



Siskiyou County
Planning Commission Staff Report
October 15, 2025

New Business Agenda Item No. 1
Amen Tentative Parcel Map (TPM-20-07-2M) Time Extension Request

Applicant: Ivar Amen

Property Owners: Ivar Amen
PO Box 305
Cottonwood, CA

Grant A. Amen
PO Box 230
Cottonwood, CA

June L. Amen
15840 Bosman Drive
Red Bluff, CA

Representatives: Susan Goodwin
VESTRA Resources, Inc.
5300 Aviation Drive
Redding, CA

Project Summary: The applicant is requesting approval of the following:

- 18-month time extension to the Amen Tentative Parcel Map (TPM-20-07).

Location: The project site is located on East State Highway 3, adjacent to the city of Montage, on APNs 013-400-250 and 013-410-060, Township 45N, Range 6W MDB&M, Latitude 41.720, Longitude -122.542.

General Plan: Soils: Severe Septic Tank Limitations; Flood Hazard; Surface Hydrology; Prime Agricultural Soils

Current Zoning: Non-Prime Agricultural, 40-acre minimum parcel size (AG-2-B-40)

Exhibits:

- A. Draft Resolution PC 2025-018
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Proposed Time Extension is Not a Project Pursuant to California Environmental Quality Act and Extending the Amen Tentative Parcel Map Time (TPM-20-07).
- B. April 20, 2022, Planning Commission Staff Report Packet
- C. Signed Resolution PC 2022-008
- D. March 20, 2024, Planning Commission Staff Report Packet
- E. Signed Resolution PC 2024-007

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October 15, 2025

Background

The Amen Tentative Parcel Map (TPM-20-07) is a proposed tentative map to create four parcels of 109 acres, 77 acres, 41 acres and 41 acres from three existing parcels. TPM-20-07 was approved by the Planning Commission on April 20, 2022.

At this time, the map has been submitted to the county for review, however the project has not been completed. The applicant indicated the necessary avigation easement (Condition of Approval #3) is under review by Siskiyou County Public Works with the review and approval by the airport authority to follow. The applicant is requesting an eighteen-month extension in order to complete this project. Once all work has been completed and conditions of approval have been met, the applicant would be able to move forward with recording the parcel map.

Analysis

The Amen Tentative Parcel Map (TPM-20-07) was approved by the Planning Commission on April 20, 2022, with an expiration date of April 20, 2024.

An eighteen-month extension was granted on March 20, 2024, setting a new expiration date of September 20, 2025.

Siskiyou County Code Section 10-4.401.8.2(a) states a subdivider may request an extension of the expiration date of the approved tentative map by a written application. An extension request was received by the Planning Division on September 12, 2025. Pursuant to Government Code Section 66463.5(c), upon application by the subdivider to extend the approved map, the map shall be automatically extended for 60 days or until the application is approved, conditionally approved, or denied, whichever comes first. Because the applicant filed an extension request prior to the expiration date of September 20, 2025, the expiration date was automatically extended. At this time, the current expiration date of TPM-20-07 is November 19, 2025. Should the Planning Commission approve the eighteen-month extension request, authorized under SCC 10.4.401.8.2.(c), on October 15, 2025, the new expiration date would be April 15, 2027.

Environmental Review

The proposed project requests an extension of time for a previously approved Tentative Parcel Map (TPM-20-07). Potential environmental impacts were analyzed, and the project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301(c), 15303(a), 15303(e), and 15304 of the CEQA Guidelines. The setting for the project has not significantly changed and there have been no changes to the land use designations in the area since approval of the original project. Additionally, the extension of time for a tentative map does not involve any physical changes in the environment and hence does not have the potential for causing an effect on the environment. Therefore, staff is recommending that the Planning Commission determine the proposed time extension does not constitute a "project" pursuant as defined in CEQA Guidelines Section 15378 and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

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Comments

A Notice of Public Hearing was published in the Siskiyou Daily News on October 1, 2025, and mailed to property owners within 300 feet of the applicant's property. No agency or public comments were received at the time this staff report was written.

Planning Staff Recommendations

- Adopt Resolution PC-2025-018 taking the following actions:
 - Determine the time extension is not a project pursuant to California Environmental Quality Act (CEQA) as defined in Section 15378, and is therefore not subject to CEQA pursuant to Section 15060(c)(3) and
 - Approve the Amen Tentative Parcel Map (TPM-20-07-2M) Time Extension Request and establish a new expiration date of April 15, 2027.

Suggested Motion

I move to adopt Resolution PC 2025-018, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project is Not Subject to the California Environmental Quality Act and Extend the Amen Tentative Parcel Map (TPM-20-07) to April 15, 2027.

Preparation

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Bernadette Cizin, Associate Planner
Siskiyou County Planning Division
806 S. Main Street
Yreka, California 96097

Resolution PC 2025-018

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determine the Project Not Subject to the California Environmental Quality Act and Extending the Amen Tentative Parcel Map (TPM-20-07-2M) to April 15, 2027.

Whereas, Tentative Parcel Map TPM-20-07 was originally approved by the Planning Commission on April 20, 2022, with an expiration date of April 20, 2024; and

Whereas, Siskiyou County Code Section 10-4.401.8.2 provides for extension to subdivision maps; and

Whereas, Ivar Amen has applied for and was granted an 18-month extension by the Siskiyou County Planning Commission on March 20, 2024, pursuant to Siskiyou County Code Section 10-4.401.8.2; and

Whereas, Ivar Amen has applied for a second extension pursuant to Siskiyou County Code Section 10-4.401.8.2; and

Whereas, pursuant to Government Code Section 66463.5(c), the extension request automatically extended TPM-20-07 for 60 days (until November 19, 2025) or until the application is approved, conditionally approved, or denied, whichever comes first; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on October 1, 2025; and

Whereas, public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

Whereas, the Planning Division recommended that the project be determined not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378; and

Whereas, the Planning Division presented its oral and written staff report on the Amen Tentative Parcel Map (TPM-20-07-2M) Time Extension Request at a regular meeting of the Planning Commission on October 15, 2025; and

Whereas, there have been no significant changes in the project, no significant changes in the circumstances under which the project will be undertaken, and no new information has come to light regarding new or significant environmental effects; and

Whereas, on October 15, 2025, the Planning Commission discussed the CEQA exemptions and October 15, 2025, the chair of the Planning Commission opened the duly noticed public hearing on the Amen Tentative Parcel Map (TPM-20-07-2M) Time Extension Request to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the project prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission, based on the evidence in the record, hereby takes the following actions on the Amen Tentative Parcel Map (TPM-20-07-2M) Time Extension Request:

1. Determines that the project to not be subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) which states that an activity is not subject to CEQA if the activity is not a project as defined in CEQA Guidelines Section 15378; and
2. Approves the Amen Tentative Parcel Map (TPM-20-07-2M) Time Extension Request, pursuant to SCC Section 10-4.401.8.2(c) and establishes a new expiration date of April 15, 2027.

It is Hereby Certified that the foregoing Resolution PC-2025-018 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____ at a regular meeting of the Siskiyou County Planning Commission held on the 15th day of October 2025 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

Jeff Fowle, Chair

Witness, my hand and seal this 15th day of October 2025

Hailey Lang, Secretary of the Commission



Siskiyou County
Planning Commission Staff Report
April 20, 2022

New Business Agenda Item No. 2
Amen Tentative Parcel Map (TPM-20-07)

Applicant: Ivar Amen

Property Owners: Grant A. & June L. Amen
15840 Bosman Drive
Red Bluff, CA 96080

Representatives: Susan Goodwin, P.E.
VESTRA Resources
5300 Aviation Drive
Redding, CA 96002

Project Summary The applicant is requesting approval of a Tentative Parcel Map (TPM) to create four parcels of approximately 109-acres, 77-acres, 41-acres and 41-acres from three existing parcels of 0.5-acres, 90-acres and 181.9-acres.

Location: The project site is located on East State Highway 3, adjacent to the city of Montage, on APNs 013-400-250 and 013-410-060, Township 45N, Range 6W MDB&M, Latitude 41.720, Longitude -122.542.

General Plan: Soils: Severe Septic Tank Limitations; Flood Hazard; Surface Hydrology; Prime Agricultural Soils

Current Zoning: Non-Prime Agricultural, 40-acre minimum parcel size (AG-2-B-40), Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80)

Exhibits: A. Draft Resolution PC-2022-008

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the Amen Tentative Parcel Map (TPM-20-07).

A-1. Notations and Recommended Conditions of Approval

A-2. Recommended Findings

B. Comments

C. Parcel Map

D. Biological Resources Assessment

E. ALUC Secretary Review and Determination

Background

The property owner, Ivar Amen, has applied for a Tentative Parcel Map (TPM) to subdivide 272.4 acres into four parcels of approximately 109 acres, 77 acres, 41 acres and 41 acres. The proposed parcels, Lots 2 and 4, have water wells and associate power poles but the subject property is otherwise undeveloped as it was historically used for hay production and more recently livestock grazing.

The property is south of Montague-Yreka Rohrer Field on Montague Road and west of Montague Grenada Road, adjacent to the city of Montague (see Figure 1). Due to the proximity of the airport, the property is within the A, B, C1 and D airport compatibility zones.

The project site is gently sloped to the south with non-prime ag soils consisting primarily of Montague variant clay and Salisbury cobbly loam, 0 to 9 percent slopes and prime ag soils consisting of Montague clay and Salisbury gravelly clay loam, 0 to 5 percent slopes. The farmed areas have annual and perinnial grasses and forbes among the dominant Yellow Star thistle. Four rock mounds ranging in size from one to three acres in size are found within the project site. Vegetation in the non-cultivated areas along the river, consist of Cottonwood, sedges and non-native grasses and forbes. Animals found on-site include small mammals, birds, deer, and lizards. Proposed access to Lots 1 and 2 is from State Highway 3 and to Lots 3 and 4 from Montague Grenada Road.

The project location is zoned Non-Prime Agricultural (AG-2-B-40) and Prime Agricultural (AG-1). Parcels to the south and west are 5 acres or larger in size and also zoned for prime and non-prime agricultural uses. Parcels to the north and across State Highway 3 from the project site, are zoned for rural residential uses, with the exception of Montague-Yreka Rohrer Field which is zoned for Industrial uses within the Montague City Manufacuring Zoning District. The parcels to the east are within the Montague city limits and are zoned for industiral uses (see Table 1).The majority of the neighboring parcels within the county jurisdiction are developed with single-family dwellings and agricultural uses. All of the neighboring parcels within the Montague City limits are developed with industrial uses.

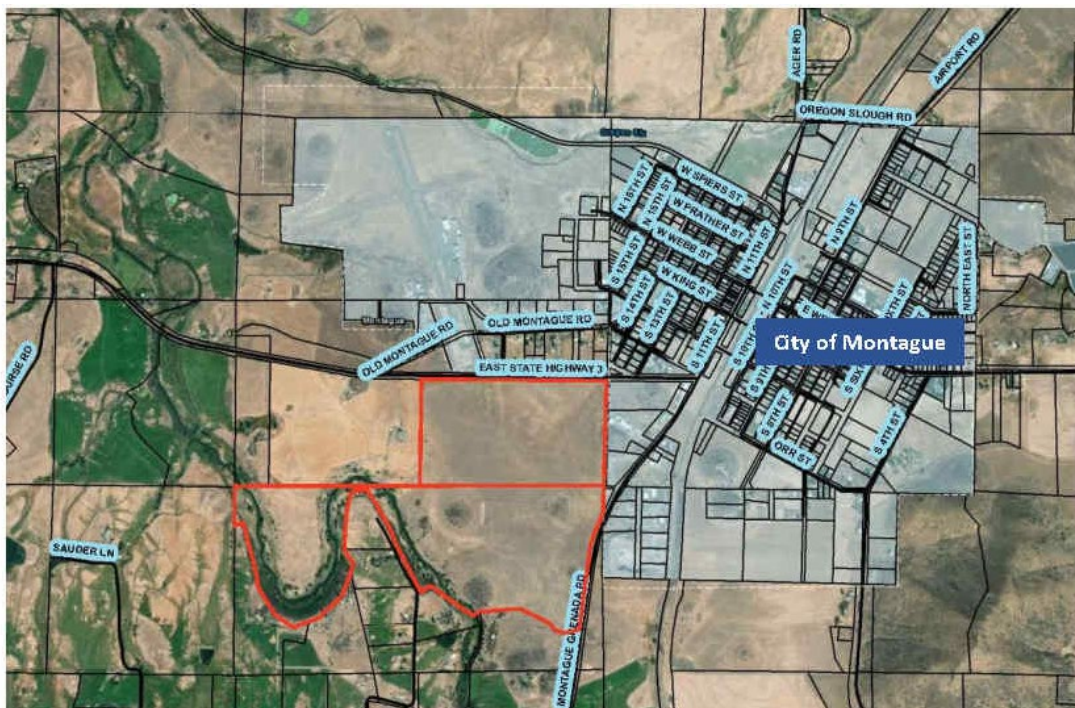


Figure 1: Project Location

Parcel Creation

The subject property is comprised of 3 separate parcels. APN 013-400-250 is comprised of 2 separate legal parcels, one ½ acre parcel created by Indenture from W.D. Kegg to the Town of Montague recorded in Siskiyou County Official Records on September 30, 1912 in Volume 88 Page 47 and 90-acre parcel created by Deed recorded in Siskiyou County Official Records on September 13, 1965 at Volume 520 Page 551. APN 013-410-060 is a separate legal parcel created by Deed recorded in Siskiyou County Official Records on September 13, 1965 at Volume 520 Page 551 and later modified when a portion of the parcel was deeded to Siskiyou county for the roadway, Montague Grenada Road by Grant Deed recorded in Siskiyou County Official Records on July 1, 1971 at Volume 627 Page 445.

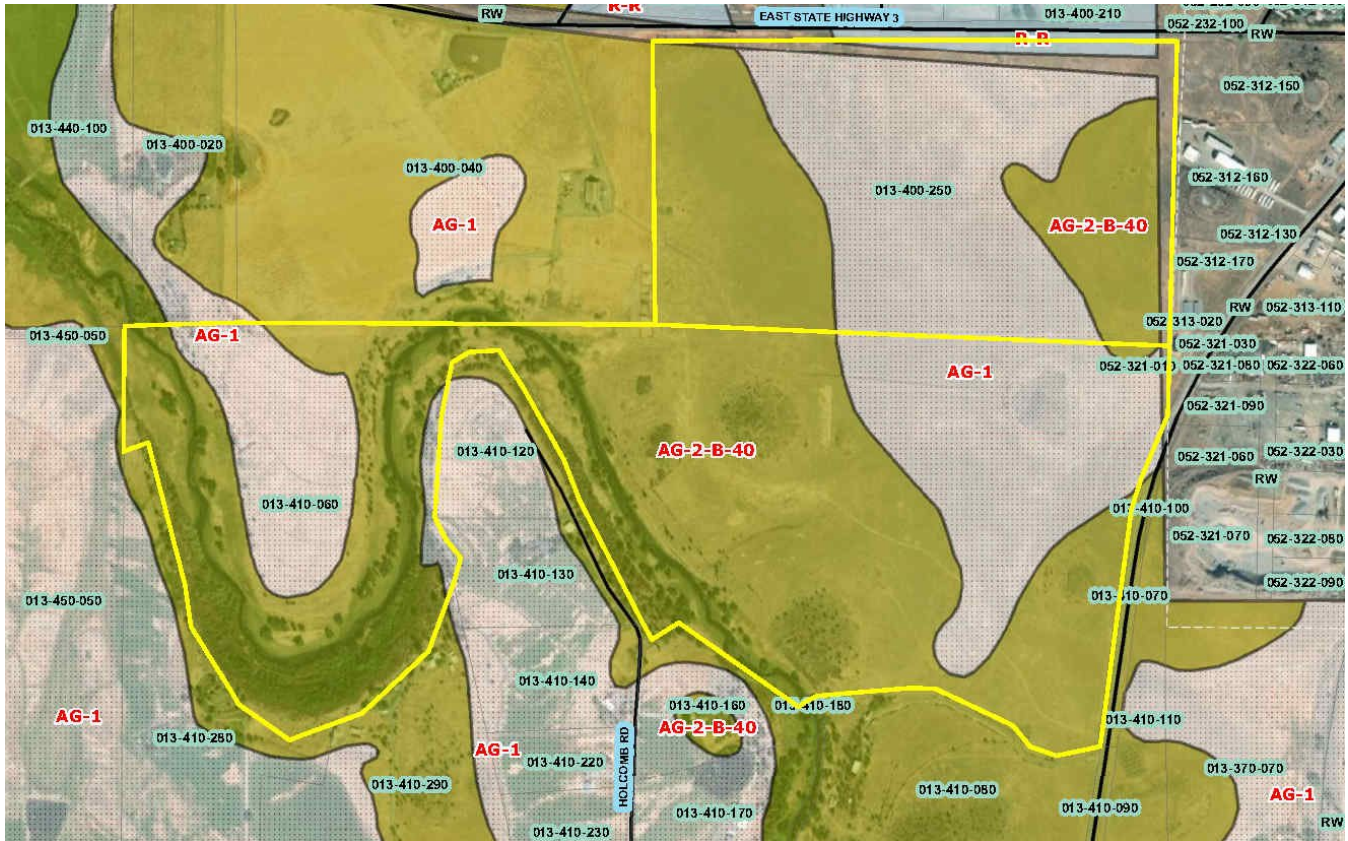


Figure 3: Zoning Map

Analysis

Subdivision and Zoning Consistency

Pursuant to Siskiyou County Code Section 10-4.105.3 and 10-6.5501, the proposed lots are consistent with all County lot design standards.

