

Initial Study and Draft Mitigated Negative Declaration

**Removal of Three (3) High-Priority Hazardous Trees APN 102-150-006
and 102-150-007**

Grading Permit GP2024-12C

7/23/2024



Initial Study and Draft Mitigated Negative Declaration – Removal of Three (3) High-Priority Hazardous Trees Grading Permit – Grading Permit GP2024-12C – 7/23/2024



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Project Information Summary

1. **Project Title:** Removal of Three (3) High-Priority Hazardous Trees APN 102-150-006 and 102-150-006 Grading Permit
2. **Lead Agency Name and Address:** Del Norte County
Planning Commission
981 H Street, Suite 110
Crescent City, CA 95531
3. **Contact Person and Phone Number:** Jessica Pollard
(707) 464-7254
jpollard@co.del-norte.ca.us
4. **Project Location and APN:** 405 Island View Dr, Smith River, CA 95567
102-150-006 and 102-150-007
5. **Project Sponsor's Name and Address:** Colin M. Vito
262 E. Mountain Ave
Fort Collins, CO 80524
6. **County Land Use:** Rural Residential 1du/ac
7. **County Zoning:** Zone District RRA-1
8. **Description of Project:**

PS-Coast LLC, owner of the project parcel, conducted tree removal under an Emergency Permit issued by the County of Del Norte on February 22, 2024, authorizing the removal of a total of three (3) hazardous Sitka Spruce trees. Two (2) hazard trees were located on parcel 102-150-006 and were within striking distance of structures. One (1) hazard tree was located on parcel 102-150-007 and was within striking distance of a neighbor's structure and power and phone lines. Emergency Permits (DNCC 21.50.50) recognize that in some instances a person or public agency performing a public service may need to undertake work to protect life and public property, or to maintain public services before the provisions of Title 14 and 21 can be fully complied with. A condition of the Emergency Permit issuance was to follow up with an after-the-fact Coastal Grading Permit to complete the necessary documentation.

Parcels 102-150-006 and 102-150-007 are located in the Coastal Zone off Indian Road on Island View Drive, Smith River, CA. The parcels are zoned RRA-1 (Rural Residential Agriculture) one-acre minimum lot area with a MFH-C (H)-D (Manufactured Housing Combining District) (Coastal Area Combining District) Hazard (D Combining District) varying lot sizes or cluster development overlay. This area's General Plan Land Use designation is Rural Residential 1 dwelling unit per acre. Parcel 102-150-006 is 1.25 acres in size and contains a residence and a garage. Parcel 102-150-007 is 2.67 acres in size and contains the driveway (Island View Drive) for access to adjoining parcels. The project area is bounded on the north by the historic cemetery, to the south by private property, to the east by Indian Road, and to the west by the Pacific Ocean.

As a precaution and due to the fact that the property experienced three (3) Sitka Spruce failures over the past two years, PS-Coast consulted with a Certified Arborist Joe Snipes to provide a level two assessment on several

Sitka Spruce trees around the property to evaluate the overall health of the trees. The tree assessment followed the International Society of Arboriculture (ISA) basic tree risk assessment form. Mr. Snipes identified three (3) High-Priority risk trees, six (6) Medium-Priority risk trees, and four (4) Low-Priority risk trees on the property. The High Priority trees include: Tree 1, Tree 9, and Tree 10. According to Mr. Snipes, Tree 1 was within striking distance of the neighbor's residence and power and phone lines. The tree exhibited two branches that were equal to or greater than ½ the diameter of the tree, which indicates high likelihood of branch failure. Based on the size, proximity and adjacent recent fallen trees, Mr. Snipes recommended this tree be immediately removed down to the stump. Tree 9 was within striking distance of a residence and garage and exhibited a low live crown ratio. Due to the fact that it was fully exposed to north, and northwest prevailing winds, Mr. Snipes recommended the immediate removal down to the stump. Tree 10, located next to tree 9, was also within striking distance of a residence and garage. It exhibited a low live crown ratio. It also exhibited codominant stems in the upper canopy. Due to the fact that it was fully exposed to north, and northwest prevailing winds, Mr. Snipes recommended immediate removal down to the stump.

