide an area where rural residential uses can be compatibly mixed with commercial agricultural activities.

### **Sec. 10-6.4802. - Uses permitted.**

The following uses shall be permitted in the R-R District:

- (a) One single-family dwelling;
- (b) Small acreage farming, except commercial dairies, commercial kennels, commercial rabbit, fox, goat, horse, and hog farms, commercial chicken or poultry ranches, riding stables, rodeos, or commercial horse rentals;
- (c) Accessory uses and buildings normally incidental to single-family dwellings or small farming;
- (d) Crop and tree farming;
- (e) One mobile home per building site in lieu of a single-family dwelling;
- (f) One guesthouse;
- (g) Greenhouses;
- (h) One residential storage building, subject to the regulations as set forth in Section 10-6.1516 of the General Provisions;
- (a) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code;
- (i) Amateur radio antennas. When used for private, noncommercial purposes, amateur radio antennas may be permitted in the R-R District. Height limitations may be exceeded by adding one-foot yard setback for every foot of height in excess of those permitted by the zoning ordinance; and
- (j) Group care facilities for six (6) or fewer individuals.

### **Sec. 10-6.4803. - Conditional uses permitted.**

Subject to obtaining a use permit, the following uses shall be permitted in the R-R District:

- (a) Churches, schools, parks, playgrounds, and public utility and public buildings and uses;
- (b) Within a building the following commercial agricultural uses: raising of fur-bearing animals and poultry;
- (c) Home occupations;
- (d) Heavy equipment and vehicle parking, subject to the following limitations:
  - (1) The equipment is resident-owned and operated,
  - (2) Equipment does not include materials, parts, or supplies not incidental to the equipment,
  - (3) The equipment storage area is limited to twenty-five (25%) percent of the ownership, or one-quarter acre, whichever is less,

- (4) Access shall be sufficient to carry the equipment without sustaining undue damage. Permits issued under this section may require that only unloaded equipment be parked,
- (5) Aesthetic screening shall be provided acceptable to the Planning Commission, enclosing the proposed equipment area as needed,
- (6) All health and safety approvals must be received;
- (e) The Planning Director is hereby authorized to waive Planning Department filing fees for uses allowed in subsection (d) of this section in the following situations:
  - (1) The continuous use existed prior to February 27, 1986 (effective date of the County's revised zoning ordinance),
  - (2) The continuous use was established while the property was zoned A-1 Unclassified;
- (f) Family day care facilities; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.

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Attachment B  
Biological Assessment Report, April 2016

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# **Biological Assessment Report**

## **Palomar Enterprises Zone Change (Z-15-01) and Boundary Line Adjustment (BLA-15-03) Siskiyou County**



**Prepared By:**

**Criss & Co. Consultants  
Redding, CA**

**April 20, 2016**

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## **INTRODUCTION**

### **Location:**

The proposed Palomar Enterprises Zoning Change and Boundary Line Adjustment projects are located near the banks of the Klamath River, approximately 1.5 miles due East of Happy Camp, California within portions of Section 13, T16N, R07E, and Sections 7 and 18, T16N, R08E MDBM.

### **Description of Proposed Actions (i.e. project):**

The Palomar Enterprises Zone Change and Boundary Line Adjust projects are designated as "CEQA mitigated negative declaration" projects and reference existing land parcels.

The stated need for these projects is "to provide building sites above the Klamath River flood plane". The landowners currently own six parcels of land next to the Klamath River. Parcel #5 (APN 016-290-231), is one of the six parcels, and contains the owner's main home, a caretaker's cabin, and several shop buildings. This parcel is not included in the current rezoning request, but will be included in the eventual boundary line adjustment project. There are no additional structures on any of the other parcels. Parcel # 6 (APN 016-290-021) is currently zoned TPZ. The remaining five other parcels in this ownership are zoned R-R-B-2.5.

The need for the BLA and ZC projects arises out of the fact that the existing home and out buildings are all situated well within the 100 year flood plane zone of the Klamath River, and may be damaged or destroyed during large scale flooding events. The property owners have therefore petitioned the Siskiyou County Planning Department seeking rezoning and a boundary line adjustment of their parcels with the intent of moving the property lines on the parcels upslope from the current locations. The rezoning request will facilitate reclassifying approximately 10.6 acres of Parcel 6 from TPZ to R-R-B-2.5 and reducing its acreage from 251.5 acres (existing) to 240.9 acres (resulting) upon completion of the action. The resulting 10.6 acres reclassified from TPZ to R-R-B-2.5 will be added to the existing other five river parcels.

### **History of Project Site:**

The project area located off of Gordon Ferry Road and Hwy 96 has been owned by the Culver family and Palomar Enterprises for many years. Like many other parcels along the Klamath River, the parcels have repeatedly seen timber harvest and small scale gold dredge mining take place on them over the last 50 years plus.

### **History of Consultations:**

In late 2013, the Culver family began initial inquiries to the Siskiyou County Planning Dept. as to the feasibility of the boundary line change and zoning change request projects.

The change would benefit area natural resources by protecting environmentally sensitive areas within the Klamath River from future development. Based on initial inputs from the US Fish & Wildlife Service, the California Dept. of Fish & Wildlife, and CalFire, it was determined that a Biological Assessment was needed to determine if any detrimental effects would occur to native flora or fauna as a result of this action.

Criss & Co. Consultants was hired in early July 2015 to develop a Biological Assessment document for this project and to work with the county, state, and federal agency representatives to coordinate between agency personnel and the Culver family.

### **Purpose of the Biological Assessment:**

This Biological Assessment document has been developed to provide analysis and identification of potential impacts to native flora and fauna that may be impacted as a result of approval of this action by county, state and federal agency personnel.

## **REGIONAL AREA BIOLOGICAL SETTING**

### **General Information:**

The Palomar Enterprises ZC and BLA projects lie within the Klamath Mountains geological province. The complex assemblage of plant and animal species, community distributions and land patterns have resulted in diverse micro climates, rugged high relief topography, varied soil parent materials, and lands with heavy water run off potential. The area is characterized by high fire frequencies which have altered and shaped the vegetative composition of the area over millennia. In forested areas of the Klamath Mountains, fires occur on average, once every 10-30 years. Annual precipitation as measured at the nearby town of Happy Camp from 1914 to present ranges from 23 -88 inches. During drier periods such as California is currently experiencing, annual precipitation averages approximately 40 inches. Habitat types along the Klamath River are dominated at lower elevations primarily by Douglas fir, with Madrone, Black Oak and Maple species being key co-components.