The subject property is zoned Non-Prime Agricultural, with a 40-acre minimum parcel size (AG-2-B-40) and Prime Agricultural (AG-1). The proposed parcels, as designed, would be zoned AG-2-B-40 and AG-1 and at 41-acres and larger, exceed the minimum required 40-acre parcel size.

Access for the newly created parcels identified as Lot 1 and 2, would be from Montague Road, a public road. Newly created parcels, Lots 3 and 4, would have access from Montague Grenada Road, a public road.

Airport Land Use Compatibility

The subject property is south of Montague-Yreka Rohrer Field and is within the Zone A, B, C1 and D compatibility zones. Within the ALUCP, Zone A is described as airport runways and immediately adjacent areas, Zone B is described as the “areas both immediately beyond the runway protection zones and adjacent to the runways, Zone C1 is described as the area commonly overflowed by aircraft at an altitude of 1,000 feet or less above ground level and Zone D is described as areas within the airport vicinity which are overflowed less frequently or at high altitude by aircraft arriving and departing the airport.

Within the ALUCP, the Primary Compatibility Criteria matrix in Table 2A (see Exhibit C) gives guidance on compatible uses and densities. No Residential dwelling units are allowed within Zone A. The maximum density for residential uses within Zone B is 1 dwelling unit per 5 acres, 1 dwelling unit per 2.5 acres within Zone C1 and no limits within Zone D. The project proposes 4 separate parcels all of which exceed 40 acres in size, which would allow for future residential development. Residential uses on the property, outside of the Runway Protection Zone A, is not prohibited pursuant to Table 2A.

Noise compatibility is delineated in the Noise Compatibility Criteria in Table 2B (see Exhibit D). Clearly acceptable land uses are those for which the activities associated with the specified land use can be carried out with essentially no interference from the noise exposure. Normally acceptable land uses are those for which noise is a factor to be considered in that slight interference with outdoor activities may occur. Agriculture land use, more specifically Cropland, is a “Clearly Acceptable” land use up to a Community Noise Equivalent Level (CNEL) of 70 dB. The Agricultural land use of Livestock Breeding is a “Clearly Acceptable” land use up to a CNEL of 55 dB and is “Normally Acceptable” up to 60 dB. Residential land use is a “Clearly Acceptable” land use up to a CNEL of 55dB and is “Normally Acceptable” up to 60dB. Pursuant to the Noise Impacts map (Exhibit 5E of the ALUCP), the majority of the subject property is within the 55 CNEL area, with the northern portion of the property along Highway 3 being within the 60 CNEL area. Therefore, the residential and agricultural uses on the subject property are compatible with the noise impacts from the Montague-Yreka Rohrer Field.

The proposed Tentative Parcel Map project was submitted to the Airport Land Use Commission (ALUC) Secretary on March 21, 2022, for review and consistency determination. The project was found to be consistent with the Siskiyou County Airport Land Use Compatibility Plan (Exhibit E).

General Plan Consistency

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Soils: Severe Septic Tank Limitations, Flood Hazard, Surface Hydrology and Prime Agricultural Soils. Planning staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.5 through 41.9 and 41.18, also apply to the proposed project.

Staff has conducted a detailed analysis of each of the required findings and has found that the proposed project is consistent with the applicable General Plan policies governing the subject site. Additionally, the use would be compatible with the surrounding land uses and existing zoning designations, would have adequate roadway access for transportation and public health and safety provisions, and would not create adverse environmental impacts to on- or off-site resources. The recommended findings are detailed in the General Plan Consistency Findings section of Exhibit A-2 of PC Resolution 2022-008 attached to this staff report and are submitted for the commissioner’s review, consideration, and approval.

Based on staff's analysis of the proposed use, staff believes that the necessary findings can be made for the approval of this application.

Environmental Review

Staff evaluated the project's potential for environmental impacts by reviewing the project relative to Appendix G of the CEQA Guidelines. Based on this review, it was determined that the subdivision of the property, as proposed, would not adversely impact the environment.

The project site is relatively developed, with driveways and access roads located on the property. The proposed TPM would potentially result in development of single-family dwellings and accessory structures. Due to the existing conditions on these parcels and the proposed development, this project qualifies for a categorical exemption under CEQA Guidelines 15301(c) Existing Facilities; "Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use."; 15303(a) New Construction or Conversions of Small Structures; "One single-family residence, or a second dwelling unit in a residential zone."; 15303(e) "Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences."; 15304 Minor Alterations to Land; "Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agriculture purposes.";

The proposed project falls within a Class 1 exemption because the site includes existing streets and similar facilities, and exempts the minor repair, maintenance, and minor alterations of existing public or private roads. The project also includes a Class 3 exemption because the proposed structures include a single-family residence and/or an accessory structure. It also falls within a Class 4 exemption due to the site being primarily used in its existing state.

Comments

A Preliminary Project Review was circulated to Siskiyou County Reviewing Agencies and State Responsible Agencies. A Notice of Public Hearing was published in the Siskiyou Daily News on April 6, 2022. No public comments have been received at the time this staff report was published.

Siskiyou County Environmental Health Division – September 10, 2020

Environmental Health has reviewed the proposed tentative parcel map regarding on-site sewage disposal, water supply, and sewage density standard for the resultant parcels, and has no objections as proposed.

All parcels have been reviewed and approved for conventional onsite sewage disposal. Parcels 1 & 4 have existing groundwater wells (no records on file). Parcels fall within Environmental Health sewage density standards.

Planning Response: No Response necessary.

Siskiyou County Treasurer-Tax Collector – October 23, 2020

The Treasurer-Tax Collector provided comments related to tax bill due dates.

Planning Response: A requirement that a Taxes and Assessments Certificate shall be obtained from the County Assessor's Office, signed by the County Tax Collector, and submitted with the legal descriptions for recording has been added as Condition of Approval No. 4.

California Department of Fish and Wildlife – May 4, 2021

Fish and Wildlife provided comments recommending that a botanical, wildlife and habitat assessment be conducted, recommending the placement of a no-disturbance buffer along Shasta Creek, on requirements of Lake and Streambed Alteration (LSA), and on the implementation of nesting bird surveys.

Planning Response: The requested study was performed in the Spring of 2021 and provided to Fish and Wildlife. New comments were received regarding their concerns with some aspects of the study and on their recommendation of a Riparian Grazing Management Plan. The Biological Assessment was revised and provided to Fish and Wildlife. A comment was received regarding their concurrence with the Project Conservation Features and recommendation of pre-construction rare plant surveys. Conditions of Approval No. 8 - 13 have been added to include proposed conservation features and Fish and Wildlife recommendations.

California Department of Transportation (Caltrans) – February 18, 2022

Caltrans recommends that the project be conditioned to obtain a Caltrans encroachment permit and construct the road connection directly across from Airport Road.

Planning Response: Conditions of Approval No. 14-16 have been added to include Caltrans recommendations.

City of Montague – March 2, 2022

The City of Montague has no concerns at this time. They will work with the owner to record an avigation easement prior to the recordation of the final map.

Planning Response: Condition of Approval No. 18 has been added to include the recordation of the Avigation Easement.

Planning Staff Recommendations

- Adopt Resolution PC-2022-008 taking the following actions:
 - Determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301(c), 15303(a), 15303(e) and 15304 of the CEQA Guidelines; and
 - Approve the Tentative Parcel Map based on the recommended findings and subject to the recommended conditions of approval.

Suggested Motion

I move that we adopt Resolution PC-2022-008, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the Amen Tentative Parcel Map (TPM-20-07).

Preparation

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Bernadette Cizin, Assistant Planner
Siskiyou County Planning Division
806 S. Main Street
Yreka, California 96097

Resolution PC 2022-008

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the Amen Tentative Parcel Map (TPM-20-07).

Whereas, an application has been received from Ivar Amen to subdivide three existing legal parcels (APNs 013-400-250 AND 013-410-060) into one 109-acre parcel, one 77-acre parcel and two 41-acre parcels; and

Whereas, a Tentative Parcel Map was prepared for the project as required by Section 10-4.501.1 of the Siskiyou County Code; and

Whereas, the project site is developed with agricultural uses; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on April 6, 2022; and

Whereas, public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

Whereas, comments received on the project resulted in conditions of approval being recommended by staff; and

Whereas, the Planning Division recommended that the project be determined exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301(c), 15303(a), 15303(e) and 15304; and

Whereas, the Planning Division presented its oral and written staff report on the Amen Parcel Map (TPM-20-07) at a regular meeting of the Planning Commission on April 20, 2022; and

Whereas, there is no substantial evidence, in light of the whole record before the County, that the proposed tentative parcel map would have a significant effect on the environment; and

Whereas, on April 20, 2022, the chair of the Planning Commission opened the duly noticed public hearing on the Amen Tentative Parcel Map (TPM-20-07) to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the project prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A-2 of the written staff report referenced hereto and incorporated herein; and

Be It Further Resolved that the Planning Commission, based on the evidence in the record and the findings set forth in Exhibit A-2 referenced hereto and incorporated herein, hereby takes the following actions on the Amen Tentative Parcel Map (TPM-20-07):

1. Determines the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301(c), 15303(a), 15303(e), and 15304; and
2. Approves the Amen Tentative Parcel Map (TPM-20-07), subject to the notations and conditions of approval contained in Exhibit A-1 to this resolution referenced hereto and incorporated herein.

It is Hereby Certified that the foregoing Resolution PC-2022-008 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____ at a regular meeting of the Siskiyou County Planning Commission held on the 20th day of April 2022 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

Danielle Lindler, Chair

Witness, my hand and seal this 16th day of March 2022

Hailey Lang, Secretary of the Commission

Exhibit A-1 to Resolution PC-2022-008
Notations and Recommended Conditions of Approval

Notations

1. Within ten (10) days following the date of the decision of the Siskiyou County Planning Commission, the decision may be appealed to the Siskiyou County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
2. Upon determination of the categorical exemption(s), a check in the amount of \$50 made payable to the Siskiyou County Clerk and submitted to the Siskiyou County Planning Division is necessary in order to file the Notice of Exemption. Failure to file the Notice of Exemption extends the statute of limitations for legal challenges to the categorical exemption from 35 days to 180 days.

Conditions of Approval

1. The project shall substantially conform to the project description and tentative parcel map as approved by the Planning Commission on April 20, 2022. Any proposed amendment(s) shall be submitted to the Deputy Director of Planning. Minor amendments shall be considered by the Community Development Director. Major amendments shall be considered by the Planning Commission.
2. The final parcel map(s) shall be developed in accordance with the submitted tentative parcel map dated July 27, 2020.
3. The dedication and recording of an aviation easement as required by Siskiyou County Code in Section 10-1.10(b).
4. A Taxes and Assessments Certificate shall be obtained from the County Assessor's Office, signed off by the County Tax Collector, and submitted with the legal descriptions for recording.
5. The engineer or surveyor for the applicant shall submit two copies of the final parcel map to the Planning Division to the satisfaction of the Planning Director and Environment Health Director for review and processing along with the applicable review fees as required by the adopted fee schedule.
6. The applicant shall comply with all adopted rules and regulations of the Siskiyou County Public Works Department, Environmental Health Division, Community Development Department, and all other local and state regulatory agencies.
7. Future development shall be required to comply with all applicable statutory requirements of the fire safe standards enacted pursuant to Public Resources Code Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, as they exist at the time the development is proposed.

8. Work with NRCS to develop a riparian grazing management plan within 6 months of the date of approval.
9. A One Hundred and fifty foot (150') "no-disturbance" buffer shall be placed on the final parcel map along the Shasta River. This buffer should be measured from the top of bank, or outside edge of riparian vegetation dripline, whichever is greater.
10. A "Construction Avoidance Area" shall be placed on the final parcel map the irrigated pasture that has yielded a man-made wetland at the northwestern corner of the property within Lot 1.
11. A "Construction Avoidance Area" shall be placed on the final parcel map along the rock mounds located on the property.
12. A note shall be added to the final parcel map stating,

If vegetation removal will occur or construction will be initiated during the nesting season for birds (February 1 through August 31), a qualified biologist shall conduct a preconstruction survey seven days before construction activities begin. If nesting birds are found, CDFW will be notified and consulted. An appropriate buffer, as determined by CDFW and the qualified biologist, will be placed around the nest until the young have fledged.

If an active raptor nest is found during surveys, no construction activities shall occur within 250 feet of the nest unless a smaller buffer zone is approved by CDFW. Construction may resume once the young have left the nest or as approved by the qualified biologist.
13. A note shall be added to the final parcel map stating,

*A pre-construction Rare Plant Survey will be completed for alkali hymenoxys (*Hymenoxys lemmonii*) during the flowering period (June – August) in any areas where development of roads or buildings would occur if development is to occur within potential habitat areas for the species (existing roadsides, open meadows).*
14. The applicant shall obtain a Caltrans encroachment permit.
15. The road from Highway 3 to Proposed Parcels 1 and 2 shall be constructed directly across from Airport Road.

16. A note shall be added to the final parcel map stating,

The property owner should be advised that Caltrans encroachment permits are non-transferable. A Caltrans encroachment permit is required to utilize and maintain the highway connection. The encroachment permit records the change in ownership and assigns the maintenance responsibilities for the connection to the current owner. For more information regarding encroachment permit fees or the encroachment permit process, the owner/applicant may contact the District 2 Permits Office located at 1657 Riverside Drive in Redding. The telephone number is (530) 225-3400. Encroachment permit applications are also available from the Caltrans website at www.dot.ca.gov.

17. An Avigation Easement shall be recorded prior to the recordation of the final map.

18. A note shall be added to the final parcel map stating,

Any proposed object taller than 35 feet will require ALUC review.

19. All Conditions of Approval must be completed, and the Final Parcel Map shall be recorded within 24 months of the date of approval unless a request for a time extension is made prior to the expiration date pursuant to Section 10-4.401.8.2 of the Siskiyou County Code.

20. The applicant shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding (collectively, "Action") against the County, its agents (including consultants), officers, or employees to attack, set aside, void, or annul the approvals, or any part thereof, or any decision, determination, or Action, made or taken approving, supplementing, or sustaining the project or any part thereof, or any related approvals or project conditions imposed by the County or any of its agencies, departments, commissions, agents (including consultants), officers, or employees, concerning the project, or to impose personal liability against such agents (including consultants), officers, or employees resulting from their non-negligent involvement in the project, which action is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party from the County. Said responsibilities shall be pursuant to the County's standard Agreement for Indemnification in effect at the time of application approval or Agreement for Indemnification if signed and effective prior to the date the application is approved. In the event that the applicant fails to comply with the terms of the applicable agreement, the applicant does hereby consent and agree to all remedies in said agreement and does hereby agree and consent to the County rescinding all applicable project approvals.