Mr. Snipes, on behalf of PS-Coast, LLC contacted the Planning Department by phone on January 22, 2024, requesting permission to immediately remove the three (3) High Priority Sitka Spruce trees as identified in his Arborist's Report. The Planning Department requested the report and noted that the three (3) High Priority trees were a risk to life and property since the trees were visually deformed and were within striking distance of structures and power lines. The timing and the weather were major factors in issuing the Emergency Permit. In January 2024, Del Norte County saw record-breaking storms, rainfall, and wind. The property manager was concerned about the recent weather events and wanted to mitigate the risk to life and property by having the high priority trees removed immediately.

The trees are located in an extremely sensitive archaeological area containing sensitive Tribal Cultural and Cultural Resources. Conditions 4, 5, and 7 were placed on the Emergency Permit to address the sensitive nature of the site. Condition 4 states that no ground disturbance is allowed due to the culturally significant sensitivity of the site. Condition 5 states that authorized removal should be limited to the use of hand tools only rather than heavy equipment, and the use of vehicles or other mechanized equipment should be limited to existing driveways or other paved areas. Condition 7 states that the applicant is on notice that it is the policy of the County of Del Norte, should any archaeological resources be found during tree removal, activities shall be halted until an evaluation of the find is made either by a qualified archaeologist and a representative of either the Tolowa Dee-ni' Nation or Elk Valley Rancheria.

9. Surrounding Land Uses and Settings:

Immediately to the north of the parcels, the General Plan Land Use designation is Tribal Lands. The area to the East is Tribal Lands and Rural Residential 1du/ac. The area to the South is Tribal Lands. The area to the west is the Pacific Ocean.

- 10. Required Approvals:** Coastal Grading Permit entitlement – Del Norte County Planning Commission
- 11. Other Approval (Public Agencies):** The California Coastal Commission
- 12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?**

Native American tribes, traditionally and culturally affiliated with the project area have been notified of the project application completion and the beginning of the AB 52 consultation period pursuant to PRC §21080.3.1. Notification of the beginning of the AB 52 consultation period was provided 6/7/2024.

Environmental Factors Potentially Affected

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

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

Determination

On the basis of this initial evaluation:

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

Jessica Pollard
 Jessica Pollard

7/26/24
 Date

Planner, Del Norte County Community Development Department

Environmental Checklist

1. Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a./b. The project site is located in the vicinity of a coastal scenic viewpoint (Prince Island Court) and in close proximity of a scenic corridor (Highway 101 north of Indian Road). Del Norte County's General Plan and Local Coastal Program has designated these areas as Scenic Resources. The removal of the trees has a less than significant impact on the scenic corridor because only three (3) trees were removed. Two of the Sitka trees were small and located adjacent to a residence and garage and not viewable from Highway 101. The third Sitka tree was partially viewable from Highway 101 but was a relatively isolated tree located next to a neighbor's residence and power and phone lines. The removal of the trees has no impact on the view of Prince Island.

2. Agriculture and Forest Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

3. Air Quality

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

Discussion of Impacts

4. Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a. According to the Biological Assessment completed by Mr. Frank Galea, the removal of the two Sitka Spruce located north of the residence and garage were relatively small, early-seral trees with no significant size to them. The area contained a few early seral western red cedar and small shore pine. This was a relatively small grouping of young conifers bordered to the north, west, and east by dense brush, and to the south by the garage. Mr. Galea further states that the removal did not have any significant impact on the local environment.