### **Habitat Types within the Project Area:**

Vegetation within the project parcels consists of a mixture of conifer species, primarily Douglas fir, Ponderosa Pine, and occasionally Incense Cedar. There is also a smaller component of hardwood species such as Madrone and Black oak mixed in. The area has been commercially logged in the past, with the most recent harvest entry occurring around year 2000. Over story canopy coverage ranges from 35 – 50 percent as a result with lush green brush fields composed primarily of *Ceanothus sp.* occupying the more open areas under the forest canopy. Soils are a mix of red or brown clay types and granitic materials

which contribute to mostly sandy well drained soils which are very typical along the Klamath River drainage. Closer to the Klamath River, the timber gives way to grassy openings, willow clumps and black berry patches.

## **Species Occurrence Information:**

Multiple sources were consulted to determine which species may or may not be present within or nearby to the Palomar project site. Both the California Natural Diversity Data Base (CNDDDB), and US Fish & Wildlife Service IPaC Trust Resource reports were reviewed for this area along with local information from the Klamath National Forest, Happy Camp RD files. Based on these efforts, the following list of plant and animal species are covered in this biological assessment document and included as potentially ones that “may” exist in the area: Species accounts and professional opinion as to whether these species actually exist in the immediate project area are included with the species accounts information.

**Habitat Suitability for County, State, Federally Listed, or Proposed List Wildlife & Plant Species Within the Project Area:** Habitat is believed to exist within the action area for the following covered species:

- Bald Eagle (*Haliaeetus leucocephalus*)
- Northern Spotted Owl (*Strix occidentalis caurina*)
- Willow Flycatcher (*Empidonax traillii*)
- Pacific Fisher (*Pekania pacifica*)
- Gray Wolf ( *Canus lupus*)
- Townsend’s Big Eared Bat *Corynorhinus townsendii*
- Del Norte Salamander (*Plethodon elongatus*)
- Siskiyou Mountains salamander (*Plethodon stormii*)
- Robust False lupine (*Thermopsis robusta*)
- Coho Salmon (*Oncorhynchus kisutch*)
- Steelhead Trout (*Oncorhynchus mykiss*)s

## **SPECIES ACCOUNTS & STATUS OF COVERED SPECIES**

**Bald Eagle (*Haliaeetus leucocephalus*)** The Bald Eagle is a species commonly seen along the Klamath river drainage. The species forages for fish in the clear river waters of the Klamath river. There are no known nest sites for this species in the vicinity of the Palomar projects.

**Northern spotted owl (*Strix occidentalis caurina*):** Habitat for this species exists within the proposed action area. However, said habitat is limited by a lack of higher quality habitat such as roosting and nesting habitat, and lower over story canopy cover amounts (50% or <) . There are no known nearby activity centers or occurrences of NSO.

**Willow Flycatcher** (*Empidonax traillii*): The willow flycatcher inhabits areas of mature willow and alder clumps in wet meadow or riverine stream bank areas. There is a limited amount of habitat near the Klamath River for this species to possibly exist. A brief perusal of these habitat areas by Wildlife Biologist, Steve Criss during a field visit to the Palomar project parcels in early July 2015 did not turn up any WIFL.

**Pacific Fisher** (*Pekania pennanti*): Pacific fishers are endemic in and along the Klamath river and its many smaller side streams. Pacific fisher although known to den in large diameter fir trees or Black oak trees with existing large cavities are not considered an “old growth dependant” species. Rather they are now seen a habitat generalists. Pacific fisher are most prevalent in areas containing a mixture of conifer and hardwood types and nearby stream courses which they use to travel between portions of their territories undetected by predatory species. Pacific fishers are listed as a federal candidate species for protection under the federal endangered species act (ESA), and a state of CA listed species of special concern. The Palomar project parcels contain elements of Pacific fisher habitat. Based on this and proximity to other known Pacific fisher location along the Klamath river drainage, it can not be ruled out that Pacific fisher may exist on or nearby to the Palomar project.

**Gray Wolf** – (*Canus lupis*) - The Gray Wolf was long ago extirpated from California woodlands by ranchers, farmers, and trappers. Recently, a new robust population of Gray Wolf has established territories in nearby southern Oregon and as of July 2015, Gray Wolf have established a new pack and territory in Siskiyou county CA. As a result, the California Dept. of Fish & Wildlife has now designated the Gray Wolf as an endangered wildlife species in California with mitigation and protection measures required for this species if they are found on or near any location. There are no reports of Gray Wolf having traveled to or thru the Happy Camp area near by to the Palomar project, nor any sightings of Gray Wolf within the Klamath River drainage.

**Townsend’s Big Eared Bat** (*Corynorhinus townsendii*) The Townsend’s big-eared bat is a species listed as “uncommon” in California. The species though rare in CA is found across the entire western US. Recently there have been increased efforts by state resource agencies to obtain updated information on the presence or absence of this species within California forests. The Townsend’s big-eared bat has no federal status as of this date. The Townsend’s big eared bat is a medium-large sized bat that is slow flying and specializes in feeding on moths. Preferred habitat for this species is old abandoned buildings, caves, mines, and occasionally outbuildings with dark interiors.

TBE bats prefer cool dark interiors with good air flow and open ceiling areas as they do not crawl well unlike other bat species. Except during winter periods, Townsend’s big eared bats are mostly solitary animals, especially the males. *Corynorhinus townsendii* are known to have a very low tolerance towards any type of human disturbance near their roosting sites with entire colonies known to have relocated over minor disturbances in the past. In conversation with the property owners, they have said repeatedly that they have never seen any larger bat species such as TBE bat over the many years they have owned this property. They are aware of and support bat conservation efforts The Culver family elected to keep an old abandoned shop building on the property as a bat refugia for a colony of little brown bats that had taken up residence in it. They are very thankful for the voracious insect eating capabilities of the little brown bats. During the field visit to the area, Wildlife Biologist,

Steve Criss visited the out buildings and looked for sign of TBE bats. There were no indications that this species currently is or has been seen in the area, nor resident on the property. There are no caves, or large tree hollows, or other structures that would be attractive to TBE bats for roosting areas, and no local populations of this species are known from database records.