Findings

Tentative Parcel Map / Subdivision Map Act

In accordance with Government Code Sections 66412.3, the Planning Commission finds:

1. Local agencies shall consider the effect of the approval or denial on the housing needs of the region in which the local jurisdiction is situated and balance these needs against the public service needs of its residents and available fiscal and environmental resources.

The project site is located in the Non-Prime Agricultural, 40-acre minimum parcel size, (AG-2--B-40) and Prime Agricultural, 80-acre minimum parcel size, (AG-1-B-80) zoning districts where residential uses can be compatibly mixed with commercial agricultural activities, and prime commercial agricultural activities can include single-family dwellings and farm labor housing. One single-family dwelling unit and one accessory dwelling unit is allowed per parcel. Therefore, the proposed subdivision will potentially have a positive net effect on the local housing supply by potentially adding eight dwelling units, with the additional possibility of farm labor housing. Adequate groundwater exists in the area for new dwelling units, and the sites have already designated septic system locations. Fire and police service are within 5 miles of the project site and the project will not detrimentally impact available fiscal resources.

2. The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The resultant parcels would be a minimum of 41-acres in size and would feasibly allow the use of future solar passive heating and cooling with appropriate site design.

In accordance with Government Code Section 66424.6 and 66452, the Planning Commission finds:

3. The tentative parcel map was submitted as required pursuant to the above sections and included the required information.

In accordance with Government Code Section 66473.5, the Planning Commission finds:

4. The subdivision is consistent with the General Plan.

The subdivision is consistent with all General Plan policies as set forth in the section titled General Plan Consistency Findings below.

In accordance with Government Code Section 66474, the Planning Commission finds:

5. That the proposed map is consistent with applicable general and specific plans.

The map and project are consistent with the General Plan as set forth in the section titled General Plan Consistency Findings below and detailed by the Staff Report dated April 18, 2022.

6. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The subdivision does not include new improvements which are inconsistent with the General Plan. No specific plan exists for this area.

7. That the site is physically suitable for the type of development.

The project is designed within the density limits of the AG-1 and AG-2-B-40, which both allow for parcels with a minimum of 40 acres. The property is mainly flat with a mild southerly slope. The predominant soils located on the project site are several variations of Montague clay and Salisbury loam in the farmed areas and Settlemyer loam, 0-2% slopes along the river. The potential for erosion hazards has been evaluated as slight. Therefore, the site is physically suitable for the type of development that would be allowed.

8. That the site is physically suitable for the proposed density of development.

There are no existing physical conditions on the site that appear to prohibit the already-entitled non-prime agricultural and prime agricultural zoning districts density requirement.

9. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the subdivision proposes to create four parcels from three parcel. Should development occur in the future, it would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat due to the size, scale, and intensity of this project.

10. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

The subdivision will not cause serious public health problems in that any future development will be served by private sewer and water, the access to and circulation within the site is acceptable to the Department of Forestry and Fire Protection (Cal Fire), and any future development will be required to comply with the California Building Code.

In accordance with Siskiyou County Code Section 10-4.105.3, and Section 10-6.5501, the Planning Commission finds:

1. That the minimum lot size shall be 40 acres when water from an approved system is provided.

The four proposed parcels are designed with acreages of 41-acres or larger. All exceed the minimum parcel sizes for their zoning districts.

2. That the depth of any lot shall not exceed three (3) times the width on lots of 300 feet or less in width nor exceed four (4) times the width on lots exceeding 300 feet in width.

All resultant parcels meet or exceed the required 600 foot frontage lot width, as an allowed exception to this requirement.

3. That the lot side lines shall be at approximately right angles or radial to street or road lines.

The two proposed parcels are designed with lot side lines that are at approximate right angles to State Highway 3 and Grenada Montague Road.

4. No lot shall have double frontage unless otherwise approved by the Planning Commission.

No resultant parcels would have double frontage.

5. That no lot shall be divided by city, County, school district, or other taxing agency lines.

The resultant parcels will not be divided by a taxing agency line.

Zoning Consistency Findings

1. The proposed tentative parcel map, as recommended for approval, is in conformance with the applicable policies of the Siskiyou County General Plan and County Code as documented herein.
2. The Planning Commission has considered all written and oral comments received and based on its analysis of the public testimony and staff's analysis, the Commission has determined that the project as designed and conditioned would be compatible with existing and planned uses of the area.

General Plan Consistency Findings

Composite Overall Policies

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

The neighboring parcels are zoned for rural residential agricultural and prime agricultural uses and are partially developed. The project site is also zoned for the same rural residential and prime agricultural uses and no new uses are proposed as part of this project. As such, this project is 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.

The existing agricultural use of the land is not proposed to change as part of this project, and as such will clearly 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, fire hazard or any other resource or environmentally related problems.

No new development is proposed as part of this project, however the creation of four new parcels could allow the possibility of a higher density of development. All proposed parcels have approved septic system locations and there is adequate groundwater in the area to serve the proposed parcels. Any future development is required to meet Building Code requirements for erosion and runoff. The project site has access from Highway 3, a public road, Montague Grenada Road, a public road. All future development would be required to meet fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning.

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.

Each proposed parcel has approved on-site sewage disposal system location.

Policy 41.7 Evidence of water quality and quantity acceptable to the Siskiyou County Health Department must be submitted prior to development approval.

Proposed parcels, Lots 2 and 4 each have a groundwater well. Prior to development of the four proposed parcels, evidence of water quality and quantity is required.

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 acceptable central sewer system serving 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 land uses permitted that will meet minimum water quality and quantity requirements, and the requirements of the county's flood plain management ordinance.

A sewage disposal site has been identified for any future development on each proposed Parcel. All proposed parcels meet the Environmental Health density standard.

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.

The four new proposed parcels have direct access to public roads. Any future development, including driveways, is required to be built or upgraded to comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning. Upon compliance with the condition of approval, the access will be adequate to accommodate the immediate and cumulative traffic impacts of the project.

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.

Staff has reviewed all Land Use Element policies and has determined that the project is consistent with the Siskiyou County General Plan as documented herein.

Map 4 Soils: Severe Septic Tank Limitations

Policy 9 – The minimum parcel size shall be one acre on zero to 15 percent slopes and five acres on 16 to 29 percent slopes.

The resultant parcels all exceed 40 acres in size and are consistent with this General Plan Policy.

Policy 10 – Single-family residential, heavy, or light industrial, heavy or light commercial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses may only be permitted. The permitted density will not create erosion or sedimentation problems.

No new development or land uses are proposed as part of this project. The project site is developed with agricultural uses. All future uses and development would be required to comply with the requirements of the County's Zoning Ordinance for the AG-1 and AG-2-B-40 zoning districts, which currently exists and would remain unchanged.

Map 7: Flood Hazard

Policy 21 - Primary and secondary flood plains are defined as follows:

1. Primary flood plains are the designated flood ways.
2. Secondary flood plains are the areas located within the 100-year flood hazard boundaries but located outside the designated floodways.

Policy 22 – No development may be allowed within the designated floodways, and any development proven to be outside the designated floodways and within the 100-year flood hazard boundary shall be in accordance with the requirements of the County's flood plain management ordinance.

No new construction is planned for the site at this time. This policy would be enforced with the review of any development application(s) for future construction purposes.

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 sediment problems.

The proposed tentative parcel map will allow single-family residential uses, which are permitted uses per Policy 24, and 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.

All proposed parcels have variable slopes that range from 9% to 50% slope. The proposed parcel sizes exceed the one acre required for slopes between 0-15% and the five acres required for slopes between 16-29%.

No new construction is planned for the site at this time. Policy 22 would be enforced with the review of any development application(s) for future construction purposes.

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

Map 8 : Surface Hydrology

Policy 27 No residential or industrial development shall be allowed on water bodies. Exceptions may be considered for water supply, hydroelectric power generation facilities, public works projects necessary to prevent or stabilize earth movement, erosion, and the enhancement of migratory fish and other wildlife, light commercial, open space, non-profit and non-organization in nature recreational uses, and commercial/recreational uses.

No new construction is planned for the site at this time. This policy would be enforced with the review of any development application(s) for future construction purposes.

Map 12: Prime Agricultural Soils

Policy 34 – All Class I, II, and III soils, and the soils that become Class III under irrigation, with the exception of Class III soils determined to be non-irrigable, are defined as prime agricultural land.

Policy 35 – The minimum parcel size on prime agricultural land shall be 40 acres.

The permitted density will not create erosion or sedimentation problems.

The proposed parcels exceed the forty-acre minimum area and will not create erosion or sedimentation problems.

Policy 37 – Only agricultural uses are permitted on prime agricultural land.

Existing use is agricultural and no changes to the use of the prime agricultural land are proposed.

Policy 40 – All development proposals within an irrigation district shall conform to all rules, regulations,

and policies of the applicable irrigation district. The intent of this policy is not to permit district regulation of land use or density – it is intended to prohibit any interference of the district's functions, such as keeping checks and irrigation ditches free and clear of any disturbance.

No new development is proposed as part of this project.

California Environmental Quality Act (CEQA) Findings

1. Pursuant to CEQA Guidelines, Section 15301(c), Class 1 projects consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing streets involving negligible, or no expansion of use are categorically exempt from the provisions of CEQA. Because the project involves existing roads, any repair of the road required to meet Cal Fire 4290 standards is exempt from CEQA.
2. Pursuant to CEQA Guidelines, Section 15303(a), Class 3 consists of new construction or conversions of small structures are categorically exempt from the provisions of CEQA. Because subsection (a) allows for the one single-family residence, or a second dwelling unit, this project is exempt from CEQA pursuant to CEQA Guidelines section 15303(a).
3. Pursuant to CEQA Guidelines, Section 15303(e), Class 3 consists of new construction or conversions of small structures are categorically exempt from the provisions of CEQA. Because subsection (e) allows accessory structures including garages, carports, patios, swimming pools and fences this project is exempt from CEQA pursuant to CEQA Guidelines section 15303(a).
4. Pursuant to CEQA Guidelines, Section 15304, Class 4 consists of minor public or private alterations in the condition of land, water and/or vegetation are categorically exempt from the provisions of CEQA. Because this section allows minor alterations for agricultural purposes and fuel management, this project is exempt from CEQA pursuant to CEQA Guidelines section 15304.
5. In making its recommendation, the Planning Commission has reviewed and considered the proposed project and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
6. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.

**SISKIYOU COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
LAND DEVELOPMENT REVIEW**

OWNER Amen, Ivar **FILE #** 013-400-250 &
013-410-060

LOCATION Montague Rd & Montague- **T** 45N , **R** 6W , **SEC.** 28 **PD#** TPM2007
Grenada Rd, Montague

REQUIREMENTS:

Sewage Disposal Test/Information:

- () None Required: Connection to Approved Sewage System
() Engineered Percolation Tests - Parcels # _____
() Wet Weather Testing
() Engineered Sewage Disposal System
() Other _____

Water Supply Tests/Information:

- () None Required: Connection to Approved Water System
() Well Logs (Existing Wells) () Well Logs for Adjoining Property
() Drilled Well - Parcels # _____ () Spring Source-Verification
() Pump Test (Static Level) _____ Hours
() Bacteriological Analysis () Chemical Analysis () Physical Analysis
() Other _____

Project Information:

- () Location Map () Mark Project Area () Contour Map
() Food Establishment Plans () Swim Pool/Spa Plans
() Waste Information (Non-Sewage)
() Other _____

Comments/Conditions:

Environmental Health has reviewed the proposed parcel map and has no objections as submitted.

All parcels have been reviewed and approved for conventional onsite sewage disposal.

Parcels 1 & 4 have existing groundwater wells (no records on file).

Parcels fall within Environmental Health sewage density standards.

REHS *Da W. Huff* **DATE** 7-10-20

ENVIRONMENTAL HEALTH ACTION

(X) Application Accepted () Application Rejected as Incomplete (see comments)

(X) Approved () Recommended for Denial

() Approved with conditions (see comments)

REHS *Da W. Huff* **DATE** 7-10-20

Date sent to Planning:

WAYNE HAMMAR

Siskiyou County
Treasurer-Tax Collector
311 4th Street, Room 104
Yreka, California 96097
Telephone (530) 842-8340
FAX (530) 842-8344

MEMORANDUM

DATE: October 23, 2020

TO: Bernadette Cizin, Planning

FROM: Kayla S. Harris

SUBJECT: Project Application Review Amen Tentative Parcel Map (TPM2007)

Please inform Ivar Amen, Grant Amen, June Amen & Susan Goodwin, P.E. that the current year property taxes are due on the following parcels, 013-400-250-000 & 013-410-060-000.

Please refer to the attached enclosures.

Please contact our office if you have any questions.

Thank you,



Kayla S. Harris
Treasury-Tax Collection Specialist



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 2, 2020

Bernadette Cizin, Permit Technician
County of Siskiyou
Community Development - Planning
806 South Main Street
Yreka, California 96097

**Subject: Project Application Review of Amen Tentative Parcel Map (TPM2007),
Siskiyou County**

Dear Bernadette Cizin:

The California Department of Fish and Wildlife (Department) has reviewed the Project Application Review request for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, the Department administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq. The following are informal comments intended to assist the Lead Agency in making informed decisions early in the Project development and review process.

Project Description

The Project is a request for "a *Tentative Parcel Map to create four new parcels of approximately 109-acres, 77-acres 41-acres and 41-acres from two existing parcels of 90.5-acres and 181.9-acres.*" The Project is located on Montague Road on Assessor Parcel Numbers 013-400-250 and 013-410-060.

Comments and Recommendations

Biological Resources

A biological report was not submitted with the Project Application Review; however, a review of Google Earth indicates the parcels are predominantly grasslands (pasture) and depicts the Shasta River running through all four proposed parcels. Since the Project is proposed in wildlife habitat, the Department will require a basic botanical, wildlife, and habitat assessment (conducted at the appropriate time of the year) to determine whether focused or protocol-level surveys are warranted. The Department recommends all plant and wildlife species identified in the California Natural Diversity Database (CNDDDB) and other biological resource databases (U.S. Fish and Wildlife Service, California Native Plant Society, or other pertinent references) be analyzed for the potential to occur within the Project area.

Bernadette Cizin
November 2, 2020
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A query of the CNDDDB identified the following special status species as being on or within the vicinity of the Project site. These include but are not limited to the following:

- Single-flowered mariposa-lily (*Calochortus monanthus*) – Rare Plant Rank 1A
- Siskiyou clover (*Trifolium siskiyouense*) – Rare Plant Rank 1B.1
- Alkali hymenoxys (*Hymenoxys lemmonii*) – Rare Plant Rank 2B.2
- Franklin's bumble bee (*Bombus franklini*) -Candidate for endangered
- Crotch bumble bee (*Bomus crotchii*) – Candidate for endangered
- Coho salmon (*Oncorhynchus kisutch*) – State listed as threatened and Federally listed as threatened

This list should not be considered comprehensive as additional special status plant and wildlife species may occur. The CNDDDB is a positive sighting database. It does not predict where something may be found. The Department maps occurrences only where we have documentation that the species was found at the site. There are many areas of the state where no surveys have been conducted and therefore there is nothing on the map. That does not mean that there are no special status species present. The next step is to conduct surveys to document what is present and submit the information on special status species to the Department and CNDDDB. All surveys should be conducted prior to approval of the Project and survey results shall be sent to the Department at the following address: Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA 96001 or emailed at R1CEQARedding@wildlife.ca.gov.