The third Sitka Spruce that was removed was located close to Island View Drive and adjacent to power lines and a neighbor's house. This tree was relatively isolated and larger and mature but was not part of a stand of trees and therefore did not have any significant impact on the local environment.

e. Sitka Spruce dominated forest (50% canopy or greater) are considered to be an "Environmentally Sensitive Habitat Area (ESHA)", which are protected habitats under the Coastal Act. According to Mr. Galea, these few trees were not in numbers great enough to constitute a "stand", and certainly not a forest. They were relatively young in age and located adjacent to an occupied residence. Mr. Galea states that their removal did not have a significant impact on the local environment.

5. Cultural Resources

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

outside of dedicated cemeteries?				
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Discussion of Impacts

a-c. Cultural resources are known to exist on-site. The County records were searched for known cultural sites in the general project vicinity. Notice was provided to the two tribes traditionally culturally affiliated with the project area and no comment was given with regard to cultural resources. Additionally, cultural staff from the Tolowa-Dee-ni' Nation is a voting member of the Del Norte County Environmental Review Committee which reviews projects and makes CEQA recommendations. While resources are known to exist on-site, the possibility of an inadvertent discovery is always possible during construction or other implementation activities associated with the project. In this case, mitigation measures included as CULT-1 assigned to the project will ensure that disturbance to the ground is not permitted and any inadvertent discovery of resources located on-site will be properly treated as to not cause a significant impact.

Mitigation Measure CULT-1

Conditions 4, 5, and 7 were placed on the Emergency Permit to address the sensitive nature of the site. Condition 4 states that no ground disturbance is allowed due to the culturally significant sensitivity of the site. Condition 5 states that authorized removal should be limited to the use of hand tools only rather than heavy equipment, and the use of vehicles or other mechanized equipment should be limited to existing driveways or other paved areas. Condition 7 states that the applicant is on notice that it is the policy of the County of Del Norte, should any archaeological resources be found during tree removal, activities shall be halted until an evaluation of the find is made either by a qualified archaeologist and a representative of either the Tolowa Dee-ni' Nation or Elk Valley Rancheria.

6. Energy

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

7. Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. Greenhouse Gas Emissions

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

9. Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional source of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. Land Use and Planning

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

adopted for the purpose of avoiding or mitigating an environmental effect?				
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12. Mineral Resources

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

13. Noise

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a. The noise generated by the tree removal was temporary and consisted of noise generated by chainsaws. Removal was limited to the use of hand tools only rather than heavy equipment, and the use of vehicles or other mechanized equipment was limited to existing driveways and other paved areas.

14. Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

roads or other infrastructure)?				
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"/>

15. Public Services

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

16. Recreation

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

17. Transportation

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision(b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

18. Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a. Conditions 4, 5, and 7 were placed on the Emergency Permit to address the sensitive nature of the site. Condition 4 states that no ground disturbance is allowed due to the culturally significant sensitivity of the site. Condition 5 states that authorized removal should be limited to the use of hand tools only rather than heavy equipment, and the use of vehicles or other mechanized equipment should be limited to existing driveways or other paved areas. Condition 7 states that the applicant is on notice that it is the policy of the County of Del Norte, should any archaeological resources be found during tree removal, activities shall be halted until an evaluation of the find is made either by a qualified archaeologist and a representative of either the Tolowa Dee-ni' Nation or Elk Valley Rancheria.

19. Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Initial Study and Draft Mitigated Negative Declaration – Removal of Three (3) High-Priority Hazardous Trees Grading Permit – Grading Permit GP2024-12C – 7/23/2024

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

20. Wildfire

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

21. Mandatory Findings of Significance

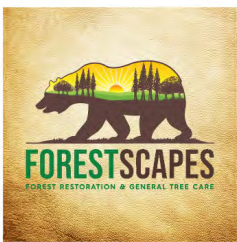
Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species,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

Initial Study and Draft Mitigated Negative Declaration – Removal of Three (3) High-Priority Hazardous Trees Grading Permit – Grading Permit GP2024-12C – 7/23/2024