**Del Norte Salamander & Siskiyou Mountains Salamanders:** The Del Norte salamander is one of two locally found *Plethodontidae* salamander species found along this area of the Klamath River drainage and tributaries. Both the Del Norte Salamander and the Siskiyou Mountains Salamander use similar habitats consisting of areas of talus rocks on mostly vertical slopes with high levels of overhead canopy coverage. All *Plethodontidae* salamander species are lung-less salamanders that breathe through pores in their skin which must remain moist at all times to allow transportation of oxygen molecules to take place across the skin membrane. As a result micro-climate pockets containing high humidity are vitally important for *Plethodontidae* species survival. Both species are known to make large vertical movements amongst the talus rock piles to find areas where the humidity levels are high enough for them to exist, especially in hot summer months when these salamander species may go as far as 5 – 10 feet underground through the rock piles to achieve this goal. The Palomar project parcels were field inspected by Wildlife Biologist Steve Criss who has many years experience conducting surveys for these rare salamander species along the Klamath River corridor. The conclusion reached was that although small amounts of cobble rocks were occasionally seen in the wooded areas where past timber harvest has occurred on the Palomar project parcels, the area does not contain sufficient habitat attributes to allow either Del Norte salamander or Siskiyou Mountains Salamander to be present within the parcels or immediately adjacent to the parcels. It is further noted that this is a South facing site, Plethodon salamanders are almost always found on northern exposure sites.

**Robust False Lupine *Thermopsis robusta* -** The Robust False Lupine is listed as a 1B plant by the California Dept. of Fish and Wildlife and California Native Plant Society. Habitat for this plant is listed as openings in hardwood and coniferous forests or grasslands, often in association with Serpentine soils, or their shale parent materials. It is usually found more in broadleaved upland forests with a high percentage of broad leafed canopy coverage (>40%) and along the North Coast in Redwood-Douglas fir mixed timber stands. Based on the habitat requirements for this species as well as field investigation of the site in early July 2015 (during the blooming period for this species), it is concluded that this species does not exist on this project area.

**Coho Salmon *Oncorhynchus kisutch*:** Coho salmon are a vitally important salmonid species found in the Klamath River system. The Klamath River flows along the South and Western edge of the Palomar project parcels. Planned actions to remove and relocate the existing buildings and do a boundary line adjustment will have no discernable effects on Coho salmon. The planned actions will not induce any new run off of sediments or other materials into the Klamath River. Actions are “*not likely to adversely*” affect this species.

**Steelhead Trout** *Oncorhynchus mykiss* – Like the Coho salmon, Steelhead trout which are a sea going version of the Rainbow trout also migrate up the Klamath River system each year. Unlike Coho salmon with migrate upstream to spawn only once in their lifetime and then die, Steelhead trout may go back and forth between the ocean and freshwater to spawn several times during their lifetimes. As with the Coho species noted above, the impacts to Steelhead trout as a result of approval of the proposed Palomar projects will be negligible and “: *not likely to affect*” this species. No run off or obstruction of river channels will occur as a result of these actions and there are not perceived to be any affects on the species which is consistent with the CEQA mitigated negative effects declaration for this project.

## **EFFECTS OF THE PROPOSED ACTION**

### **General Habitat Impacts:**

The proposed BLA and ZC actions have the potential to allow existing homes damaged or destroyed by large scale flooding events to be relocated should the need arise, upslope to less environmentally sensitive positions. The action, should this become necessary, will cause some minor ground disturbance and vegetation removal. Any timber that is large enough to be of use, will be milled on-site by home owners for personal use. No commercial timber harvest operations are planned as a result of these actions.

### **SPECIFIC IMPACTS:**

#### **Animals: Resources**

The actions (projects) as outlined by the proponents will have little to no impacts to sensitive plant or animal species based on Criss & Co. Consultants first hand site inspection in July 2015, and information obtained from multiple sources on potential sensitive plant and animal species occurrences in this area. The actions are to contribute in any meaningful way to fragmentation or destruction of habitats or areas of sensitive habitats for any of the covered species of wildlife listed in this biological assessment report. Nor will the project result in blockage or destruction of any corridor areas along the Klamath River basin that allow free movement of wildlife species up and down the Klamath River and banks.

There are no known Bald Eagle nest sites on either side of the river within the vicinity of the Palomar project. Bald eagle may occasionally travel thru the area while foraging along the Klamath River. The planned actions (projects) will have no affect on Bald Eagle.

There are no known northern spotted owl locations within, or directly adjacent to the project site that may be impacted by these actions. Field inspection of the site shows that it contains only functional NSO foraging habitat in fragmented patches that overall are not very attractive to northern spotted owl for use or habitation. Surrounding lands to the Palomar project hold better, higher grade owl habitat and may possibly have northern spotted owl on

them, or have NSO colonize them over time. Overall, the proposed actions will have no impacts on any potential NSO populations that may occur in the larger geographic area near the project.

Pacific Fisher are known to live in upland areas up and down the Klamath River. This project will have little or no effect on Pacific Fisher. Sufficient habitat will remain after the projects are completed to allow Pacific fisher to come and go through the area at will.

Given the proximity of this project to the Klamath River and Pacific Fisher propensity for using river courses and stream courses as travel ways to and from hunting areas within their home ranges, it is entirely possible for Pacific Fisher to travel thru this area from time to time. This project will have no discernable effects on Pacific Fisher

Willow Flycatcher are not known from this site. There is limited potential for this species to possibly occur near the Klamath River stream course. The projects will have no affect on this species as no construction or disturbance activities will take place within the riverine habitat area of potential habitat for WIFL. This species is tied exclusively to willow and alder patch areas along wet meadow or riverine habitat types. The planned actions will not alter any such habitat types.

Townsend big eared bats are not known to occur in this area despite the Klamath River basin being listed as potential habitat for TBE bat. Discussions with the property owners during the field inspection of the site in early July 2015 by Criss & Co. Consultants were consistent with this information as the property owners who have resided on the property for many years reported never seeing any of the larger bat species flying around openings or building on the property. Criss & Co. Consultants would therefore deem the potential impacts of the planned action as not likely to adversely affect this wildlife species.

Sufficient habitat does not exist onsite to allow either Del Norte or Siskiyou Mountains salamander to exist within the project area. There will be no impacts to either species as a result of approval of these actions (projects).

## **Botanical Resources**

After careful consideration of information obtained from the CNDDDB, CNPS, and IPaC reports, only the Robust False Lupine *Thermopsis robusta* was determined to have the potential to exist on-site. However as previously noted, based on Criss & Co. Consultants field inspection of the site in early July 2015, during the blooming period for this species, it was concluded that the species does not exist within the project area.