A thorough assessment of rare plants and rare natural communities should be conducted following the Department's March 2018 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (<https://www.wildlife.ca.gov/conservation/survey-protocols#377281280-plants>). If any special-status species are found during surveys, the Department requests that CNDDDB forms be filled out and sent to Sacramento and a copy of the form be sent to the Regional office at the above address. Instructions for providing data to the CNDDDB can be found at: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. As stated in the Protocol, "*The purpose of these protocols is to facilitate a consistent and systematic approach to botanical field surveys and assessments of special status plants and sensitive natural communities so that reliable information is produced and the potential for locating special status plants and sensitive natural communities is maximized.*" It should be noted that the Protocol was specifically developed, "*to help people meet CEQA requirements for adequate disclosure of potential impacts to plants and sensitive natural communities.*" Failure to use a consistent systematic approach to botanical surveys may lead public agencies charged with approving projects, as well as project proponents seeking permits, to draw incorrect conclusions on the presence of botanical resources protected under CESA and Native Plant Protection Act (NPPA), both of which provide protections for such species, including take prohibitions (Fish & G. Code, § 2050 et seq.; Fish & G. Code, §1908). As a responsible agency, the Department has the authority to issue permits for the take of species listed under CESA and NPPA if the take is incidental to an otherwise lawful activity; the Department has determined that the impacts of the take have been minimized and fully mitigated; and the take would not jeopardize the continued existence of the species (Fish & G. Code, § 2081, subd. (b); Cal. Code Regs., tit. 14 § 786.9, subd. (b)). Therefore, consistently maximizing the detection probability of CESA- and NPPA-listed species during botanical surveys is essential to the protection of these species.

As stated in the Protocol, these surveys must be conducted by a qualified botanist during the appropriate time of year to identify species of concern and should include areas with both direct and indirect impacts. Impacts to special status species and sensitive natural communities found

Bernadette Cizin
November 2, 2020
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during surveys should be analyzed and specific mitigation should be required to reduce any impacts to less than significant.

Wetland and Riparian Resources

The Department has a responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, Project mitigation assures there will be “no net loss” of either wetland habitat values or acreage. An updated protocol-level wetland delineation should be conducted to determine the extent and location of wetland and riparian habitats on the Project site. Based on the results of the delineation, future environmental documents for this Project should demonstrate that the Project will not result in a net loss of wetland habitat values or acreage through future build-out of the proposed parcels.

All four proposed parcels border Shasta Creek. In order to protect water quality and riparian habitat and corridors along Shasta Creek, the Department recommends the placement of a no-building buffer along the creek, as determined upon completion of the wetland delineation and through consultation with a qualified biologist and the Department. In general, for a stream like Shasta Creek, which supports listed fish and species of special concern reliant on the stream ecosystem, the Department recommends a minimum 50-foot setback. This buffer should be measured from the top of bank, or outside edge of riparian vegetation dripline, whichever is greater, and the size of the buffer increased if biological surveys indicate the need for additional protection. The no-building buffer zone should be designated on the recorded Parcel Map to ensure future site improvements do not encroach into the buffer zone. No-building buffers are an important tool for preserving water quality and protecting species and habitat from runoff, pollution, sedimentation, erosion, and impacts from increased light and noise associated with development. In addition, if the parcels will eventually have grazing as part of their use, the Department would recommend the landowners coordinate with the UC Cooperative Extension or other qualified entity to develop a riparian grazing management plan. This would be beneficial in reducing impacts of trampling and bank damage, managing noxious weeds, and would help promote development of woody riparian vegetation.

Lake and Streambed Alteration Notification

Any activities affecting streams and associated riparian habitat requires a Lake and Streambed Alteration (LSA) Notification pursuant to Fish and Game Code section 1600 et seq. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, washes, watercourses with subsurface flow, and floodplains are subject to notification requirements. Additional information regarding the LSA notification process can be found at: <https://wildlife.ca.gov/Conservation/LSA>.

Nesting Bird Protection

It is unclear whether or not vegetation removal will occur as a result of construction of this Project. During construction, nesting migratory birds and raptors, if present, could be directly or indirectly impacted by construction and vegetation removal activities. Direct effects could include mortality resulting from construction equipment operating in an area containing an active nest with eggs or chicks. Indirect effects could include nest abandonment by adults in response to loud noise levels or human encroachment, or a reduction in the amount of food available to young birds due to changes in feeding behavior by adults. Implementation of nest season

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November 2, 2020
Page 4

surveys discussed below would help to ensure that impacts to migratory birds and raptors are less than significant.

If vegetation removal will be associated with the Project, these activities should be conducted outside of the bird nesting season (generally no work during February 1 – August 31) in order to avoid ‘take’ as defined and prohibited by Fish and Game Code sections 86, 3503, 3503.5, 3511, and 3513. If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with the Department to avoid take. The qualified ornithologist should delineate the buffer zone with construction tape or pin flags that should remain in place until the young have fledged, as determined through additional monitoring. These surveys should occur within and surrounding all areas of the Project site in which Project activities take place, including construction and ground disturbance areas, staging areas, areas of fuel modification, ingress and egress routes, and utility routes, and be large enough to encompass areas subject to both direct and indirect Project impacts. Nesting survey results should also be sent to the Department at R1CEQARedding@wildlife.ca.gov, or at California Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, California 96001.

Mitigation

Avoidance and mitigation measures for impacts to special status species and sensitive habitats should be proposed in subsequent environmental documents to avoid any significant effects the Project would have on sensitive species or habitat. Examples of mitigation measures for special status species and habitat include, but are not limited to, project modification to avoid species and habitat, enhancement of existing onsite habitat, offsite restoration or enhancement of habitat, or onsite/offsite preservation of habitat.

The Department appreciates the opportunity to provide comments on this Project. If you have any questions, please contact Amy Henderson, Senior Environmental Scientist (Specialist), at (530) 598-7194, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,

Adam McKannay
Interior Cannabis and Conservation Planning Supervisor

ec: Bernadette Cizin
Siskiyou County Community Development
bpcizin@co.siskiyou.ca.us

Bernadette Cizin

From: Henderson, Amy@Wildlife <Amy.Henderson@wildlife.ca.gov>
Sent: Thursday, August 12, 2021 2:48 PM
To: Bernadette Cizin
Subject: RE: Biological Assessment for Tentative Parcel Map (TPM2007 Amen)

I should clarify one of my points. Not all the surveys were done outside of the blooming time (#2 c) just the ones I stated in #5.

Thanks,

Amy Henderson
Senior Environmental Scientist (Specialist)
Interior Conservation and Cannabis Planning
California Department of Fish and Wildlife Northern Region
601 Locust St.
Redding, CA 96001
530-598-7194 (cell)
Amy.Henderson@wildlife.ca.gov

Every Californian should conserve water. Find out how at:



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From: Bernadette Cizin <bpcizin@co.siskiyou.ca.us>
Sent: Thursday, August 12, 2021 2:31 PM
To: Henderson, Amy@Wildlife <Amy.Henderson@wildlife.ca.gov>
Subject: RE: Biological Assessment for Tentative Parcel Map (TPM2007 Amen)

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Thank you.

From: Henderson, Amy@Wildlife <Amy.Henderson@wildlife.ca.gov>
Sent: Thursday, August 12, 2021 2:25 PM
To: Bernadette Cizin <bpcizin@co.siskiyou.ca.us>
Subject: RE: Biological Assessment for Tentative Parcel Map (TPM2007 Amen)

Hi Bernadette,

The Department has reviewed the Biological Resources Assessment dated July 2021, and prepared by VESTRA Resources, Inc. and has the following comments as they pertain to biological resources.

1. The vegetation communities were described using *A Guide to Wildlife Habitats of California*. This is fine for determining the types of wildlife that utilize the broadly defined habitats described in this guide; however, this is not a guide one would use to describe vegetation communities. *A Manual of California Vegetation* is the preferred vegetation classification because it is much more detailed and it is what the Department's *List of California Terrestrial Natural Communities* is based on. Please see the Department's Vegetation Classification and Mapping Program (VegCAMP) website for additional information on natural communities and vegetation classification <https://www.wildlife.ca.gov/Data/VegCAMP>.
2. Although it is stated in Section 4.2 that the "*Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*" were used, the Department does not think it actually was followed for the following reasons:
 - a. there is no mention of sensitive natural communities;
 - b. reference sites for sensitive plant species were not visited which is especially important in a drought year;
 - c. surveys were done outside known blooming time; and
 - d. vegetation communities were not mapped based on what is currently present onsite.
3. The vegetation mapping was not completed and was dependent upon the coarsely mapped habitats in the *California Wildlife Habitat Relationships*. This is the incorrect way of veg mapping. The report states that there is 8.99 acres of bitterbrush but then in the description it says there is no bitterbrush and it has been "converted to annual and perennial grassland." Vegetation mapping needs to be redone to reflect what is actually onsite.
4. The cottonwood (*Populus* sp.) species needs to be keyed out. Both Fremont cottonwood (*Populus fremontii*) and Black cottonwood (*Populus trichocarpa*) forest and woodland are sensitive natural communities and would need to be mitigated if they were to be impacted by the project. If there is 150 foot buffer, this is probably a moot point; however, Genus and species of plants is important when determining significance.
5. Table 1 Potentially Occurring Special-Status Species: *Trifolium siskiyouense* is listed twice – one time stating there is habitat and once stating there is no habitat. If there is habitat, it was not surveyed for at the appropriate blooming time which is June and July. According to the biological report, the survey was conducted in the beginning of May. *Hymenoxys lemmonii* and *Scirpus pendulus* were also surveyed outside their blooming period, which is June/July/August.

As stated in our early consultation letter, I would still highly recommend that the project proponent work with NRCS to develop a riparian grazing management plan. Looking at the picture of Shasta River, it looks like the banks have been degraded due to grazing. It could be a good mitigation measure for this project. Overall, I did not think the botanical surveys/vegetation communities surveys provided much information.

I hope this helps you, please call or email if you have additional questions or concerns.

Best,

Amy Henderson
 Senior Environmental Scientist (Specialist)
 Interior Conservation and Cannabis Planning
 California Department of Fish and Wildlife Northern Region
 601 Locust St.
 Redding, CA 96001
 530-598-7194 (cell)
Amy.Henderson@wildlife.ca.gov

Every Californian should conserve water. Find out how at:



SaveOurWater.com · Drought.CA.gov

From: Bernadette Cizin <bpcizin@co.siskiyou.ca.us>
Sent: Tuesday, July 27, 2021 2:22 PM
To: Henderson, Amy@Wildlife <Amy.Henderson@wildlife.ca.gov>; Wildlife R1 CEQA Redding <R1CEQARedding@wildlife.ca.gov>
Subject: FW: Biological Assessment for Tentative Parcel Map (TPM2007 Amen)

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Attached is the Biological Assessment for the proposed Tentative Parcel Map – Amen TPM2007, and your original comment.

Thank you.

Bernadette Cizin
Assistant Planner
Siskiyou County Community Development
806 S. Main Street, Yreka, CA 96097
530-841-2151

From: Prang, Anna <APrang@Vestra.com>
Sent: Monday, July 26, 2021 3:37 PM
To: Bernadette Cizin <bpcizin@co.siskiyou.ca.us>
Cc: Goodwin, Susan D. <SGoodwin@Vestra.com>
Subject: Biological Assessment for Tentative Parcel Map (TPM2007 Amen)

Hello Ms. Cizin,
Please find attached a Biological Assessment for Mr. Ivar Amen's Tentative Parcel Map (TPM2007). Please contact me or Susan Goodwin with any questions. Thank you!

Sincerely,
Anna Prang
Senior Biologist
VESTRA Resources, Inc.
5300 Aviation Drive
Redding, CA 96002
(530)223-2585

From: [Gonzalez, Marcelino@DOT](mailto:Gonzalez.Marcelino@DOT)
To: [Bernadette Cizin](#)
Subject: FW: Sis-3-52.71 Amen TPM2007 Tentative Parcel Map project review
Date: Friday, February 18, 2022 12:43:53 PM
Attachments: [image001.png](#)
[image003.png](#)
[SIS3PMS2.5RW.pdf](#)

Thank you for the opportunity to review the tentative parcel map.

Caltrans recommends that the application be conditioned to obtain a Caltrans encroachment permit and construct the road connection directly across from Airport Road.

Subject: RE: Sis-3-52.71 Amen TPM2007 Tentative Parcel Map project review DUE Feb 21

SIS 3 PM 52.71RT

Marci,

EP should be able to permit a new road connection at this location. Sight distance and grade look favorable in both directions. Dependent on development plan for the private ag parcels (not sure what type of vehicle traffic to expect) I don't see a problem. Standard type C road connection. Suggest positioning road connection directly opposite Airport Rd.

EP issued Private road connection encroachment permit in 1981 to C.O. Montague for the Airport Rd connection, (SIS 3 PM 52.70LT). There is a JUA for a Utility easement very close to this location. See RW map.

Sincerely,

Chris

Chris Gaido P.E.
California Department of Transportation
Office of Encroachment Permits, District 2
Permits Inspector – Siskiyou, Lassen and Modoc Counties
1657 Riverside Drive
Redding CA 96001

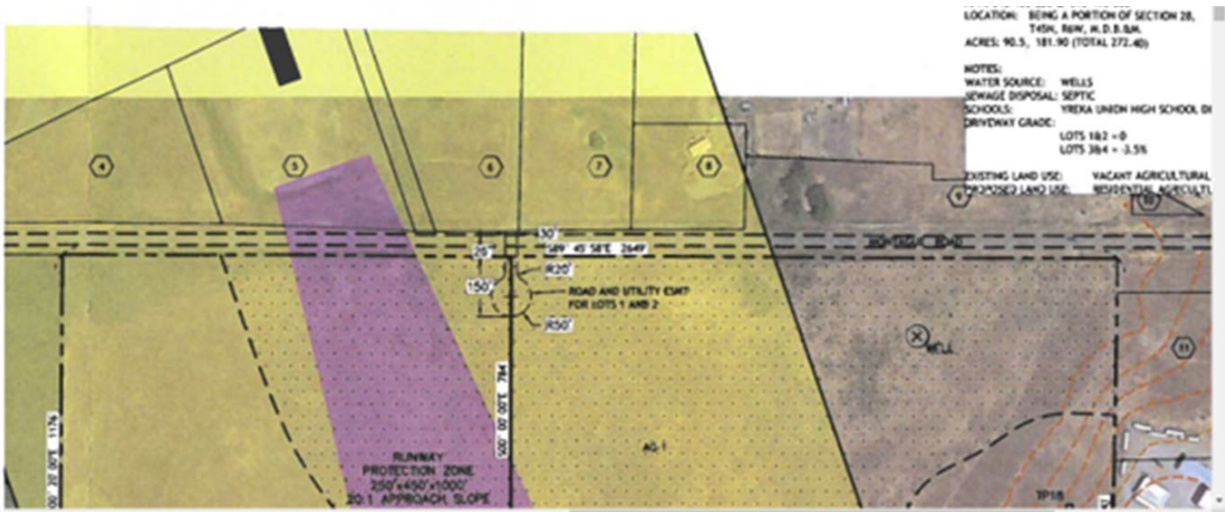
530-225-2324 (o)
530-949-0918 (c)
530-225-3097 (f)

chris.gaido@dot.ca.gov

From: Gonzalez, Marcelino@DOT
Sent: Tuesday, February 8, 2022 9:24 AM
To:
Subject: Sis-3-52.71 Amen TPM2007 Tentative Parcel Map project review DUE Feb 21

Parcel Map to create large ag residential parcels. Two parcels proposed to take access from SR 3 opposite Airport Way.

Any comments, concerns, or suggestions, let me know by Feb 21.



From: Bernadette Cizin <bpcizin@co.siskiyou.ca.us>
Sent: Monday, February 7, 2022 12:55 PM
To: Gonzalez, Marcelino@DOT <marcelino.gonzalez@dot.ca.gov>
Subject: TPM2007 Tentative Parcel Map project review

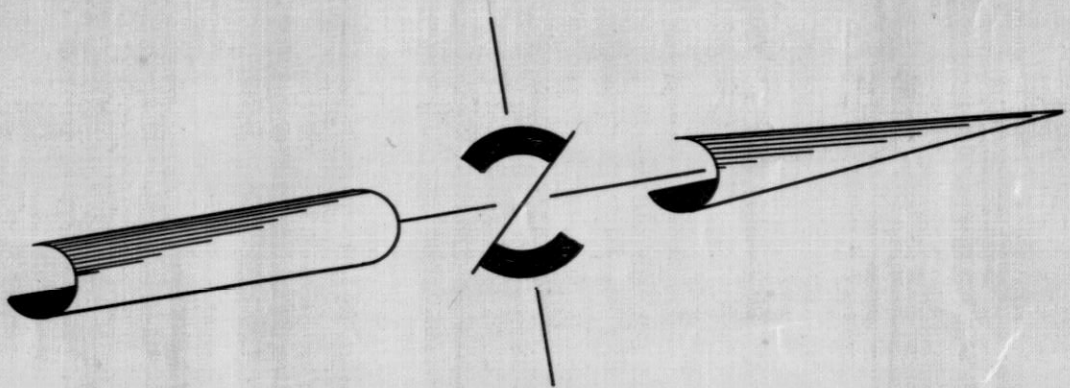
EXTERNAL EMAIL. Links/attachments may not be safe.