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)?				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. The project was limited to the removal of three sitka trees. Two of the trees were located adjacent to a residence and a third tree was located next to power and phone lines and a neighbor's residence. The third tree was a mature sitka but exhibited two branches that were equal to or greater than ½ the diameter of the tree, which indicates the likelihood of branch failure. Due to the size and the proximity to power and phone lines and a residence the tree was removed to reduce risk and protect life and public property and to maintain public services should another weather related event occur.

b./c. Although the impacts of removing the trees are limited, not removing the hazardous trees could potentially have substantial cumulative and adverse effects should the tree land on a structure or power lines. Major repairs to structures or powerlines would have a significant impact on the surrounding area.



Certified Arborist: WE-13357A

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Phone #: 707.382.8702

Email: JoeScg23@gmail.com

Report For: Bohemian Properties

Report By: Joe Snipes

Inspection Date: 06/25/25

Inspection Address: 405 Island View Drive, Smith River CA

Report Date: 06/26/23

Key Words:

Co-Dominant - two or more stems that grow upward from a single point of origin. Because of this configuration, there is little direct connection between the wood of these stems.



Included Bark - Included bark is when the bark has turned into itself, and creates a situation where the tree could give way or split down the middle, causing problems with the tree and a safety hazard for humans.





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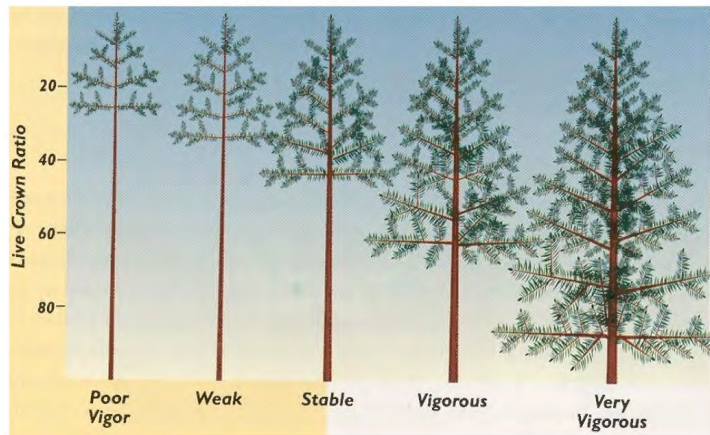
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Vigor - the ratio of the annual growth of wood on the stem per unit of leaf area.

Tree Vigor

Live Crown Ratio - A simple index of tree vigor.



Diameter at Breast Height (DBH) - typically measured at 4.5 ft above ground on a tree and done with a diameter tape.

Live Crown Ratio - the % of total tree height that supports live foliage.

Tree Taper - the degree to which a tree's stem or bole decreases in diameter as a function of height above ground.

Level one assessment - Limited Visual Tree Risk Assessment

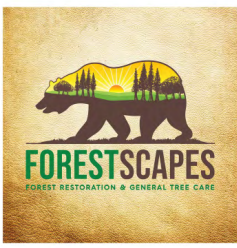
This is used when the tree will be viewed from a defined, limited perspective. It consequently has limitations as to which risks it may detect. This view may include an aerial patrol, a drive by windshield survey, a foot patrol or photographs.

Level two assessment - Basic Tree Risk Assessment

This level involves looking at the tree's roots, trunk and crown to detect structural defects. It is a 360 degree, ground-based visual observation of the tree.

Level three assessment - Advanced Tree Risk Assessment

This level is anything in excess of level 2. It may include tissue testing, drone inspection and resistance drilling.



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General Overview:

Joe Snipes of Forestscapes was hired by Bohemian Companies of 405 Island View Drive in Smith River CA to provide a level two assessment of several mature Sitka Spruce trees around their property.

The property manager, Dave Donati, expressed concern about several of the larger Sitka Spruce that could possibly hit their neighbors house or their guest house and wanted a general overview of the health of the larger trees on the property.