## **Fisheries Resources**

Issues raised for fisheries concerns were over impacts to Coho salmon, or Steelhead trout. Since this project will not alter waterways in any shape, form or fashion, nor contribute to increased sediment deposition into the Klamath River as a result of such actions, Criss & Co. Consultants has determined that the proposed actions will have no affect on fisheries as a result of approval of the projects. There are not areas of restorable fish habitat associated with this project site.

## **Water Quality Resources:**

Issues raised for water quality by this project would revolve around the potential for sediment run off from new construction activities down slope towards the Klamath River.

There are no defined stream channels within the construction sites that would allow for transport of materials or stained water down slope to the Klamath River. A small spring located uphill from the current home sites is the primary water source for the exiting homes..

A small historically wet area is noted as occurring just to the north of the present home sites along the lower portion of Parcel 2. This site was field inspected by Criss & Co. Consultants during the July 2015 visit. The area is now a filled in meadow area adjacent to the river and the old piped spring source from many years ago has filled in with sediment over time and has not been used for many years according to the property owners. This wet area will not be part of the area to be built upon or impacted by the planned movement of buildings upslope from present positions. The Dept. of Fish & Wildlife has recommended a 150 ft buffer around this site. Based on Criss & Co. Consultants field inspection of the site, we believe that this is unnecessary due to present day condition of this site.

Collectively, the anticipated impacts to water resources and waster quality as a result of approval of these actions (projects) are thought to be negligible at best and *not likely to adversely* impact water quality resources overall.

## **CUMULATIVE IMPACTS:**

There will be little to no impact to species covered under this biological assessment document with approval of the BLA and ZC actions (projects). Potential home relocation in the case of catastrophic flooding would necessitate a small amount of vegetation removal and ground disturbance of within the parcels . The timber removed will be used on-site by the home owners to construct new out buildings, and for private fire wood. No commercial timber harvest for profit from the timber removed will take place. Trees removed will be milled on-site and used as needed to reconstruct the homes and outbuildings on the property. There are no defined streams courses in the sites designated for the new home construction, therefore potential run-off of soils or contaminated water being transported to the Klamath River, are not a valid concern. No wetlands or wet meadow areas will be impacts by these actions. There are no known rare plants or threatened or endangered animal species currently residing on the Palomar project area.

There will be no impacts to fisheries resources as a result of approval of these actions (projects). No changes to fish or aquatic habitat will take place as a result of approval of these projects. There are no restorable fish habitat areas on the properties involved in the Palomar projects.

### **CONCLUSIONS & DETERMINATIONS:**

Overall, Criss & Co. Consultants makes a finding of *not likely to adversely affect* any listed plant, animal, fish, or aquatic habitats, nor water quality as a direct result of approval of this boundary line adjustment and zoning change requests by the Siskiyou County Planning Dept.

Protection of environmentally sensitive sites such as the Klamath River corridor is of immense benefit to all natural resources in the state of California, and a benefit to all.

Incorporation of a 150 foot *no-disturbance* buffer from the rivers edge on the parcel maps will help preclude additional future development or disturbance in this zone, and retain the conservation advantages of the planned actions.

The planned actions will leave intact vegetated travel corridors along the Klamath River corridor, allowing free roam and travel thru the area by wildlife species. This is to be highly encouraged at every opportunity as linkage between populations of species is of vital importance to their continued survival and existence.

Signed: Steven L. Criss Date: *April 20<sup>th</sup>* , 2016

Written By: Steven L. Criss  
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Owner & Principal Consultant  
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Email: [scriss54@gmail.com](mailto:scriss54@gmail.com)**About the Author:**

**Steven L. Criss** is a professional Wildlife Biologist with over 25 years experience dealing with rare and endangered flora and fauna. Steve lived in Weed, CA from 2000 thru 2007 and conducted many botanical surveys for rare and threatened plants in the area with his botanist wife, Debbie Criss. Steve is also a charter member of the Pacific Fisher working group, owner of Criss & Co. Consultants in Redding CA and serves as an endangered wildlife species specialist consultant biologist for many local companies throughout California. Steve is also past vice president of the Sacramento-Shasta Chapter of the Wildlife Society, past president of the Redding Kiwanis group, and past Executive Board Member and Wildlife Biologist for Cal-Ore Wetlands & Waterfowl Council a 501C non-profit conservation group working with the US Fish & Wildlife Service, Klamath Basin National Refuge on issues of wetlands retention and waterfowl habitat improvements in the Klamath Basin.

## LITERATURE REVIEWED

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Aubrey, K. and C. Raley. 2006. *Ecological characteristics of fishers (Martes pennanti) in the southern Oregon Cascade Range*. USDA Forest Service, Pacific Northwest Research Station, Olympia Forestry Sciences Laboratory, Olympia, WA. 31p. <http://www.fs.fed.us/>

Sierra Pacific Industries. 2012. *Fisher Natal Den Use on Managed Timberland in California Fisher Data Compiled from Cooperative Studies, Study Cooperators: California Department of Fish and Wildlife, Sierra Pacific Industries, U.S. Fish and Wildlife Service and North Carolina State University*, 4 pages. [http://www.spi-ind.com/html/pdf\\_forests/FisherNatalDenUse\\_Dec2012.pdf](http://www.spi-ind.com/html/pdf_forests/FisherNatalDenUse_Dec2012.pdf)

Lofroth, E. C., J. M. Higley, R. H. Naney, C. M. Raley, J. S. Yaeger, S. A. Livingston, and R. L. Truex. 2011. *Conservation of Fishers (Martes pennanti) in South-Central British Columbia, Western Washington, Western Oregon, and California—Volume II: Key Findings From Fisher Habitat Studies in British Columbia, Montana, Idaho, Oregon, and California*. USDI Bureau of Land Management, Denver, Colorado, USA. [http://www.fws.gov/yreka/PDF/Lofroth\\_etal\\_2011.pdf](http://www.fws.gov/yreka/PDF/Lofroth_etal_2011.pdf)

California Department of Fish and Game. 2010. *A Status Review of the Fisher (Martes pennanti) in California* <http://www.dfg.ca.gov/wildlife/nongame/publications/docs/FisherStatusReviewComplete.pdf>

California Natural Diversity Database (CNDDDB) & RAREFIND3  
California Dept. of Fish & Wildlife

California Native Plants – online database of plant species and threats to rare or sensitive species. [www.cnps.com](http://www.cnps.com)