Hello,
 This project was not sent to you in the initial routing. If you wish to comment, please do so no later than February 22, 2022.
 Thank you

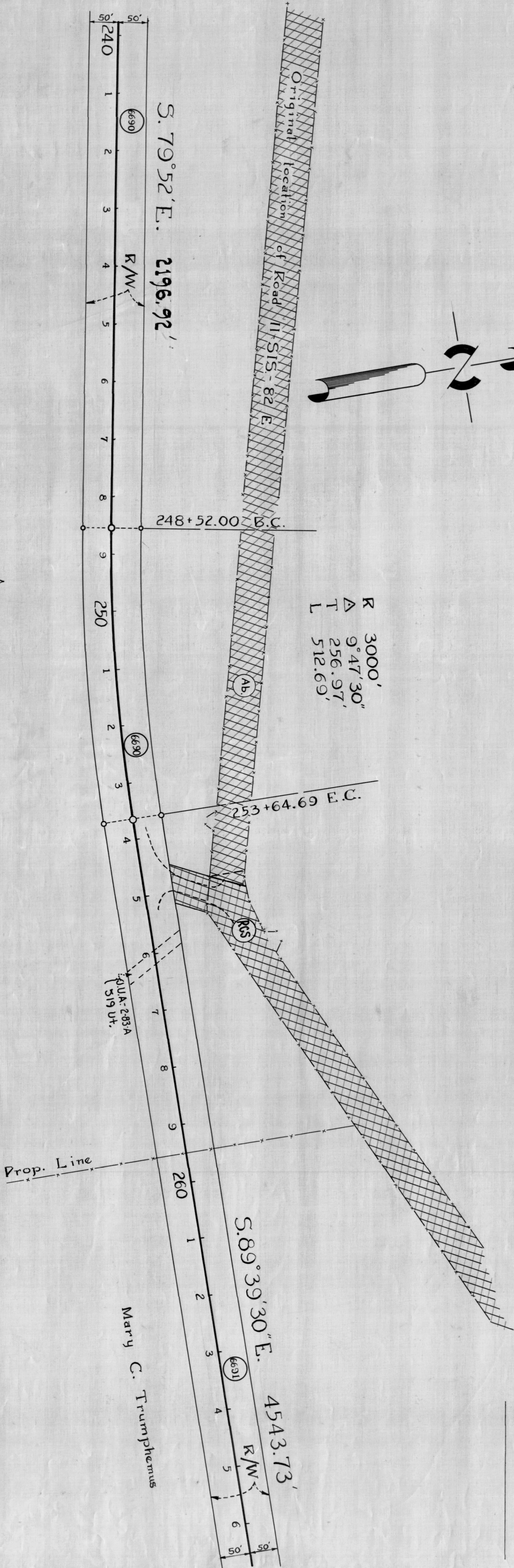
Bernadette Cizin
 Assistant Planner
 Siskiyou County Community Development
 806 S. Main Street, Yreka, CA 96097
 530-841-2151

Dist.	County	Route	Section	Sheet	Total
11	SIS	82	E	11	13

T. 45N., R. 6 W., M. D. B. & M.
Section 28



R 3000'
Δ 9°47'30"
T 256.97'
L 512.69'



Earl Fiock

P.M.
52.5

- 6630 Earl Fiock et ux.
Vol. 301 P. 308
- 6631 Mary C. Trumpphemus
Vol. 302 P. 379
- Ab Calif. Hwy. Comm.
Vol. 304 P. 315
- 6676 California Highway Comm.
Vol. 353 P. 582
- 519 Calif. Oregon Power Co.
Vol. 415 O.R. Pg. 253

From: [Dianne Johnson](#)
To: [Janine Rowe](#)
Cc: [Bernadette Cizin](#)
Subject: RE: 15 day Review Package - Tentative Parcel Map TPM2007
Date: Wednesday, March 2, 2022 9:00:24 AM
Attachments: [image002.png](#)

Janine can you save this for me, thank you!

From: Bernadette Cizin <bpcizin@co.siskiyou.ca.us>
Sent: Wednesday, March 2, 2022 8:59 AM
To: Dianne Johnson <dmjohnson@co.siskiyou.ca.us>
Subject: FW: 15 day Review Package - Tentative Parcel Map TPM2007

Can you please save this in comments and copy to file?

From: Richard Tinsman <rico@caddiscreek.com>
Sent: Wednesday, March 2, 2022 8:31 AM
To: 'City Clerk' <clerk@Cityofmontagueca.com>
Cc: Bernadette Cizin <bpcizin@co.siskiyou.ca.us>
Subject: RE: 15 day Review Package - Tentative Parcel Map TPM2007

Good morning Alyssa,

Sorry for the delayed response. For some reason your email just arrived this morning.

Thank you for forwarding this on to me. There are no concerns at this time. We will work with the property owner to record an aviation easement prior to recordation of the final map.

- Rico

Richard Tinsman | Contract City Planner | 530.925.6250



From: City Clerk <clerk@Cityofmontagueca.com>
Sent: Tuesday, March 1, 2022 1:19 PM
To: Richard Tinsman <rico@caddiscreek.com>
Subject: FW: 15 day Review Package - Tentative Parcel Map TPM2007

Hi Rico, was this something you needed?

Alyssa Merrill
City of Montague
City Clerk

Phone: 530-459-3030

Fax: 530-459-3523

From: Bernadette Cizin <bpcizin@co.siskiyou.ca.us>

Sent: Thursday, January 27, 2022 1:43 PM

To: City Clerk <clerk@Cityofmontagueca.com>

Subject: 15 day Review Package - Tentative Parcel Map TPM2007

Please see attached 15 day review. Please forward this to the Montague Airport with my apologies for not routing it sooner.

Thank you

Bernadette Cizin
Assistant Planner
Siskiyou County Community Development
806 S. Main Street, Yreka, CA 96097
530-841-2151

BIOLOGICAL RESOURCES ASSESSMENT

TENTATIVE PARCEL MAP NO. 2007
SISKIYOU COUNTY, CALIFORNIA



Prepared for

Ivar Amen
P.O. Box 305
Cottonwood, CA 96022

Prepared by



VESTRA Resources, Inc.
5300 Aviation Drive
Redding, California 96002

JULY 2021
REVISED OCTOBER 2021

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2	Vegetation Community Map
3	(A-B) Photo: Annual Grasses and Forbs
4	Photo: Perennial Grassland
5	Photo: Black Cottonwood Forest and Woodland & Typha Herbaceous Alliances

- 6 Photo: Festuca Idahoensis - Pseudoroegneria Spicata - Poa Secunda Herbaceous Alliance
- 7 California Natural Diversity Database (CNDDB)

APPENDICES

- A Tentative Parcel Map
- B NRCS Soils Report
- C U.S. Fish & Wildlife Service Species List

1.0 INTRODUCTION

This Biological Resources Assessment report describes the biological resources present within the area included on Tentative Parcel Map No. TPM-2007. This report includes a project description of the affected environment, and description of potential impacts on special-status Biological resources.

Currently, the property is vacant pastureland. Grazing has occurred on the site for several decades. Barbed wire fence currently runs along the proposed property boundary lines and the property boundary. The Shasta River meanders through the western portion of the property. Adjacent properties include irrigated pasture on the north and west sides and pastureland to the west and south. Existing utilities onsite include two groundwater wells and a power line which runs through the property.

1.1 Project Description

The Project is a request for a Tentative Parcel Map to create four new parcels (approximately 109 acres, 77 acres, 41 acres, and 41 acres) from two existing parcels of 90.5 acres and 181.9 acres. Historically, the property has been used for hay production. A portion of the property was used for rice production. The proposed parcels would be zoned for residential and agricultural use. The site plan is included as Appendix A.

Proposed development onsite includes a single-family residence on each parcel with gravel driveways leading to each residence. These roads will run along existing dirt roads at the proposed parcel borders so that two roads would be needed to serve the four parcels (Appendix A). Two additional groundwater wells will be driven. A septic system will be installed on each parcel.

Development will occur within a portion of the proposed parcels. The eastern portion of the property will remain as undeveloped pastureland with the exception of the two gravel driveways. Residences will be designed around a riparian buffer along the Shasta River and, in most areas, due to topography of the site, development will be farther set back than required by the riparian buffer. No development is being proposed on the western side of the Shasta River.

1.2 Site Description

The site is located on Montague Road on Assessor Parcel Numbers (APNs) 013-400-250 and 013-410-060 in Siskiyou County, California. The general site location is shown on Figure 1.

2.0 AFFECTED ENVIRONMENT

2.1 General Setting

Topography of the study area is generally flat and occurs at elevations between approximately 734 and 744 feet above sea level. Precipitation primarily occurs as rain and annual rainfall is approximately 34 inches (Western Regional Climate Center 2006). Air temperatures range between an average January high of 55 degrees Fahrenheit (°F) and an average July high of 98°F. The year-round average high is approximately 75°F (Western Regional Climate Center 2006).

2.2 Soils

Soils within the project area were determined through consultation with the National Resources Conservation Service (NRCS) Web Soil Survey. Soils within the project area are Redding gravelly loam, 0 to 5 percent slopes, moist. The typical profile of this soil series has a depth to restrictive feature of more than 80 inches, with a duripan present between 10 and 30 inches depth. The soil resource report is included as Appendix B.

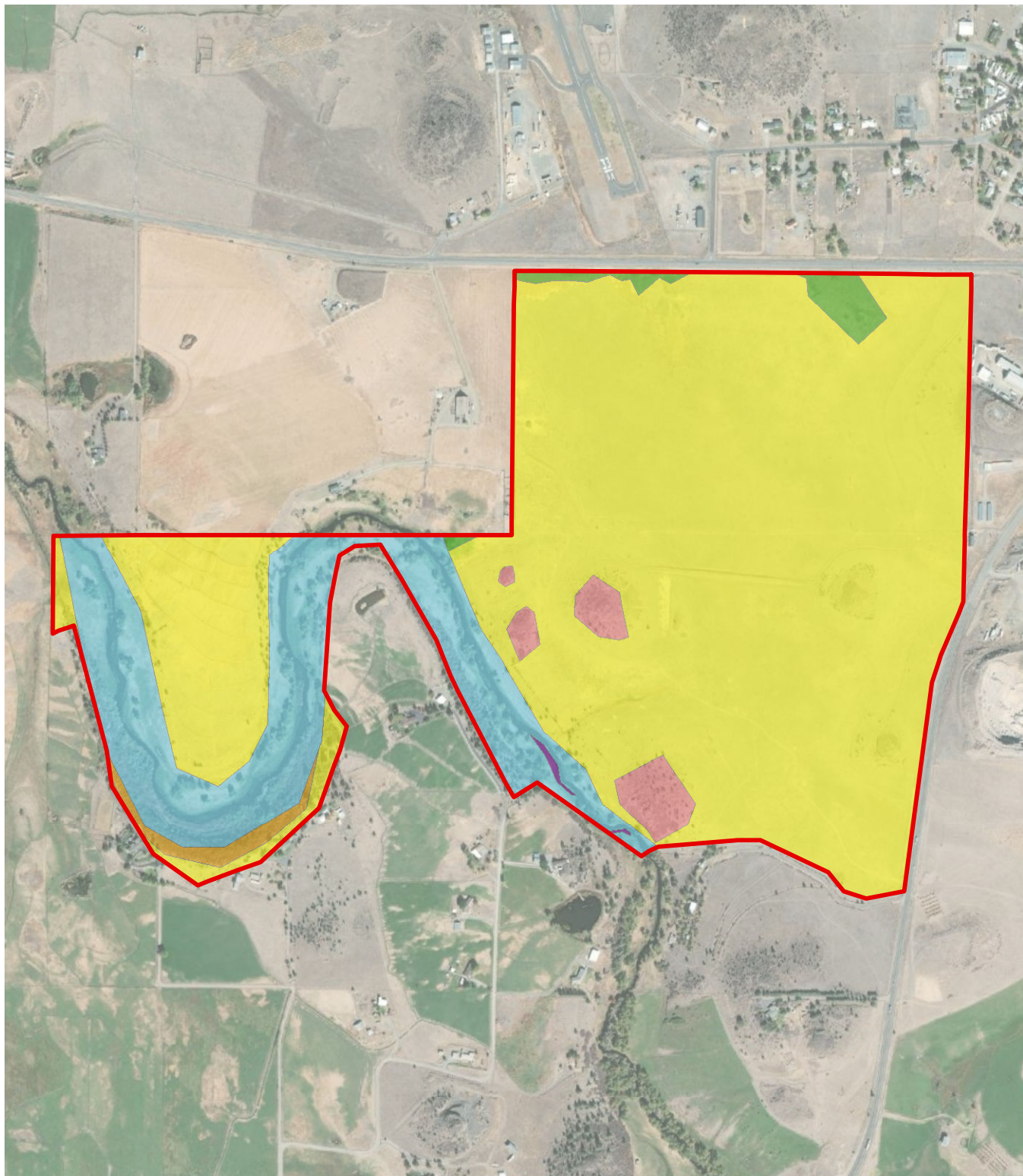
2.3 Vegetation Communities

Vegetation communities in the study area were classified based on descriptions provided in A Guide to Wildlife Habitats of California (CDFW 2014) and the online edition of California Native Plant Society's "A Manual of California Vegetation" (Sawyer et al. 2009). No VegCAMP data is available for the project site or surrounding area.

Five CWHR habitat types are identified on the property: Annual Grassland, Bitterbrush, Cropland, Montane Hardwood, and Montane Riparian. The CWHR is a broad-scale mapping database that maps regional habitat types but does not always provide an accurate description of species present. The dominant plant species that were observed within each distinct vegetation community were input to the Online Manual of California Vegetation database to determine existing plant communities, or "vegetation alliances," that occur within these areas. The existing vegetation types on the property are described below and shown on Figure 2.

2.3.1 Annual Grasses and Forbs

Agriculture has been the primary site use for several years. Ongoing disturbance has occurred due to agricultural production and cattle grazing. The resulting plant community, when not being planted for cultivation, is annual grasses and forbs that are characteristic of disturbed sites and fallowed fields (Figures 3A and 3B). Based on the dominant species, the plant community in these areas meets the characteristics of the Upland Mustards or Star-Thistle Fields Herbaceous Semi-Natural Alliance, which is synonymous with the CALVEG classification of Annual Grasses and Forbs. Dominant plant species in these areas are: red-stemmed filaree (*Erodium cicutarium*), common fiddleneck (*Amsinckia intermedia*), yellow-star thistle (*Centaureus solstitialis*), medusahead (*Elymus caput-medusae*), red brome (*Bromus rubens*), downy chess (*Bromus tectorum*), and whitetop (*Lepidium draba*). Other species observed in these areas includes wild oats (*Avena* sp.), soft chess (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), and wild barley (*Hordeum* sp.).