The tree assessment followed the International Society of Arboriculture (ISA) basic tree risk assessment form.

The site is generally flat and the prevailing winds are generally from the north, northwest.

This site has had three Sitka Spruce failures over the past two years, mainly due to internal rot.

Limitations:

Lack of historical information, brush, ivy and organic material surrounding bases of trees.



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Brief background on species:

Sitka spruce (Picea sitchensis), known also as tideland spruce, coast spruce, and yellow spruce, is the largest of the world's spruces and is one of the most prominent forest trees in stands along the northwest coast of North America. This coastal species is seldom found far from tidewater, where moist maritime air and summer fogs help to maintain the humid conditions necessary for growth. Throughout most of its range from northern California to Alaska, Sitka spruce is associated with western hemlock (*Tsuga heterophylla*) in dense stands where growth rates are among the highest in North America. It is a valuable commercial timber species for lumber, pulp, and many special uses (15,16).

Leaf: Evergreen, four-sided needles, spirally arranged; 1 inch long with a very sharp tip, needles point perpendicular and forward on the twig; yellow-green above with white bloom below. Each needle borne on a raised, woody peg (sterigma).

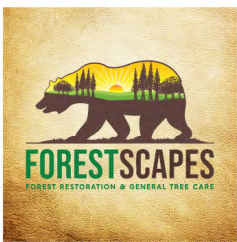
Flower: Species is monoecious; male cones erect or pendant; female cones green to purple and borne near the top of the tree.

Fruit: Oblong cones, 1 1/2 to 3 1/2 inches long with thin, woody, spirally arranged scales that have very thin, notched edges and are tan when mature; cones ripen in one growing season and occur near the top of the tree.

Twig: Current year's twigs are moderately stout and yellow-brown to orange-brown. All twigs are covered with numerous distinct woody pegs (sterigmata).

Bark: On young trees, bark is thin and scaly, usually gray. On mature trees it's usually less than 1 inch thick; gray to brown and scaly



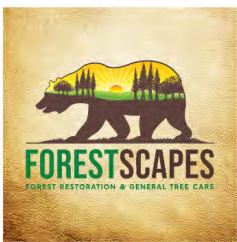


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Pictures:



This map is oriented with North being on the top and West on the left, East on the Right and South on the bottom. Prevailing winds are usually out of the North, and North West.



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Tree 1 - Photo by Joe Snipes



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Tree 2 - Photo by Joe Snipes



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Tree 2 Fracture - Photo by Joe Snipes



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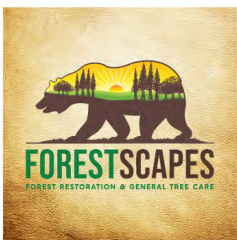
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Tree 3 - Photo by Joe Snipes



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Tree 3 open wound - Photo by Joe Snipes

Tree 3 taper - Photo by Joe Snipes



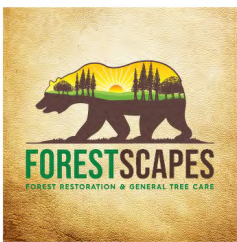
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Tree 3 taper - Photo by Joe Snipes



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Tree 4 - Photo by Joe Snipes



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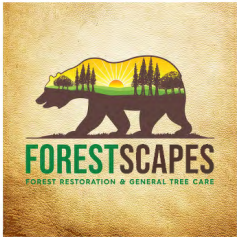
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Tree 4 codominant and included bark - Photo by Joe Snipes



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Tree 4 lower cavity - Photo by Joe Snipes



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Tree's 5 & 6 - Photo by Joe Snipes



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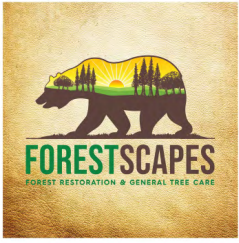
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Tree's 7 & 8 - Photo by Joe Snipes