California Dept. of Fish & Wildlife, CNDDDB information – Special Species List, July 2015 ed. Online version. [www.biogeodata/cnddb/pdfs/spanimals.pdf](http://www.biogeodata/cnddb/pdfs/spanimals.pdf)

California Dept. of Fish & Wildlife – A status Review of the Gray Wolf (*Canis lupus*) in CA February 5, 2014

Klamath River Basin, Environmental Protection Agency US government, Report of Watershed Priorities [www.EPA.com](http://www.EPA.com)

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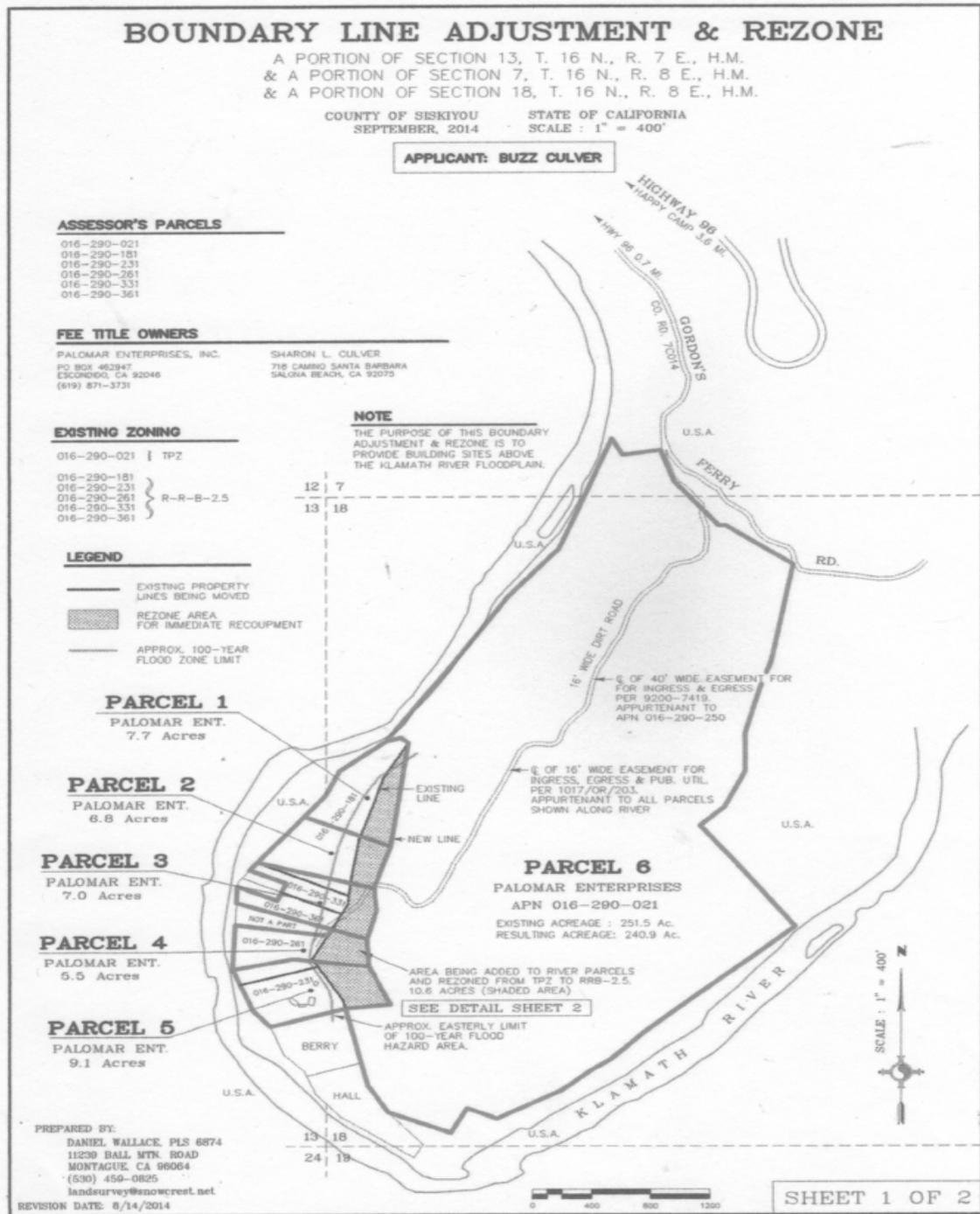
**Palomar BLA and ZC Projects - 2015**