- Amen Property
- Annual Grasses and Forbs (212.5 Acres)
- Cottonwood Forest and Woodland (45 Acres)
- Fescue-Bluebunch Wheat Grass-Bluegrass Herbaceous (612 Acres)

- Montane Hardwood (2.7 Acres)
- Perennial Grassland
- Typha Herbaceous (0.4 Acres)



0 400 800 1,600 Feet



FIGURE 2
VEGETATION TYPES
AMEN PARCEL MAP
SISKIYOU COUNTY, CALIFORNIA

SOURCE: MAXAR 2020 AERIAL PHOTOGRAPH



Figure 3A. Upland Mustards or Star-Thistle Fields Herbaceous Semi-Natural Alliance
(looking south from northern boundary)



Figure 3B. Upland Mustards or Star-Thistle Fields Herbaceous Semi-Natural Alliance
(looking west from center of property)

2.3.2 Perennial Grassland

The CWHR shows bitterbrush habitat as occurring at the northern boundary of the property. Bitterbrush stands are dominated by bitterbrush (*Purshia tridentata*); stands range from small, widely spaced shrubs to large, closely spaced shrubs with more than 90 percent canopy cover. No bitterbrush shrubs were observed in this area during the site survey. Instead, ongoing disturbance and irrigation of neighboring pasturelands have yielded a mosaic of annual and perennial grasses and forbs (Figure 4). Based on the dominant species observed in this area, this actually meets the characteristics of Perennial Grassland habitat, as defined by CWHR. Further plant identification of the perennial grasses would be required during the growing season to determine the association as defined in A Manual of California Vegetation, but conditions at the time of the survey closely resembled a non-native dominated perennial stand such as *Poa Pratensis* Semi-Natural Stand or *Agrostis-Festuca* Semi-Natural Stand. This area will not be disturbed by development onsite as the hydrological influence of irrigation on adjacent properties causes seepage onto this area, and any grading or construction will be designed around this area.



Figure 4. Perennial grassland

2.3.3 Montane Hardwood

A typical montane hardwood habitat is composed of a pronounced hardwood tree layer, with an infrequent and poorly developed shrub stratum, and a sparse herbaceous layer. Montane hardwood is mapped in a small section at the western end of the property. This habitat was observed as the transition between the riparian corridor and upland pastures inhabited by annual grasses and forbs. The montane hardwood community occurs outside of any proposed development areas on the tentative parcel map as it is bisected from the proposed development

areas by the Shasta River and occurs within the riparian buffer. This habitat was inaccessible due to the river and the neighboring private land.

2.3.4 Montane Riparian

In northwest California, black cottonwood (*Populus trichocarpa*) is a dominant hardwood in Montane Riparian (MRI) habitat. Riparian habitat was observed onsite surrounding the Shasta River. The upper canopy is dominated by cottonwood (*Populus* sp.) and deciduous riparian shrubs. The understory occurs on the banks and is dominated by sedges, non-native grasses and forbs, including dense patches of yellow-star thistle (*Centaureus solstitialis*). Based on the dominant species observed in this area, this meets the characteristics of the Black Cottonwood Forest and Woodland Alliance (Figure 5). This community occurs outside of any proposed development areas on the tentative parcel map as it occurs within the riparian buffer.

The transition between MRI habitat and adjacent non-riparian annual grassland is abrupt in areas due to steep topography to the east of the river. To the west of the river (i.e. inside the “bend” in the river channel), the riparian corridor was previously converted to rice field and is correctly mapped as cropland/annual grasses and forbs (Figure 2).

2.3.5 Aquatic

The aquatic habitat onsite occurs within the Shasta River channel. Vegetation observed within the river included cattail (*Typha* sp.), sedges (*Juncus* sp.), and non-native water primrose (*Ludwigia hexapetala*). Based on the dominant species observed in this area, this is synonymous with the Typha Herbaceous Alliance (Figure 5).



Figure 5. Black Cottonwood Forest and Woodland Alliance and Typha Herbaceous Alliance

2.3.6 *Festuca idahoensis*-*Pseudoroegneria spicata*-*Poa secunda* Herbaceous Alliance

This habitat is restricted to four undisturbed rock mounds that range from one to three acres in size. The vegetation community on these mounds is distinct from the surrounding annual grasses and forbs; the mounds have not been disturbed by previous agricultural production. Evidence of heavy grazing was observed at the base of each mound, which prohibited species-level identification of some of the perennial grasses inhabiting this community.

These areas are not distinguished from the surrounding annual grasses and forbs according to CWHR. Based on the observations onsite, this community meets the criteria for the *Festuca idahoensis* - *Pseudoroegneria spicata* - *Poa secunda* Herbaceous Alliance as defined by A Manual of California Vegetation (Sawyer et al. 2009). Dominant plant species observed onsite are perennial grasses, with a sparse shrub community and even more sparse cover of western juniper (*Juniperus occidentalis*). Shrubs observed onsite include desert gooseberry (*Ribes velutinum*), bur chervil (*Anthriscus caucalis*), yarrow (*Achillea millefolium*), tall buckwheat (*Eriogonum elatum*), bottlebrush squirreltail (*Elymus elymoides*), bluebunch wheatgrass (*Elymus spicatus*), western juniper (*Juniperus occidentalis*), rabbitbrush (*Ericameria nauseosa*), and California poppy (*Eschscholzia californica*) (Figure 6).

These areas will not be disturbed by development associated with the subdivision of the property. The terrain inhibits grading and development will avoid disturbance of the rock mounds and their associated plant communities.



Figure 6. *Festuca idahoensis* - *Pseudoroegneria spicata* - *Poa secunda* Herbaceous Alliance

2.4 Special-Status Species

2.4.1 Special-Status Plants

Special-status plant species include plants that are (1) designated as rare by California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) or are listed as threatened or endangered under the California Endangered Species Act (CESA) or ESA; (2) proposed for designation as rare or listing as threatened or endangered; (3) designated as state or federal candidate species for listing as threatened or endangered; and/or (4) ranked as California Rare Plant Rank (RPR) 1A, 1B, 2A, or 2B. A list of regionally occurring special-status plant species was compiled based on a review of pertinent literature, the results of the field surveys, and a review of the USFWS species list and California Natural Diversity Database (CNDDDB) and a nine-quad search of California Native Plant Society (CNPS) database records.

Recommendations from CDFW for this Tentative Parcel Map included a botanical survey targeting two special-status plant species: single flowered mariposa lily (*Calochortus monanthus*) and Siskiyou clover (*Trifolium siskiyouense*). The results of this survey as well as assessments of other potentially occurring rare plant species are discussed in Section 5.0.

For each special-status plant species, habitat and other ecological requirements were evaluated and compared to the habitats in the study area and immediate vicinity to assess the presence of potential habitat. The habitat assessment is provided in Table 1 (see Section 5.0).

2.4.2 Special-Status Animals

Special-status animal species include species that are (1) listed as threatened or endangered under the CESA or the ESA; (2) proposed for federal listing as threatened or endangered; (3) identified as state or federal candidates for listing as threatened or endangered; and/or (4) identified by the CDFW as Species of Special Concern or California Fully Protected Species.

A list of regionally occurring special-status wildlife species was compiled based on a review of pertinent literature and consultations with the USFWS Information for Planning and Consultation (iPAC) database and CNDDDB records and a query of the California Wildlife Habitats Relationship (CWHHR) system.

For each special-status wildlife species, habitat and other ecological requirements were evaluated and compared to the habitats in the study area and immediate vicinity to assess the presence of potential habitat. The habitat assessment is provided in Table 1 (see Section 5.0).

2.4.3 Sensitive Natural Communities

Natural communities have been defined across California according to associations between two or more species that repeat in certain distinctive assemblages that present a characteristic appearance based on size, shape, and spacing of the plants. The CNDDDB rarity ranking for each alliance uses the NatureServe's Heritage Program methodology; the "S" indicates the alliance's rarity and threat in California, with "S1", "S2", and "S3" considered as "sensitive natural communities" that are subject to review under CEQA.

A query for sensitive natural communities was completed using the online edition of the CNPS “A Manual of Vegetation” (Sawyer et al. 2009). The query was completed by searching for Alliances that include the dominant plant species that were observed within each distinctive community onsite.

3.0 REGULATORY FRAMEWORK FOR BIOLOGICAL RESOURCES

This section describes the federal and state regulation of special-status species, waters of the United States, and other sensitive biological resources.

3.1 Federal Regulations

3.1.1 Federal Endangered Species Act

Section 9 of the federal Endangered Species Act of 1973 (ESA) prohibits acts that result in the “take” of threatened or endangered species. As defined by the federal ESA, “endangered” refers to any species that is in danger of extinction throughout all or a significant portion of its current range. The term “threatened” is applied to any species likely to become endangered within the foreseeable future throughout all or a significant portion of its current range. “Take” is defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.” Sections 7 and 10 of the federal ESA provide methods for permitting otherwise lawful actions that may result in “incidental take” of a federally listed species. Incidental take refers to take of a listed species that is incidental to, but not the primary purpose of, an otherwise lawful activity. Incidental take is permitted under Section 7 for projects on federal land or involving a federal action; Section 10 provides a process for non-federal actions. The act is administered by the USFWS for terrestrial species.

3.1.2 Clean Water Act

The objective of the Clean Water Act (1977, as amended) is to restore and maintain the chemical, physical, and biological integrity of the nation’s waters. Discharge of dredged or fill material into waters of the United States, including jurisdictional wetlands, is regulated by the Corps under Section 404 of the Clean Water Act (33 USC 1251-1376) under a permitting process. Applicants for Section 404 permits are also required to obtain water quality certification or waiver through the local Regional Water Quality Control Board under Section 401 of the Clean Water Act (33 USC 1341).

Corps regulations implementing Section 404 define waters of the United States to include intrastate waters, including lakes, rivers, streams, wetlands, and natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce. Wetlands are defined for regulatory purposes as “areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3; 40 CFR 230.3). To comply with the Corps policy of no net loss of wetlands, discharge into wetlands must be avoided and minimized to the extent practicable. For unavoidable impacts, compensatory mitigation is typically required to replace the loss of wetland functions in the watershed.

3.1.3 Migratory Bird Treaty Act

Migratory birds are protected under the Migratory Bird Treaty Act (MBTA) of 1918 (16 USC 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any

migratory bird listed in 50 CFR Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). Mitigation measures can be identified to avoid or minimize adverse effects on migratory birds.

3.2 State Regulatory Requirements

3.2.1 California Endangered Species Act

The California Endangered Species Act (CESA) lists species of plants and animals as threatened or endangered. Projects that may have adverse effects on state-listed species require formal consultation with CDFW. “Take” of protected species incidental to otherwise lawful activities may be authorized under Section 2081 of the California Fish and Game Code. Authorization from the CDFW is in the form of an Incidental Take Permit, and measures can be identified to minimize take. CDFW Species of Special Concern are considered under the California Endangered Species Act.

3.2.2 Birds of Prey

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 (birds of prey) 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.

3.2.3 Migratory Birds

The California Fish and Game Code Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

3.2.4 Fully Protected Species

California statutes also accord “fully protected” status to a number of specifically identified birds, mammals, reptiles, amphibians, and fish. These species cannot be “taken,” even with an incidental take permit (California Fish and Game Code, Sections 3505, 3511, 4700, 5050, and 5515).

4.0 BIOLOGICAL SITE SURVEY

4.1 Pre-Survey Review

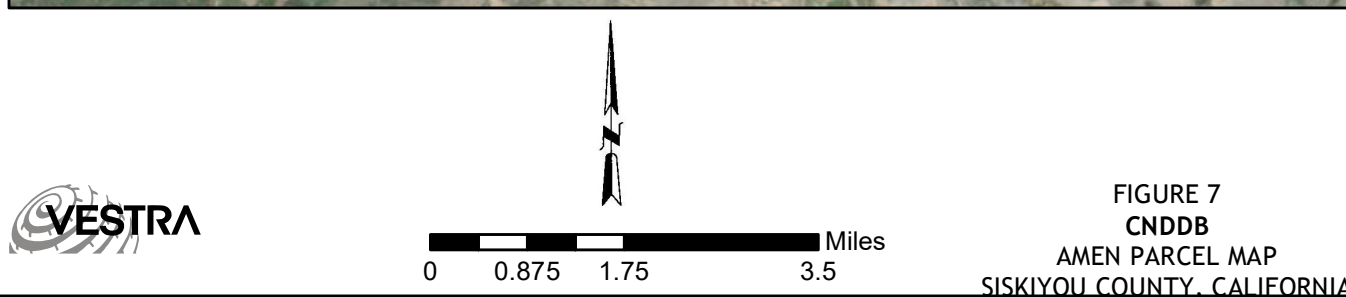
Special-status plant and animal species and sensitive habitats that have the potential to occur within the project area were determined, in part, by reviewing agency databases, literature, and other relevant sources. The following information sources were reviewed to aid this determination:

- Montague, California, USGS 7.5-minute quadrangle;
- Aerial photography of the project area and vicinity;
- The USFWS official list of endangered and threatened species that may occur, or be affected by projects, as provided by the Sacramento Fish and Wildlife Office (Consultation Code 08EYRE00-2021-SLI-0102), included as Appendix C;
- The CDFW California Natural Diversity Database (CNDDB) (California Department of Fish and Wildlife 2020a) records for the Montague, California USGS 7.5-minute quadrangle and the eight surrounding quadrangles, included as Figure 7;
- The CNPS online Inventory of Rare and Endangered Plants (California Native Plant Society 2015) records for the Montague, California, USGS 7.5-minute quadrangle and the eight surrounding quadrangles;
- California Wildlife Habitat Relationships (CWHR) System (California Department of Fish and Game 2019).
- GIS shapefiles of designated critical habitat from the USFWS Critical Habitat Portal website;
- CDFW publications including State and Federally Listed Endangered, Threatened and Rare Plants of California (CDFW 2020b); State and Federally Listed and Threatened Animals of California (CDFW 2020c); and Special Animals List (CDFW 2020d); and
- Pertinent biological literature including Bird Species of Special Concern in California (Shuford and Gardali 2008).

4.2 Survey Methods

A pedestrian survey was conducted on May 4-6, 2021. The survey covered the portions of the property where proposed development areas are located as well as any adjacent areas where development could impact resources onsite. This included the residence construction sites and associated driveway routes at each tentative parcel, as well as the riparian habitat along the nearby Shasta River. A Trimble Geo XT Explorer 6000, Nikon P530 camera, and binoculars were used during the survey to observe and document site characteristics and species presence.

The survey followed available pertinent protocols for determining the presence of certain species or their habitat within a project area. Protocols were completed onsite if possible at the time of year when the survey was completed; this includes the “Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities,” issued by CDFW. The survey was completed following consultation with CDFW; consultation was completed to discuss the validity of completing botanical surveys during a drought period.



P:\GIS\91947\91947_CNDDb.mxd **Exhibit B - April 20, 2022, PC Staff Report Packet**

CDFW recommended to attempt to survey the site earlier than the protocol would normally call for due to the limited rainfall experienced in the weeks leading up to the site survey. Because the species are perennial, the surveys focused on target species in their vegetative state. Any species that resembled target species in the vegetative state (based on morphology and ecology) were considered to potentially be a target species and would be revisited during a normal rainfall year to identify to species level during the flowering period for the target species.

4.3 Survey Results

Weather was cloudy with no precipitation. Recent precipitation events resulted in wet conditions onsite. The ambient temperature was 50 degrees Fahrenheit (F) during the survey. Flora and fauna observed during the survey were documented. Survey findings are summarized below.

No special-status wildlife species were observed during the survey. The following wildlife species were identified as occurring within the project area:

- Northwestern fence lizard (*Sceloporus occidentalis occidentalis*)
- Yellow-bellied marmot (*Marmota flaviventris*)
- Western grey squirrel (*Sciurus griseus*)
- Black-tailed deer (*Odocoileus hemionus columbianus*)
- Turkey vulture (*Cathartes aura*)

No special-status plant species were observed during the survey. The following plant species were observed within the project area:

- Red brome (*Bromus rubens*)
- Downy chess (*Bromus tectorum*)
- Red-stemmed filaree (*Erodium cicutarium*)
- Common fiddleneck (*Amsinckia intermedia*)
- Yellow-star thistle (*Centaureus solstitialis*)
- Medusahead (*Elymus caput-medusae*)
- Whitetop (*Lepidium draba*)
- Desert gooseberry (*Ribes velutinum*)
- Bur chervil (*Anthriscus caucalis*)
- Yarrow (*Achillea millefolium*)
- Tall buckwheat (*Eriogonum elatum*)
- Bottlebrush squirreltail (*Elymus elymoides*)
- Western juniper (*Juniperus occidentalis*)
- Rabbitbrush (*Ericameria nauseosa*)
- California poppy (*Eschscholzia californica*)
- Cottonwood (*Populus* sp.)
- Willow (*Salix* spp.)
- Yellow star thistle (*Centaureus solstitialis*)
- Cattail (*Typha* sp.)
- Water primrose (*Ludwigia hexapetala*)

5.0 POTENTIAL IMPACTS TO BIOLOGICAL RESOURCES

5.1 Special-Status Species

The regionally occurring species identified during the pre-survey consultation were assessed based on the potential for their habitat to occur within the project area. The habitat of each species and determination of whether the species is likely to occur in the project area is summarized in Table 1. Species that were determined to not have the potential to occur in the project area will not be discussed further because their habitat does not occur within the project impact area. Species that are determined to potentially occur in the project area were included in the scope of the biological resources survey. Potential project-related impacts to these species are discussed below.