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Tree 9 - Photo by Joe Snipes



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Tree 10 - Photo by Joe Snipes



Certified Arborist: WE-13357A

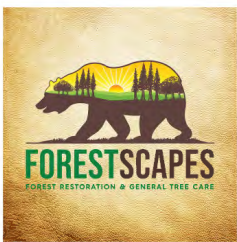
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Tree 11 - Photo by Joe Snipes



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Tree 12 - Photo by Joe Snipes



Certified Arborist: WE-13357A

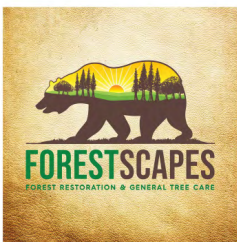
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Tree 13 - Photo by Joe Snipes



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Recommendations:

I, Joe Snipes (ISA # WE13357A), have prioritized certain trees based on visual deformities that possess a hazard to life and property at 405 Island View Drive in Smith River California.

High Priority Trees:

Tree 1: Tree one is in striking distance of the neighbor to the south's main dwelling and to the power and phone lines. It exhibits two branches that are equal to or greater than $\frac{1}{2}$ the diameter of the tree, which indicates high likelihood of branch failure. Based on the size, proximity and adjacent recent fallen trees I am recommending this tree be immediately removed down to stump.

Tree 9 - This one is in striking distance of the guest house garage and exhibits a low live crown ratio. Due to the fact that it is fully exposed to north, north west prevailing winds, I am recommending immediate removal down to stump.

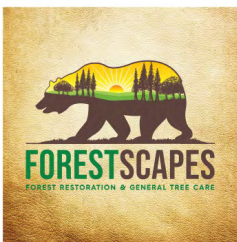
Tree 10 - This one is in striking distance of the guest house garage and exhibits a low live crown ratio. It also exhibits codominant stems in the upper canopy. Due to the fact that it is fully exposed to north, north west prevailing winds, I am recommending immediate removal down to stump.

Medium Priority:

Tree 2: This one is within striking distance of the neighbors to the south's main dwelling and to the power and phone lines. This tree exhibits an unbalanced canopy that leans towards critical infrastructure. Will need to be inspected in six months.

Tree 3: This tree doesn't appear to be in striking distance of any critical infrastructure but does exhibit signs of poor health. It exhibits reponse grown at the base of the tree and in the middle of the trunk, displaying uneven taper. It also has two large open wounds from broken branches and could indicate internal rot. This tree also exhibits possible root plate lifting. Will need re-inspected in six months,

Tree 4: This tree is within striking distance of the entrance gate. It exhibits codominance and included bark. The roots of the tree have been mowed several times. The main concern is the east trunk of the tree. Will need to be re-inspected in six months.



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Tree 11,12,13: This tree is within striking distance of the garage, even though the lean of the trunk is away from the garage. Based on nearby recently fallen spruces I am recommending these tree's be re-inspected in six months.

Low Priority Trees:

Tree 5 & 6 (Snags):

These trees do not appear to be a threat to the neighbors main dwelling and appear to be providing wildlife habitat and structural forest diversity. Will need to be re-inspected in six months.

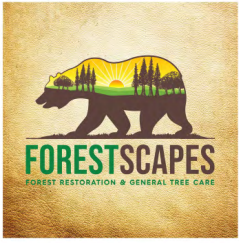
Tree 7 & 8:

These trees do not appear to be a threat to the propane tanks. But based on the internal rot that seems to be prevalent in the Sitka Spruces I am recommending they be reinspected on a six month basis.

I am recommending that high-priority trees (1,9,10) be fully removed, down to the stump, as soon as possible.

For medium and low priority trees I am recommending a follow up inspection in six months with a level three assessment. This assessment will include getting data such as tree heights, tree core, and a climbing inspection for tree three . It will also include removing shrubs and organic matter around tree two to assess the base and root collar.