**Additional Species Considered & Rejected For Coverage Under Biological Assessment Document\*\***

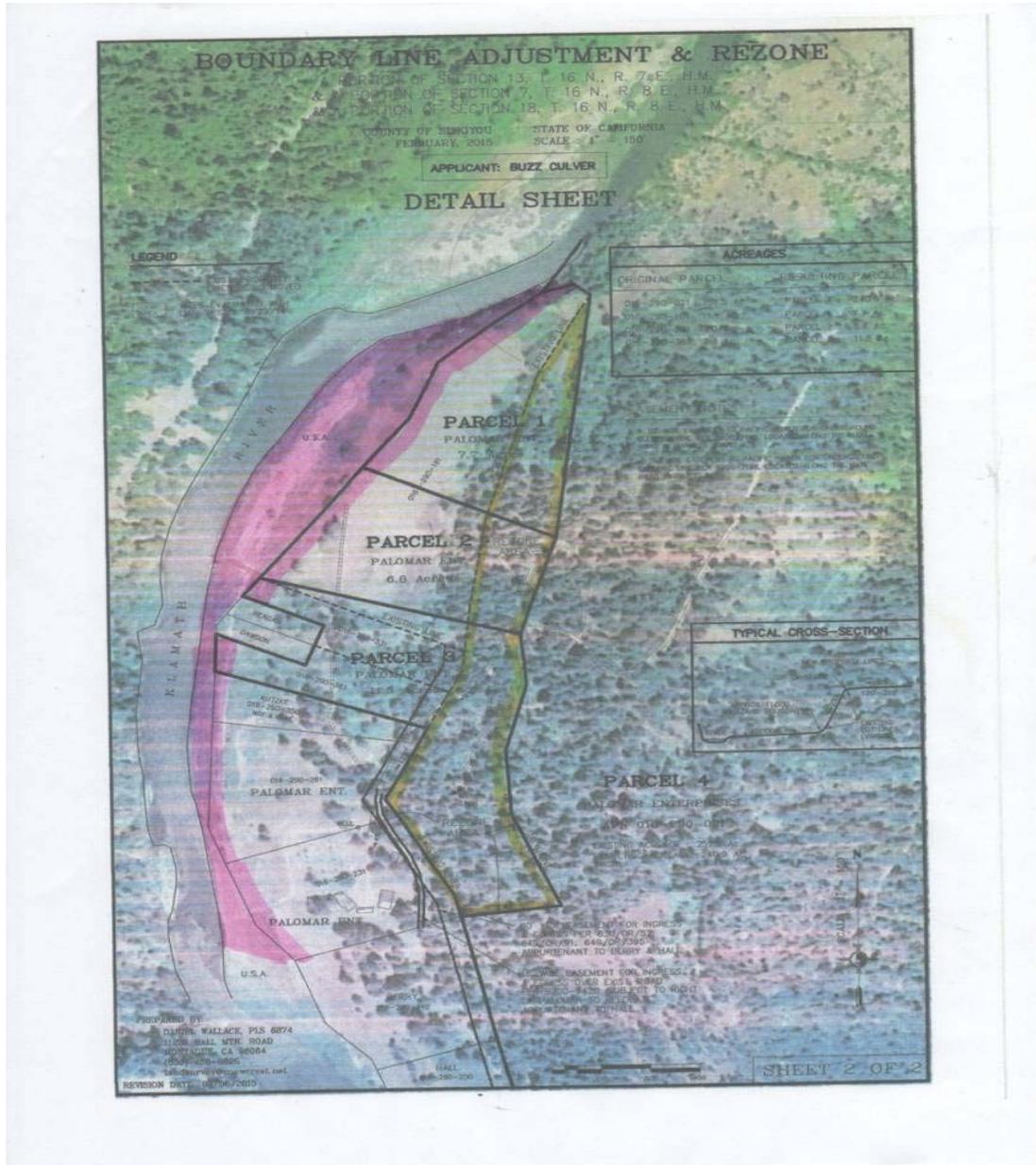
Species	Status	Known To Exist Here?	Comments
Peregrine Falcon	Protected	NO	No known nest sites in area, no known bird locations nearby
Yellow Billed Cuckoo	State endangered	NO	Not seen in project area, not known to occur nearby
Cassins Finch	None	NO	High elevation species, does not exist in project area
Flamulated Owl	Fed species of conservation concern	Yes	Not on the CA T& E species lists, not seen here
Fox Sparrow	None	NO	Common in field areas, not protected
Green Tailed Towhee	None	NO	Common in brushy areas, not protected
Lewis's Woodpecker	None	NO	Uncommon in CA
Loggerhead Shrike	None	NO	High elevation species, does not exist in project area
Oak Titmouse	None	NO	Fed habitat conservation concern only, not ESA or CESA
Olivesided Flycatcher	None	NO	Fed habitat conservation concern only, not ESA or CESA
Purple Finch	None	NO	Fed habitat conservation concern only, not ESA or CESA
Short Eared owl	None	NO	Fed habitat conservation concern only, not ESA or CESA
Swainsons Hawk	CA threatened, fed, none	NO	Does not occur in this habitat type, no habitat this area
Western Grebe	None	NO	No habitat, W. Grebe occur in wetland, marsh areas
White headed woodpecker	None	NO	Does not occur in this area
Willimons sapsucker	None	NO	Fed habitat conservation concern only, not ESA or CESA
Oregon Spotted Frog	Fed threatened, state protected	NO	Database info indicates species confined to OR habitats
Conservancy Fairy Shrimp	Fed and State protected	NO	Vernal pool obligate species, no habitat to support it.
Vernal Pool Fairy Shrimp	Fed threatened, state protected	NO	Vernal pool obligate species, no habitat to support it.
Vernal Pool Tadpole Shrimp	Fed endangered	NO	Vernal pool obligate species, no habitat to support it.
Lost River Sucker	Fed endangered	NO	Occurs only in Lost River, tributary to upper Klamath Lake
Shorthose Sucker	Fed endangered	NO	Occurs only in Upper Klamath Lake and tributaries to.
Applegates Milk-vetch	Fed endangered	NO	Dependant upon alkali soils, great basin desert plant
Gentlers Fritillary	Fed endangered	NO	Not seen in project area, not known to occur nearby
Hoovers Spurge	Critical habitat protected	NO	Species cannot exist here, no habitat to support it
Siskiyou Mariposa Lily	Fed and State protected	NO	High elevation species, does not exist in project area
Slender Orcutt Grass	Fed and State protected	NO	Occurs near freshwater wetlands and valley grasslands

\*\*Information from California Dept. of Fish & Wildlife, CNDDDB - Special Animals List July 2015 online version.

[www.biogeodata/cnddb/bd/s/panimals.pdf](http://www.biogeodata/cnddb/bd/s/panimals.pdf)



**Palomar Enterprises  
No-disturbance Buffer Zone Map (pink)**



**Note:** Photo shows 150 foot no-disturbance zone on Palomar Enterprises property, plus adjoining no disturbance riparian zone (USA-Gov) lands along Klamath River.

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Attachment C  
Pacific Fisher – Presence/Absence Survey,  
December 2015

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# **Pacific Fisher – Presence /Absence Survey**

**Palomar Enterprises – Siskiyou County, CA  
2015**

**Zone Change Z-15-01**

**Boundary Line Adjustment BLA-15-03**



**Photo – 2011 – Flying squirrel at night in Klamath NF by S. Criss**

**Criss & Co. Consultants  
Redding, CA**

**December 2015**

## **INTRODUCTION:**

The Palomar Enterprises project is located 3 miles East of Happy Camp, CA along the Klamath River corridor. The project area lies within the known range of the Pacific Fisher (*Pekania pennanti*). In October 2015 the California Dept. of Fish & Wildlife and Siskiyou County Planning Dept. reviewed the proposed boundary line adjustment and zone change requested by the projects proponents and a Biological Assessment report submitted by Criss & Co. Consultants for the agencies review. The Dept. of Fish & Wildlife recommended that a focused presence/absence survey be conducted to determine if Pacific Fisher occupy the area of the Palomar properties or not. Habitat for this species does exist within the project area making it possible for Pacific Fisher to occur here. The property owners agreed to the need to conduct such a survey, and Criss & Co. Consultants were task with conducting the surveys which started in late October and ran for 30 days per accepted standard survey protocols for Pacific Fisher.

