

## Referral Agency Comments and Recommendations

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Building Department	✓	Approval	On file
Department of Environmental Health	✓	Approval	On file
Public Works Land Use Division	✓	Conditional approval	Attachment 1C
CDFW	✓	Conditional approval	Attached
Blue Lake Rancheria			
Wiyot Tribe			
NWIC	✓	Conditional approval	On file
Bear River Band of the Rohnerville Rancheria			
PG&E	✓	Approval	On file
CALFIRE			
Division of Water Resources			
Division of Water Rights			
Arcata Fire Protection District	✓	Approval	On file
RWQCB			
Jacoby Creek School District			

## Estlow, Trevor

**From:** Rian, Kathryn(Katie)@Wildlife <Kathryn.Rian@Wildlife.ca.gov>  
**Sent:** Monday, June 24, 2024 2:23 PM  
**To:** Estlow, Trevor  
**Subject:** CDFW Recs for Hornstein MS 18941

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Hi Trevor,

We appreciate your patience with this project, which raised several questions that required additional research and analysis. With respect to the proposed subdivision of APN 500-091-064, CDFW would like to offer the following comments and recommendations:

- No further action is necessary for the wells. After conducting additional research and revisiting the site, our Engineering Geologist concluded that domestic use is unlikely to result in significant impacts to stream flows. The depth and configuration of the wells relative to the surrounding strata suggest they are sufficiently disconnected from any alluvial aquifer.
- If the landowner is willing to accommodate a couple of minor changes to avoid potential impacts to unmapped wetlands, I don't think a biological assessment is necessary. We observed a wetland seep in the middle of the old logging road connecting the two resultant parcels, which fed into a seasonal swale. The wetland has not been mapped, but an increased setback from 30' to 50' along the southwestern edge of resultant parcel 2 would provide an adequate buffer (highlighted in yellow below). I don't think Mr. Hornstein was planning to re-open that old logging road anyway, but I recommend formally closing it, perhaps by planting a few native understory species or taking another minimally impactful approach (i.e., avoid ground disturbance in the wetland). Suitable plants for that area would include sword fern (*Polystichum munitum*), salmonberry (*Rubus spectabilis*), thimbleberry (*Rubus parviflorus*), and red elderberry (*Sambucus racemosa*), among others.



- I did observe two California Rare Plant Rank 4 species on resultant parcel 2: 1) leafy-stemmed miterwort (*Mitellasrtra caulescens*; CRPR 4.2), growing at the culvert inlet under Splinter Lane; and 2) nodding semaphore grass (*Pleuropogon refractus*; CRPR 4.2), growing in and along the driveway. The proposed development won't impact the miterwort. Driveway improvements will inevitably result in the loss of some

nodding semaphore grass, but the species is rhizomatous and well-established in the adjacent riparian and wetland areas, where it will probably recolonize roadside edges. The building envelope for the house itself is marginal habitat, consisting of second-growth redwood with a limited understory.

- As with any development entailing tree removal, CDFW recommends working outside of nesting season (generally March 15 – August 15) to avoid impacts to native resident and migratory birds. If that's not feasible, a qualified biologist shall survey for active bird nests no more than seven days prior to tree removal or significant trimming. If an active nest is found, the permittee should consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.
- To minimize the risk of spreading invasive species into adjacent redwood forest and riparian areas, please consider a condition of approval to prohibit the use of invasive plant species in landscaping (see [Cal-IPC Inventory](#) for a list).

Thanks,  
Katie

**Kathryn M. Rian**

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