This report is final and an advanced assessment is highly recommended.

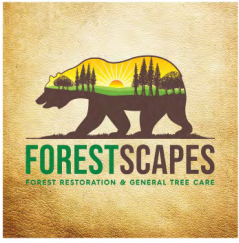


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Date: _____06/28/23_____

Name (print): _____Joe Snipes_____

Signature: *joe snipes*



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Citations:

1. www.arborday.org
2. www.fs.fed.us
3. <https://dendro.cnre.vt.edu/dendrology>
4. <https://ucanr.edu/>



GALEA BIOLOGICAL CONSULTING

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PROPERTY REVIEW, 405 ISLAND VIEW DRIVE, SMITH RIVER, CALIFORNIA. MARCH 2024

A review of the property at 405 Island View Drive in Smith River was conducted by certified wildlife biologist Frank Galea of Galea Biological Consulting of Crescent City, California, in March of 2024. The review was necessary to determine what impacts, if any, the removal of 3 coastal spruce trees (*Picea sitchensis*) may have had on the surrounding environment. The three trees were removed for safety considerations, lest they fall on a nearby structure.

The California Coastal Commission (CCC) considers a Sitka spruce dominated forest (50% canopy or greater) to be an "Environmentally Sensitive Habitat Area" (ESHA), which are protected habitats under the Coastal Act. The goal of this designation was to protect stands of intact Sitka spruce forest from fragmentation and development.

The property is 8.4 acres in size, located along the shore of the ocean with a commanding view. Two homes are located on the property, with the larger house being located 135 feet from the bank. The guest house is located at the north end of the property and includes a separate, two-car garage. Two of the three spruce trees were removed just north of the garage, within 20 feet or so from the structure, and only a few feet from a fence along the north property line. A small drainage system is located just north of the property line, which was vegetated with dense brush but no large trees.

Prior to the removal of the two spruce trees north of the garage, another spruce tree had been removed some time prior due to safety concerns. All three of these spruce trees removed were relatively small, early-seral trees with no significant size to them. A few early seral western red cedar (*Thuja plicata*) and small shore pine (*Pinus contorta contorta*) were also located in the same area as where the three trees had been removed.

This was a relatively small grouping of young conifers bordered to the north, west and east by dense brush and to the south by the garage. These few trees were not in numbers great enough to constitute a "stand", and certainly not a forest. They were also of relatively young age. They were located adjacent to an occupied house and a garage; therefore, their removal did not have any significant impact on the local environment.

The third Sitka spruce which was removed as located in the southeast corner of the property, close to Island View Drive. This tree was relatively isolated, with the street to the immediate east, a neighbor's house to the immediate south and open grass lawn to the west. This tree, while larger and mature, was not a part of a stand of trees, and therefore removal of this tree did not have any significant impact on the local environment.

In conclusion, the removal of three Sitka spruce trees for safety considerations caused no impacts on the local environment.

APPLICANT: PS-Coast LLC – Emergency Coastal Permit – APN 102-150-006 and 102-150-007 located at 205 Island View Dr, Smith River CA 95567

Agent: Colin Vito
Colin@bohemiancompanies.com

SUMMARY: Three hazardous Sitka Spruce trees have been identified to pose a risk to life and property because they are within striking distance of structures and powerlines. The hazardous trees were identified by a certified Arborist. The Arborist was concerned about the proximity of these trees to structures and powerlines, tree stability, and recent fallen tree history on the property. The Arborist recommended that the three hazardous trees be removed, down to the stump. CDFW and the Coastal Commission were contacted and their guidance was received. The issuance of an Emergency Coastal Permit was necessary due to the time restraints and extreme weather. A Coastal Grading Permit may take 3-6 months to process. The applicant will however be required to follow up with a Coastal Grading Permit. Therefore, all required studies and assessments will be submitted.

