

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number: 23-

Record Number: PLN-2023-18197

Assessor's Parcel Numbers: 100-152-027 and 101-131-030

Resolution by the Planning Commission of the County of Humboldt approving the Riverside Community Services District Community Test Well General Plan Conformance Review.

WHEREAS, Riverside Community Services District submitted an application for General Plan Conformance Review; and

WHEREAS, a report on conformance with the General Plan is required under California Government Code Section 65402 when a local agency acts to acquire or dispose of real property or intends to construct a new public building or structure; and

WHEREAS, the County Planning Division has reviewed the submitted application and applicable policies within the General Plan; and

WHEREAS, General Plan conformance review pursuant to Government Code Section 65402(a) and Humboldt County General Plan Policy WR-IM23 is not a project pursuant to the California Environmental Quality Act and Section 15378 of the State CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on July 6, 2023, and reviewed, considered, and discussed the application for the General Plan Conformance Review and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

- 1. FINDING:** **Description:** A General Plan Conformance Review for the Riverside Community Services District's proposed development of a test well to determine water availability.

EVIDENCE: a) Application File: PLN-2023-18197

- 2. FINDING:** **CEQA:** The requirements of the California Environmental Quality Act have been met.

EVIDENCE: a) General Plan conformance review pursuant to Government Code Section 65402(a) and Humboldt County General Plan Policy WR-IM23 is not a project pursuant to the California Environmental Quality Act and Section 15378 of the State CEQA Guidelines.

3. FINDING

The proposed development of a test well by the Riverside Community Services District in the Residential Agriculture (RA5-20) land use designation is in conformance with all applicable policies and standards in the Humboldt County General Plan.

- EVIDENCE**
- a) The Humboldt County General Plan identifies the RA land use designation as land that is appropriate for large lot residential uses that typically rely upon on-site water and wastewater systems. Essential services (e.g., community wells, water storage tanks, and associated water treatment facilities) are an allowable use within the designation. The proposal is to develop a test well to determine water availability. The land use designation supports the proposal.
 - b) The development of the test well will not expand the District's service area, water withdrawals or customer entitlements, but will be used to determine if an additional well can be permitted as a backup well for the District.
 - c) The proposed test well will have no net effect on housing densities. The parcel was not included in the 2019 County Housing Inventory.
 - d) According to the California Natural Diversity Database, the site has potential habitat for pallid bat and coastal cutthroat trout. The proposed test well would be outside of any streamside management area and away from any coastal cutthroat trout habitat and will not impact roosting habitat for the pallid bat.
 - e) The County does not have record of any culturally sensitive sites located in or around the subject parcel.
 - f) The subject parcel is located within an area of relative stability to moderate instability and outside of any Alquist-Priolo fault hazard area and is not located in an area of historic landslides. The parcel is located outside of the tsunami hazard area and tsunami evacuation area, outside areas of potential liquefaction, and outside of the flood zone. The parcel is within a high fire

hazard severity zone. The parcel is within the State Responsibility Area (SRA) for fire protection and within the Ferndale Fire Protection District who responds to structural fires and medical emergencies. The proposed test well is not projected to increase hazard risk.

4. FINDING

Staff believes that the Planning Commission can find the proposed test well in conformance with the Humboldt County General Plan.

EVIDENCE

- a) The proposal involves the development of a test well to determine water availability. If the test well is determined to be a viable water source to be utilized as a backup well to the existing well used by the District on the property, an easement will be granted to the District by the landowner. Additionally, the information gathered by the test well will then be able to be utilized by the Division of Environmental Health (DEH) and the Lower Eel River Groundwater Basin Administrator to determine whether operation of a permanent well can be permitted without negatively impacting public trust resources. The Humboldt County General Plan identifies the RA land use designation as land that is appropriate for large lot residential uses that typically rely upon on-site water and wastewater systems. Essential services (e.g., community wells, water storage tanks, and associated water treatment facilities) are an allowable use within the designation. The land use designation supports the proposal.
- b) The proposed test well will allow the Riverside Community Services District to achieve goals and policies specified in Chapter 5, Community Infrastructure and Services Element as well as Chapter 11, Water Resources Element specified in the Humboldt County General Plan. Specifically, Chapter 5, Policy IS-P16, Water and Wastewater System Capital Improvements, which is ‘Support the efforts of service providers to develop and maintain capital improvement programs for construction of water and wastewater systems.’ Additionally, the proposed test well supports Policy WR-P26 Sufficient Water Supply, ‘Support the actions and facilities needed by public water systems to supply the demands projected in this plan.’
- c) All applicable policies of the Humboldt County General Plan remain in full force.
- d) The applicant will be responsible for obtaining any necessary

Federal, State and Local permits to facilitate development of the test well.

- e) General Plan conformance review pursuant to Government Code Section 65402(a) and Humboldt County General Plan Policy WR-IM23 is not a project pursuant to the California Environmental Quality Act and Section 15378 of the State CEQA Guidelines. Future construction of the test well will require a test well permit from the Department of Environmental Health and would be exempt from CEQA pursuant to Section 15306 (Information Collection) of the CEQA guidelines.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Find the proposed test well to be in conformance with the General Plan; and
- Adopt Planning Division’s recommendation.

Adopted after review and consideration of all the evidence July 6, 2023.

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____ and the following ROLL CALL vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
DECISION:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

John Ford, Director
Planning and Building Department