Table 1 POTENTIALLY OCCURRING SPECIAL-STATUS SPECIES					
Common Name	Scientific Name	Conservation Status (state/federal)	Habitat Description	Potential to Occur in Project Area?	Project Impact Potential
Birds					
Northern spotted owl	<i>Strix occidentalis caurina</i>	Federal Threatened	Dense old growth forest	No; habitat was not observed within project area.	No impact.
Yellow-billed cuckoo	<i>Coccyzus americanus</i>	Federal Threatened	Dense riparian forest, willow thickets	No; habitat was not observed within project area.	No impact.
Greater sandhill crane	<i>Antigone canadensis tabida</i>	State Threatened	Wetlands, irrigated pastures	Yes, potential habitat in Shasta River. Irrigated portion of cropland may be low quality habitat.	No impact due to riparian buffer.
Prairie falcon	<i>Falco mexicanus</i>	CDFW Watch List	Forage in shrubby deserts and grasslands, nest on ledges, cliffs, vertical outcrops	Yes; potential habitat in rock outcrops	No evidence of nesting onsite observed during survey; less than significant impact.
Reptiles					
Western pond turtle	<i>Emys marmorata</i>	CDFW Species of Special Concern	Perennial streams and ponds; may deposit eggs in upland locations near aquatic habitat	Yes; potential habitat in Shasta River and river banks	No impact due to riparian buffer.
Fish					
Lower Klamath marbled sculpin	<i>Cottus klamathensis polyporus</i>	CDFW Species of Special Concern	Slow to fast moving waters in Klamath and Shasta Rivers	Yes; potential habitat in Shasta River	No impact due to riparian buffer.
Southern Oregon/Northern California Coast coho salmon	<i>Oncorhynchus kisutch</i>	Federal Threatened	Streams and rivers between Cape Blanco, Oregon, and Mendocino, California		

Table 1 POTENTIALLY OCCURRING SPECIAL-STATUS SPECIES					
Common Name	Scientific Name	Conservation Status (state/federal)	Habitat Description	Potential to Occur in Project Area?	Project Impact Potential
Lost river sucker	<i>Deltistes luxatus</i>	Federal Endangered	Rivers from Klamath to Modoc and Siskiyou Counties	Yes; potential habitat in Shasta River	No impact due to riparian buffer.
Shortnose sucker	<i>Chasmistes brevirostris</i>	Federal Endangered	Rivers from Klamath to Modoc and Siskiyou Counties		
Invertebrates					
Franklin's bumble bee	<i>Bombus franklini</i>	Federal Endangered	Grassland, meadows	Yes; cropland and rock mounds	Less than significant impact.
Plants					
Woolly balsamroot	<i>Balsamorhiza lanata</i>	1B.2	Open woodland, grassy slopes; Flowers April-June Elev: 800--1050 m	Yes; potential habitat at rock mounds	No impact due to construction avoidance area described in Section 6.0.
Single-flowered mariposa-lily	<i>Calochortus monanthus</i>	1A	Presumed extinct; vernal meadow, wetland, seep; Flowers in June; Elev: +- 800 m	Yes; potential habitat at Shasta River and in irrigated pasture at northwestern property corner	No impact due to construction avoidance area described in Section 6.0.
Oregon polemonium	<i>Polemonium carneum</i>	2B.2	Moist to dry, open areas; Flowers April-September; Elev: < 1800 m.	Yes; potential habitat in irrigated pasture at northwestern property corner	No impact due to construction avoidance area described in Section 6.0.
Alkali hymenoxys	<i>Hymenoxys lemmonii</i>	2B.2	Roadsides, open areas, meadows, drainage areas, stream banks in sage brush steppe and pine forest; Flowers June to August; Elev: 800--3200 m.	Yes; potential habitat along existing dirt roads and drainage areas	Species not observed during botanical surveys; No impact due to measures described in Section 6.0.
Pendulous bulrush	<i>Scirpus pendulus</i>	2B.2	Marshes, wet meadows; Flowers June to August; Elev: < 900 m.	Yes; potential habitat in Shasta River	No impact due to riparian buffer described in Section 6.0.
Siskiyou clover	<i>Trifolium siskiyouense</i>	1B.1	Wet mountain meadows; Flowers June to July; Elev: 800--1400 m.	Yes; potential habitat along Shasta River banks	No impact due to riparian buffer described in Section 6.0.

Table 1 POTENTIALLY OCCURRING SPECIAL-STATUS SPECIES					
Common Name	Scientific Name	Conservation Status (state/federal)	Habitat Description	Potential to Occur in Project Area?	Project Impact Potential
Yreka phlox	<i>Phlox hirsuta</i>	1B.2	Serpentine talus, open Jeffrey-pine and incense-cedar forest; Elev: 1000-1500 m.	No; maps show that ultramafic/serpentine soil does not occur onsite. Still considered due to nearby occurrence	No impact.
Serpentine cryptantha	<i>Cryptantha dissita</i>	1B.2	Serpentine outcrops, gravelly slopes, chaparral, foothill woodland; Elev: 150--900 m.	No; maps show that ultramafic/serpentine soil does not occur onsite.	No impact.
Woolly meadowfoam	<i>Limnanthes floccosa</i> ssp. <i>floccosa</i>	4.2	Vernal pool edges; Elev: < 600 m.	No; vernal pool habitat was not observed within project area.	No impact.
Peck's lomatium	<i>Lomatium peckianum</i>	2B.2	Volcanics, pine/oak woodland; Elev: 800--1800 m.	No; habitat was not observed within project area.	No impact.
Shasta orthocarpus	<i>Orthocarpus pachystachyus</i>	1B.1	Openings in sagebrush scrub, strict ultramafic endemic; Elev: < 1000 m.	No; maps show that no ultramafic soils occurs onsite.	No impact.
Gentner's fritillary	<i>Fritillaria gentneri</i>	Federal Endangered	Dry woodland; Elev: 300-1500 m	No; habitat was not observed within project area.	No impact.
Sensitive Natural Communities					
Black Cottonwood Forest and Woodland	<i>Populus trichocarpa</i>	State Rarity: S3	Seasonally or permanently saturated soils on stream banks and alluvial terraces at high elevations	Yes; potential habitat along Shasta River	No impact due to riparian buffer.
Key: Fed T: federally listed as threatened; Fed E: federally listed as endangered; Fed C: Candidate for listing; State T: state listed as threatened State E: state listed as endangered; CDFW SSC: Species of Special Concern; CDFW FP: CDFW fully protected; CDFW WL: CDFW watch list; 1B: Plants rare, threatened, or endangered in California and elsewhere; 2B: Plants rare, threatened, or endangered in California but more common elsewhere; S3: State Rarity Ranked as "vulnerable".					

The potential impacts that may result from the proposed project activities were assessed for species determined to have potentially occurring habitat onsite. The direct and indirect potential project impacts to the following species are discussed below:

- Greater sandhill crane (*Antigone canadensis tabida*)
- Prairie falcon (*Falco mexicanus*)
- Western pond turtle (*Emys marmorata*)
- Lower Klamath marbled sculpin (*Cottus klamathensis polyporus*)
- Southern Oregon/Northern California Coast coho salmon (*Oncorhynchus kisutch*)

- Franklin's bumble bee (*Bombus franklini*)
- Alkali hymenoxys (*Hymenoxys lemmonii*)
- Woolly balsamroot (*Balsamorhiza lanata*)
- Single-flowered mariposa-lily (*Calochortus monanthus*)
- Oregon polemonium (*Polemonium carneum*)
- Pendulous bulrush (*Scirpus pendulus*)
- Siskiyou clover (*Trifolium siskiyouense*)
- Black Cottonwood Forest and Woodland

Greater Sandhill Crane

Greater sandhill crane (*Antigone canadensis tabida*) is recognized as a threatened species by the State of California and is “Fully Protected” by the CDFW – meaning that permits to allow incidental “take” of the species are not available in California. This species historically wintered in the Sacramento and San Joaquin valleys from Tehama County south to Kings County and spent the summer season breeding in northeastern California. Numbers in California have been greatly reduced and within California, and this species now only breeds in the counties of Siskiyou, Modoc, Lassen, Plumas, and Sierra. Nesting generally begins in April/May and extends through July/August.

Greater sandhill cranes utilize shortgrass plains, agricultural fields, and shallow open wetlands for foraging, and they nest in remote areas of extensive wetlands. The species can utilize certain croplands for foraging, they rely heavily on large expanses of wetland habitat for reproduction. Breeding pairs return to the same breeding territory annually but will not nest if nesting conditions are unfavorable. They are highly sensitive to human disturbance during the nesting period (April through August). With a few exceptions, most pairs select sites rather isolated from human activity (NW Council 2004).

The pasture adjacent to the site is irrigated for hay production. The pasture does not retain surface water such that it provides foraging or nesting habitat for greater sandhill cranes. Sandhill cranes select sites that are isolated from human activity. The noise levels associated with construction activities will exceed current noise levels that occur on the property and reach the surrounding area.

Prairie Falcon

Prairie falcons (*Falco mexicanus*) are raptors that are distributed from annual grasslands to alpine meadows, but are associated primarily with perennial grasslands, savannahs, rangeland, some agricultural fields, and desert scrub areas. This species usually nests in a scrape on a sheltered ledge of a cliff overlooking a large, open area. Foraging behavior includes diving from a perch or from searching flight 15-90 m (50-300 feet) aboveground with rapid pursuit of the prey item.

Rock outcrops were observed at the southern boundary of the site that meets the physical characteristics of nesting habitat for prairie falcons. These outcrops are vertical and ranged from 30 feet to one hundred feet tall. Crevices and ledges were inspected for sign, including “white wash” that would indicate presence of nesting raptors. No sign was observed. The location of the outcrops is approximately 500 feet away from an existing residence on the neighboring property, with the vertical cliff facing the residence. At the base of the vertical cliff is the Shasta

River, which is frequently utilized by cattle. Prairie falcons may be deterred from this site due to the presence of human activity in the vicinity of the outcrop.

There is potential for prairie falcons to fly overhead while searching for prey in the general area. The pastureland occupying the eastern half of the property and sporadic rock outcrops are inhabited by potential prey items for prairie falcons, including ground squirrels, songbirds, and reptiles. This could provide foraging opportunities for prairie falcons.

The proposed development onsite would avoid the potential foraging and nesting habitats described above, since building would only occur within certain building areas. No change to the land use would occur in pastures. The rock outcrops would be preserved as they occur within the riparian setback area and because the outcrop is unsuitable for grading and development. Therefore, impacts to prairie falcons would be less than significant.

Western Pond Turtle (WPT)

Western pond turtle (*Emys marmorata*) can be found from the San Francisco Bay Area north to Washington State and south along the eastern side of the San Joaquin Valley. WPT diet typically consists of small aquatic invertebrates, vertebrates, and vegetation, and feeding must be carried out in an aquatic environment. WPTs overwinter annually either on land or underwater. Basking and female nesting are the two main activities carried out by the WPT outside of the water. Nesting sites can include upland areas with adequate vegetation to provide protective cover.

The Shasta River onsite is a perennial water course that could potentially provide habitat for WPT, although no turtles were observed during the site survey despite appropriate weather conditions for basking. The banks of the river are frequented by cattle which likely precludes successful WPT nesting. Development within the proposed parcels onsite would occur outside of a riparian setback that would protect aquatic habitat as well as the surrounding upland banks where migrating turtles could reach. A significant slope that leads up from the riparian corridor also separates this habitat from areas where development would occur.

Lower Klamath Marbled Sculpin

Lower Klamath marbled sculpin (*Cottus klamathensis polyporus*) are found in the Klamath River and are assumed to be potentially present in the Shasta River. Although specific data are not available, lower Klamath marbled sculpin life history likely mimics the life history of bigeye marbled sculpin (*Cottus klamathensis macrops*) in the Pit River. The habitat requirements of Lower Klamath marbled sculpin are not well documented but they seem to occupy a wide variety of habitats, much like the upper Klamath marbled sculpin. Bond et al. (1988) found upper Klamath marbled sculpin were most likely to be collected in water with summer temperatures of 15-20 degrees Celsius (59-68 degrees Fahrenheit), in coarse substrates (cobble and gravel) where water velocities ranged from slow to swift, in streams with widths greater than 20 meters.

The Shasta River is a slow-moving perennial water course. The segment of the river onsite was observed to be relatively shallow (5 feet in maximum depth), slow moving, and with a silty substrate with localized areas where gravelly substrate persists. This differs from the low temperatures and rocky substrates that are thought to be inhabited by Lower Klamath marbled sculpin. Therefore, the Lower Klamath marbled sculpin is not anticipated to occur onsite. Should any Lower Klamath marbled sculpin occur onsite, there would be no impact due to the riparian setback.

Southern Oregon/Northern California Coast Coho salmon

Southern Oregon/Northern California Coast (SONCC) coho salmon (*Oncorhynchus kisutch*) is an anadromous salmon species that includes populations spawning from Elk River (Oregon) in the north to Mattole River (California) in the south. Threats to coho salmon, such as high water temperature and low water levels in the late summer and fall, may reduce available juvenile rearing habitat as well as make adult passage to spawning areas difficult or impossible.

The Shasta River and Scott River adult counts represent the longest-term population-unit spatial scale monitoring currently underway in the SONCC coho salmon ESU. Both rivers are both identified by CDFW as high-priority watersheds for coho salmon recovery. The Shasta River's ice-cold springs have historically supported vibrant salmon populations, but alterations over the past 180 years have resulted in population declines. Impaired water quality and changes in river function are the key limiting factors for coho in the Shasta River.

The portion of the Shasta River onsite has experienced grazing and cattle use for many years. The banks have experienced hoof-action, leaving vertical banks and a reduced riparian canopy. This has likely degraded spawning habitat onsite, but habitat for salmon migrating to spawning grounds farther upstream remains. The proposed parcels would not impact the Shasta River's aquatic habitat or riparian corridor with implementation of the riparian buffer. Therefore, no direct or indirect impacts to SONCC coho salmon would occur.

Franklin's Bumble Bee

The CNDDDB tracks six bumble bees (*Bombus* sp.) that are identified as species of greatest conservation need. Four of these bumble bees were petitioned to the State of California in 2018 and the Fish and Game Commission advanced them to candidacy in June 2019 (*B. franklini*, *B. crotchii*, *B. occidentalis*, *B. suckleyi*). This was challenged in court and in November 2020 the Superior Court ruled that insects are not eligible for listing under the California Endangered Species Act. Pending ongoing litigation, no bumble bees have legal status under CESA and none are currently considered candidates for listing by the State.

However, effective 23 September 2021, USFWS has listed Franklin's bumble bee (*Bombus franklini*) as federally Endangered. Franklin's bumble bee has one of the smallest ranges of *Bombus* spp. worldwide, only known from the Klamath Mountains region of northern California and southern Oregon (Williams 2008). It is known only from southern Oregon and northern California between the Coast and Sierra-Cascade Ranges. *B. franklini* requires habitat with a sufficient supply of floral resources to provide continuous blooming throughout the colony season. Bumble bees are generalist foragers, gathering pollen and nectar from a wide variety of flowering plants. *Bombus franklini* have been observed collecting pollen on lupine (*Lupinus*) and California poppy (*Eschscholzia*), and nectaring on horsemint (*Agastache*) and mountain penny-royal (*Monardella*).