AUTHORIZATION: This Emergency Coastal Permit authorizes the applicant to remove, down to the stump, three hazardous Sitka Spruce trees. More specifically, tree #1, #9, and #10 as identified in the Arborist's Report by Joe Snipes incorporated herein as Attachment A. The tree removal work required to deal with the emergency is consistent with the below listed conditions pursuant to DNCC §21.50.50.

RECOMMENDATION: Emergency Coastal Permit – Issued on 2/22/2024. Follow Up with Coastal Grading Permit (Condition 8)

FINDINGS:

- A. Three hazardous Sitka Spruce trees pose a risk to life and property because they are within striking distance of structures. One of the trees is within striking distance of power and phone lines;
- B. The Sitka Spruce trees are located in an extremely culturally sensitive area;
- C. The trees have been subjected to strong winds, English Ivy infestation, rot, and have suffered severe trauma;
- D. The consequences of not taking emergency action to remove the trees includes damage to structures, damage to utilities, damage to cultural resources, and damage to coastal resources;
- E. Due to the potential for immediate damage to utilities, structures, and to protect life, an emergency exists requiring removal measures not capable of being permitted within the timeframe of an ordinary coastal permit;
- F. County staff has consulted with staff of the California Coastal Commission and the California Department of Fish and Wildlife and has incorporated feedback received from both agencies into the conditions for approval;
- G. The lack of available time does not allow for public comment to be considered; and
- H. The tree removal measures are consistent with the requirements of the General Plan Coastal Element insofar as can be ascertained.

CONDITIONS:

-
- 1. Work completed with this permit must be completed within 10 days of issuance;
 - 2. The applicant shall remove, down to the stump, the three "High Priority" Sitka Spruce trees identified as tree #1, #9, and #10 in the Arborist's Report. All measures to remove trees shall implement best management practices to avoid the spread of invasive species and/or disease;

3. The applicant shall immediately notify the County in writing after completion of the tree removal work and submit photo documentation of work completed. Photos need to be provided within 1 week of complete work;
4. No ground disturbance is allowed due to the culturally significant sensitivity of the site;
5. Any authorized removal should be limited to the use of hand tools only (e.g., chainsaws) rather than heavy equipment, and the use of vehicles or other mechanized equipment should be limited to existing driveways or other paved areas;
6. If a tree is discovered to be diseased, no chipping of cut tree parts should be allowed to be performed on the property and all debris should be removed from the premises and disposed of lawfully at licensed disposal facilities to avoid the spread of disease;
7. The applicant is on notice that it is the policy of the County of Del Norte, should any archaeological resources be found during tree removal, activities shall be halted until an evaluation of the find is made either by a qualified archaeologist and a representative of either the Tolowa Dee-ni' Nation or Elk Valley Rancheria;
8. Within ten calendar days of the request for the emergency permit, an application for a Coastal Grading Permit pursuant to DNCC §21.50.20 shall be submitted to the Community Development Department;
9. The applicant is on notice that any future tree removal of "Medium Priority" and "Low Priority" trees as identified in the Arborist's Report must be done under a Coastal Grading Permit issued by the County; and
10. This entitlement is specifically conditioned on the applicant agreeing to indemnify and hold harmless the County of Del Norte, the Planning Commission of the County of Del Norte, the Board of Supervisors of the County of Del Norte, their officers, employees and agents against any and all claims arising out of the issuance of the entitlement and specifically against any expense arising from defending any legal action challenging the issuance of the entitlement, including but not limited to the value of time devoted to such defense by County officers, employees and agents and the amount of any judgment, including costs of suit and attorney fees, recovered against the County or any of its officers, employees or agent in such legal action. The County of Del Norte reserves the option to either undertake the defense of any such legal action or to tender such defense to the applicant. Should the County tender such defense to the applicant and the applicant fail or neglect to diligently defend such legal action, the County may consider such failure or neglect to be a material breach of this conditions and forthwith revoke this entitlement.