## **UPDATED PROJECT DESCRIPTION – Palomar Enterprises Project**

The DFW and Siskiyou County Planning agencies had ask for a updated project description in their written review of the project in October 2015. The following synopsis provides that information:

This project involves a boundary line adjustment and zoning change for 3 parcels and creation of a new forth parcel from the boundary line adjustments. The project as outlined involves no new ground disturbances, nor commercial timber harvest operations. The property owners have clarified that they are simply taking this action as part of long term catastrophic planning for their property in the event of extreme winter flooding from the Klamath River which may destroy existing homes and on the property. Existing homes and outbuildings on the Palomar Enterprises property are located within the 100 year flood zone along the Klamath River. Should that happen, the owners would like the option to relocate destroyed, or flood damaged buildings uphill from the present location and out of the flood zone if such catastrophic damage were to occur. It should be stressed, that there are no immediate plans for this to occur, nor to proceed with any new road building, home pad grading, or vegetation removal as a result of approval of the boundary line adjustment and zoning changes for this property. The owners have put considerable time, money and effort into upgrading the current home and outbuildings and have no wish to start over unless a catastrophic event were to occur.

## **SURVEY METHODS USED:**

Methods used to conduct the Pacific Fisher surveys are what has become the standard field survey technique which involves placement of baited remote camera stations at strategic intervals throughout an area. Cameras used are digital field cameras often referred to as “trail-cams” and made by many manufacturers. The cameras used for this project were Wildlife View trail cams digital 4 megapixel model. Cameras are attached to trees at a height of 5-6 ft from the ground and pointed at another nearby tree containing a wire mesh basket of food items known to lure Pacific Fisher to the site. For purposes of this study, a combination of fresh chicken parts and cans of commercial cat food in seafood and salmon flavors were used as this has proven in past studies to be highly reliable bait for luring Pacific Fisher to the baited camera sites. A small wire basket made from 1” mesh chicken wire cut and shaped into a 14” square basket is used to hold the food and keep animals from running off with it without being detected.

The basket with food bait items inside is wired shut and then wired around a tree with tie wire to keep it there and keep animals working at the bait basket and in front of the camera lens so that a series of pictures may be obtained giving the best possible chance of recording a visit from Pacific Fisher should any come by. The baited survey stations are normally placed out approximately 0.5 – 1.0 mile apart due the Pacific Fishers wide ranging home range size. For purposes of this study that was not possible to achieve due to the small size of the private property and lack of access to areas beyond project property boundaries. A total of three cameras were placed on the Palomar property within the best habitat areas and terrain features most commonly used by Pacific Fisher. Baited camera stations were then left in the field for approximately 30 days which is the standard time for this type of field survey. Cameras were checked for results (i.e. pictures) at least once a week and fresh batteries and bait were put out at each site during each visit.

## **RESULTS**

Pacific Fisher were detected at one of the three baited camera survey sites during the last field visit to the area on November 28<sup>th</sup>, 2015. Several instances of bait disappearing from chicken wire bait baskets occurred during this survey. From past experience we believe that this probably represents weasel activity as they are small enough to slip through the wire mesh and eat the bait without often triggering the camera flash units.

## DISCUSSION

The area where the Palomar Project is located along the Klamath River is attractive to Pacific Fisher and they are found all along this river corridor. This species uses river and stream corridors as travel ways to get to and from hunting areas, and to cross large areas within its home range randomly and at will. The Klamath River corridor offers Pacific Fisher an excellent vehicle for expansion and exploration of the species range in Siskiyou County, CA. It is unknown if the detected Pacific Fisher are resident or simply traveling thru along the river corridor and happened upon the baited camera sets of the study sites.

The Pacific Fisher is a “*habitat generalist*” despite attempts by some to portray them as an old growth obligate species. Though they may occasionally be found in larger diameter timber stands, they are equally likely to be found in hardwood stands, mixed hardwood/conifer stands, and brush fields adjacent to water. They are known to range seasonally up to high alpine zones in the summer and low land areas during the winter. They are also omnivorous, eating small mammals; fruits, nuts, and carrion when they find it, especially in the spring during snow melt conditions. The more places biologists look for these animals, the more types of habitats they are being found in over time, hence the designation as “*habitat generalists*” is very apt for this species.

Impacts from the planned project on Pacific Fisher are deemed negligible at most. The property owners have no immediate plans for expansion or commercial logging of the property now or in the foreseeable future, or do they intend to develop any new projects that will involve large scale ground disturbance projects on the property. The principal rationale for this project, and the stated purpose is 1) a boundary line adjustment and 2) a zoning change to allow the owners to do long term catastrophic planning for this property in the event that winter flooding from the Klamath River wipes out the present home, caretakers cabin, and outbuildings on this property. The current buildings lie just on the edge of the 100 year flood plane and could conceivably be destroyed by a wild raging Klamath River if such an event were to occur, which is conceivable in an El Nino year such as this present one..

Should such an event take place, the owners would like to be able to relocate their buildings uphill to a higher elevation spot on the property if they were forced to rebuild after the event. The boundary line adjustment and zoning change would be the first steps in allowing that to happen if a catastrophic event happened to this property in the future. It is acknowledged that additional impacts would take place should such an event take place and that additional consultation with DFW and Siskiyou County Planning Dept. would be necessary to determine appropriate site specific mitigation measures which may be needed for protection of Pacific Fisher at that time. As this project now stands however, there are no discernable impacts to Pacific Fisher from day to day activities on the Palomar Enterprises property.

## RECOMMENDED MITIGATIONS FOR PROTECTION OF PACIFIC FISHER PALOMAR PROJECT – Siskiyou County, CA

- 1) Additional mitigation measures for protection of Pacific Fisher should NOT BE REQUIRED AT THIS TIME for the Palomar Project due to the low level of impacts from the seasonally used personal home on this project and no large scale ground disturbance or habitat modifying projects currently associated with this project. It is suggested that if seasonal gardens are planted on the property that no rodenticides be used on these gardens as secondary poisoning of Pacific Fisher from eating dead or dying rodents exposed to rodenticide is a major cause of the species decline in many areas according to recent research on the subject by the US Fish & Wildlife Service, USFS, BLM, and DFW.
- 2) Should a large scale flood event ever take place that damages or destroys the owners homes and outbuildings and they are forced to relocate the buildings, then it would be appropriate to seek additional guidance from the Dept. of Fish & Wildlife on potential impacts to area Pacific Fisher as a result of planned activities such as grading of home pads, extension of any roads for the new home pads, and possibly felling of trees to allow construction of the new homes (if any need to be felled), and effects of noise disturbances associated with construction activities.
- 3) Should new construction take place as a result of catastrophic flooding, construction activities should take place outside the Pacific Fisher denning period of **March through August** when the female Pacific fisher and kits are vulnerable to incidental take while residing in either tree dens or ground dens in the area. NOTE: This seasonal restriction of activities on this property is ONLY APPROPRIATE if new construction activities as outlined above were to take place. This mitigation measure should not be construed as necessary to protect Pacific Fisher on a day to day basis under current conditions on this property. Under current conditions as the property is now managed, day to day activities are not likely to adversely affect Pacific Fisher, nor their critical habitat elements.

Report Written By:

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December 14, 2015

**About the author:** Steve Criss is a Senior Wildlife Biologist with over 20 years experience working with Pacific Fisher in Northern California forests and a former member of the California Dept. of Fish & Game and a member of the Pacific Fisher Working Group of Northern California.

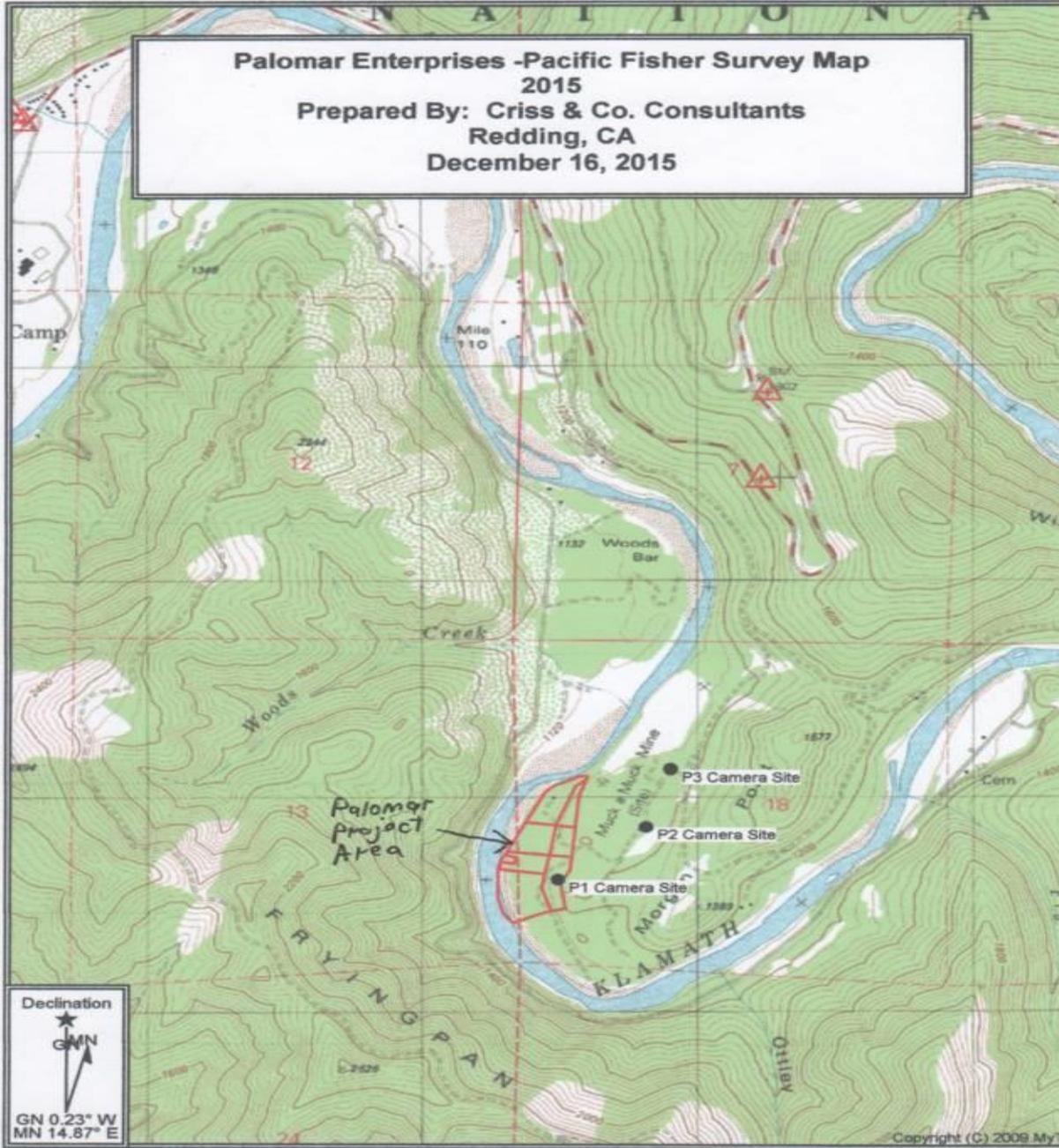
**Palomar Project**  
**Pacific Fisher – presence/absence survey**  
**October/ November 2015**  
**Results**

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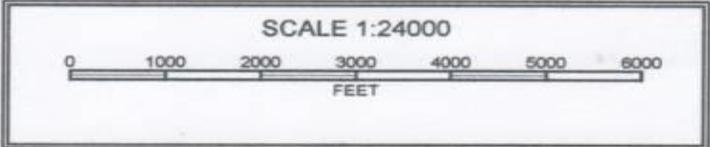
<b>Date:</b>	<b>Camera Station</b>	<b>Comments</b>
10/29/15	P1, P2, P3	Start of survey, baited stations set out.
11/05/15	P1, P2, P3	1 <sup>st</sup> field check, no Pacific Fisher noted
11/11/15	P1, P2, P3	2 <sup>nd</sup> field check, no Pacific Fisher noted
11/20/15	P1, P2, P3	3 <sup>rd</sup> field check, no Pacific Fisher noted
12/02/15	P1, P2, P3	4 <sup>th</sup> field check, Pacific Fisher detected at P3 baited camera station.

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**Palomar Enterprises -Pacific Fisher Survey Map  
2015**  
Prepared By: Criss & Co. Consultants  
Redding, CA  
December 16, 2015



Declination  
★  
GMN  
GN 0.23° W  
MN 14.87° E



Pacific Fisher at camera bait station P3 on 11/21/15 – Palomar Project property.





Baited Camera site P1 – small animal, probably a weasel stole chicken bait from bait cage and cleaned out cat food cans.



Checking camera bait stations and replenishing bait at stations 11/20/15