Potential habitat for Franklin's bumble bees occur onsite in the cropland and the rock outcrops. Cropland provides open grassland that could facilitate burrows. Rock outcrops are host to plant species that provide food sources for bumble bees, such as California poppy and buckwheat species. Both of these potential habitat areas would be avoided during development. The proposed building envelopes are located on a subset of the property such that the cropland

would remain open pasture. Rock outcrops onsite present an obstacle to development and would not be disturbed. Therefore, no impact to Franklin's bumble bee would occur.

Alkali hymenoxys

Alkali hymenoxys (*Hymenoxys lemmonii*) is a perennial herb that is found at roadsides, open areas, meadows, slopes, drainage areas, and stream banks in California and southern Oregon. Potential habitat onsite occurs in the existing dirt roads and road shoulders, as well as the irrigated pasture and the banks of the Shasta River and its tributaries. However, the irrigated pasture and the Shasta River and tributaries occur outside of any proposed development areas in each proposed parcel.

The roads that provide potential habitat were included in a rare plant survey completed onsite. Consultation with CDFW was completed to verify validity of completing botanical surveys during a drought period. It was acknowledged that the limited rainfall experienced in the weeks leading up to the site survey could yield a shortened and earlier growth/flowering period than normal. CDFW recommended to complete surveys for the species in any growth stage. The site survey focused on identification of any plants that resemble vegetative or flowering characteristics of alkali hymenoxys and would warrant follow-up monitoring. No alkali hymenoxys or morphologically similar plants were observed.

Due to the drought conditions that surrounded the site survey, there is potential that the plant exists onsite but was not present at the time of the survey. Potential impacts to alkali hymenoxys would be avoided by implementation of project conservation features described in Section 6.0.

Woolly Balsamroot

Woolly balsamroot (*Balsamorhiza lanata*) is a perennial forb that is native to grassy slopes within foothill woodland habitats. This plant is documented in the general area where the site is located. The CNDDDB observation data reveals that this species inhabits foothills at slightly higher elevations surrounding the project area as well as isolated topographic high points located across the area. There is potential habitat for this species on rock mounds that support and understory of perennial grasses and forbs. The proposed parcel map would have no impact on this species as it was not identified onsite during botanical surveys and development onsite would not disturb the rock mound structures where habitat for woolly balsamroot occurs (see Section 6.0).

Single-Flowered Mariposa-Lily

Single-flowered mariposa-lily (*Calochortus monanthus*) is a perennial bulbiferous herb that is native to Siskiyou County but is presumed to be extinct. This species was considered during botanical surveys because the property occurs within the historic range of the species. A survey was completed in potential habitat areas in consultation with CDFW; it was acknowledged that the limited rainfall experienced in the weeks leading up to the site survey could yield a shortened and earlier growth/flowering period than normal. CDFW recommended to complete surveys for the species in any growth stage. No plant belonging to the Liliaceae family were observed during the survey. The proposed parcel map would have no impact on this species with implementation of project conservation features described in Section 6.0.

Yreka Phlox

Yreka phlox (*Phlox hirsuta*) is a perennial forb that is endemic to Siskiyou County in California. There is marginal habitat for this species on large rocky mounds that are scattered throughout

the property. This species has strict ultramafic affinity, which means that it is most likely to occur in ultramafic soils. Although no ultramafic soils occur in the project area, Yreka phlox was considered during botanical surveys because it has been previously recorded one mile south of the property and the rock mounds match the physical characteristics of suitable habitat. This species flowers from April to June and would have been flowering during surveys; this species was not observed during botanical surveys. There is possibility that the drought conditions were not favorable for protocol-level plant surveys. Regardless, the proposed parcel map would have no impact on this species development onsite would not disturb the rock mound structures where marginal habitat occurs (see Section 6.0).

Oregon Polemonium

Oregon polemonium (*Polemonium carneum*) is a perennial herb that grows along a rhizome. This species grows in open areas, moist to dry, within shrubland and yellow pine forest. Surveys were completed onsite within potential habitat areas on the subject property. The surveys were completed within the flowering period for Oregon polemonium. The proposed parcel map would have no impact on this species as it was not identified within the proposed development areas onsite during botanical surveys and development onsite would not disturb the rock mound structures where potential habitat occurs (see Section 6.0).

Pendulous Bulrush

Pendulous bulrush (*Scirpus pendulus*) is an emergent plant that is found in Siskiyou County as well as in Southern Oregon. The proposed parcel map would have no impact on this species because no disturbance would occur within any riparian or aquatic habitats where this species could potentially grow with implementation of a riparian buffer (see Section 6.0).

Siskiyou Clover

Siskiyou clover (*Trifolium siskiyouense*) is a perennial clover species that is endemic to moist meadows in the Klamath Mountains in California and Oregon. There is potential habitat in moist vegetated areas onsite including near the Shasta River and the irrigated pasture at the northwestern portion of the property. The proposed parcel map would have no impact on this species because no disturbance would occur within any riparian or aquatic habitats where this species could potentially grow with implementation of a riparian buffer (see Section 6.0).

Black Cottonwood Forest and Woodland

A query was completed on the Online Manual of California Vegetation (Sawyer et. al) to determine if any of the dominant plant species within each distinct plant community observed onsite meet the criteria for Sensitive Natural Communities. The search found that none of the Alliances observed within the areas that are proposed for eventual development are listed as “S1”, “S2”, or “S3”; therefore, no sensitive natural communities would be impacted by the proposed subdivision and associated development onsite.

Portions of the site that are outside of proposed development areas would not be disturbed by the proposed subdivision or associated construction. There is potential for Black Cottonwood Forest and Woodland Alliance (State Ranked “S3”) to occur along the Shasta River riparian corridor onsite. Black Cottonwood Forest and Woodland is characterized by black cottonwood (*Populus trichocarpa*) dominant or co-dominant in the tree canopy with *Abies concolor*, *Acer macrophyllum*, *Acer negundo*, *Alnus incana*, *Alnus rhombifolia*, *Alnus rubra*, *Fraxinus latifolia*, *Juniperus occidentalis*, *Morella californica*, *Pinus contorta* ssp. *murrayana*, *Pinus jeffreyi*, *Platanus racemosa*, *Populus*

fremontii, *Populus tremuloides*, *Quercus agrifolia*, *Salix exigua*, *Salix hookeriana*, *Salix laevigata*, *Salix lasiolepis*, *Salix lucida* ssp. *lasiandra*, *Salix lutea*, and *Salix snyderiana*. The habitat would be characterized as Black Cottonwood Forest and Woodland where the canopy is comprised of greater than thirty percent of black cottonwood, with other associated species making up the remaining percent cover. This community occurs only along the Shasta River and would not be disturbed due to the riparian buffer (see Section 6.0).

5.2 Nesting Birds

Migratory birds and other passerines (songbirds) may nest in the trees located within or in the immediate vicinity of the property. All raptors and migratory birds, including common species and their nests, are protected from “take” under the California Fish and Game Code Section 3503 and 3503.5, and federal Migratory Bird Treaty Act.

No trees would be removed for construction. Large trees along the Shasta River may provide potential nesting habitat for raptors and migratory birds. Development within the proposed parcels would be separated from these trees by a riparian buffer as well as natural topography onsite such that the nearest construction would take place a minimum of 100 feet away from the potential nesting trees.

6.0 PROJECT CONSERVATION FEATURES

The following conservation measures, Best Management Practices (BMPs), and project features will be incorporated into the project in order to avoid and minimize the potential environmental impacts from construction and long-term operation of the proposed facility:

6.1 Riparian Buffer

- Any ground-disturbing activities would be restricted to areas outside of a buffer zone that originates at the river banks or edge of riparian habitat, whichever is larger. Typically, perennial water courses such as the Shasta River require a 150-foot setback and ephemeral drainages require a 50-foot setback.

6.2 Nesting Birds

- If vegetation removal will occur or construction will be initiated occur during the nesting season for birds (February 1 through August 31), a qualified biologist should conduct a preconstruction survey seven days before construction activities begin. If nesting birds are found, CDFW will be notified and consulted. An appropriate buffer, as determined by CDFW and the qualified biologist, will be placed around the nest until the young have fledged.
- If an active raptor nest is found during surveys, no construction activities shall occur within 250 feet of the nest unless a smaller buffer zone is approved by CDFW. Construction may resume once the young have left the nest or as approved by the qualified biologist.

6.3 Rare Plant Survey

- A pre-construction survey will be completed for alkali hyemoxys (*Hymenoxys lemmonii*) during the flowering period (June – August) in any areas where development of roads or buildings would occur if development is to occur within potential habitat areas for the species (existing roadsides, open meadows).

6.4 Construction Avoidance Area

- Construction of roads associated with the Tentative Parcel Map will avoid disturbance of the irrigated pasture that has yielded a man-made wetland at the northwestern corner of the property.
- Construction associated with the Tentative Parcel Map will avoid disturbance of the rock mounds located on the property. If disturbance to these rock mound habitat areas occur, a protocol-level survey for potentially occurring special-status plants should be completed.

7.0 REFERENCES

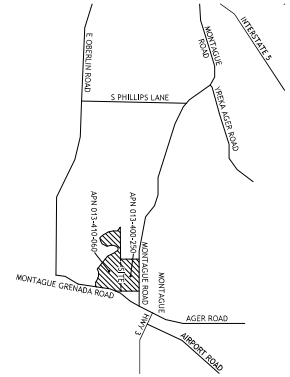
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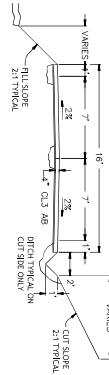
Appendix A
Tentative Parcel Map

ADJACENT LAND OWNERS

1	031-400-000	STATE OF CALIFORNIA
2	031-400-000	STATE OF CALIFORNIA
3	031-400-000	STATE OF CALIFORNIA
4	031-400-000	STATE OF CALIFORNIA
5	031-400-000	STATE OF CALIFORNIA
6	031-400-000	STATE OF CALIFORNIA
7	031-400-000	STATE OF CALIFORNIA
8	031-400-000	STATE OF CALIFORNIA
9	031-400-000	STATE OF CALIFORNIA
10	031-400-000	STATE OF CALIFORNIA
11	031-400-000	STATE OF CALIFORNIA
12	031-400-000	STATE OF CALIFORNIA
13	031-400-000	STATE OF CALIFORNIA
14	031-400-000	STATE OF CALIFORNIA
15	031-400-000	STATE OF CALIFORNIA
16	031-400-000	STATE OF CALIFORNIA
17	031-400-000	STATE OF CALIFORNIA
18	031-400-000	STATE OF CALIFORNIA
19	031-400-000	STATE OF CALIFORNIA
20	031-400-000	STATE OF CALIFORNIA
21	031-400-000	STATE OF CALIFORNIA
22	031-400-000	STATE OF CALIFORNIA
23	031-400-000	STATE OF CALIFORNIA



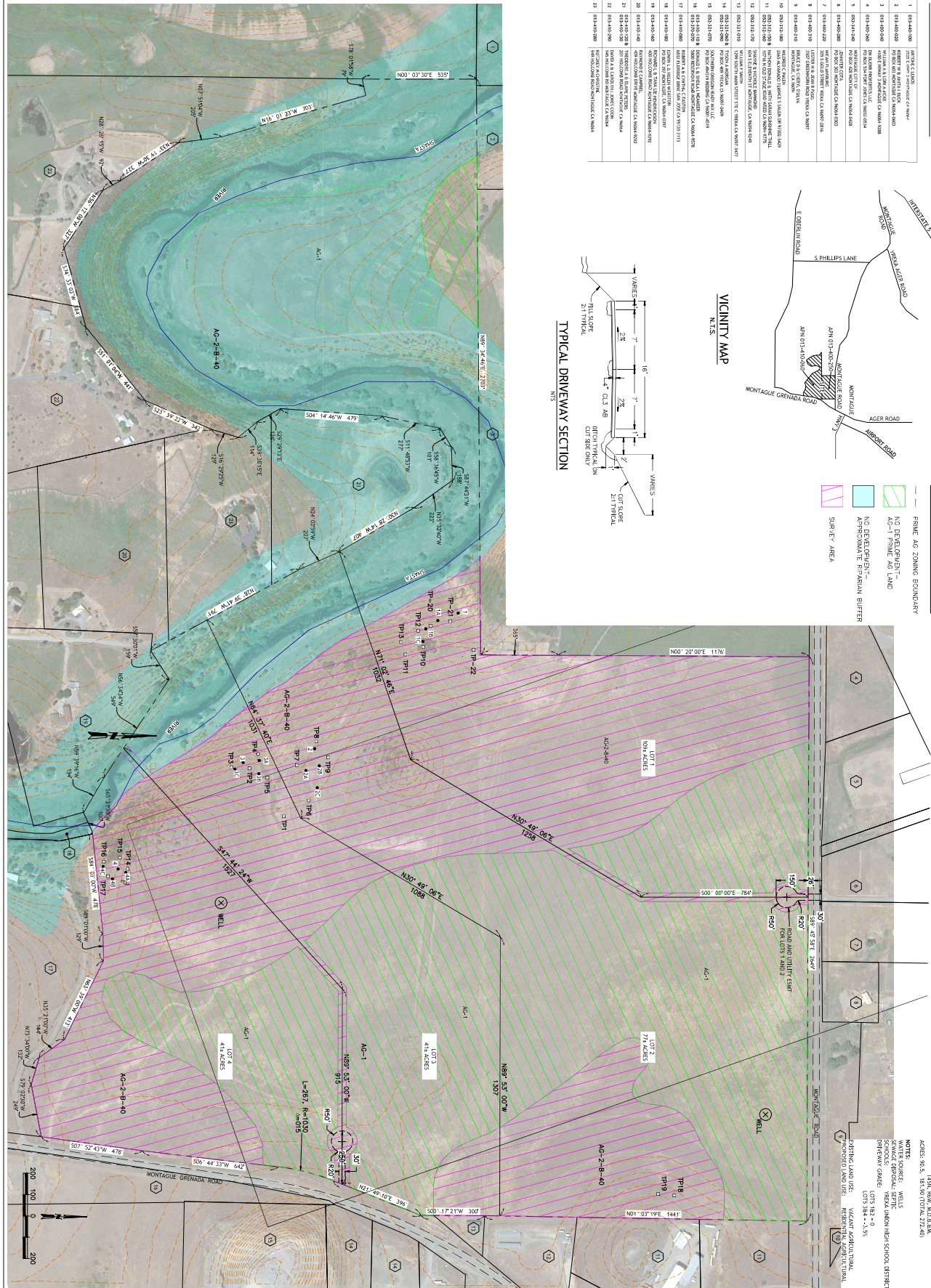
VICINITY MAP



TYPICAL DRIVEWAY SECTION

LEGEND

- FRAME AG ZONING BOUNDARY
- NO DEVELOPMENT
- AC-1 FRAME AG LAND
- NO DEVELOPMENT
- APPROXIMATE RIPARIAN BUFFER
- SURF AREA



OWNER: IAN AMEN & CHERYL L. AMEN
 APN 013-400-250 & 013-410-060
 LOCATION: 5300 AVIATION DRIVE, REDDING, CA 96002
 ACRES: 18.5, 18.90 (TOTAL 37.40)

NOTES:
 1. ALL SURVEYS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BOARD OF SURVEYING AND MAPPING (C.B.S.M.) PRACTICE STANDARDS.
 2. THE PROPERTY LINES SHOWN ON THIS MAP ARE BASED ON THE SURVEY DATA PROVIDED BY THE CLIENT.
 3. THE PROPERTY LINES SHOWN ON THIS MAP ARE BASED ON THE SURVEY DATA PROVIDED BY THE CLIENT.

APPENDIX A - TENTATIVE PARCEL MAP
 APN 013-400-250 AND 013-410-060
 IVAR AMEN & CHERYL L. AMEN
 SISKIYOU COUNTY, CALIFORNIA

Exhibit B - April 20, 2022, PC Staff Report Packet

VESTRA

www.vestra.com
 (530) 223-2585
 FAX (530) 223-1145

VERIFY SCALES
 BAR IS ONE INCH ON
 ORIGINAL DRAWING
 IF NOT ONE INCH ON
 THIS SHEET, ADJUST
 SCALES ACCORDINGLY

SHEET
 1 OF 1
 DATE: 07/16/21
 JOB: 1947

DSGN:	NO.	DATE	REVISION	BY
APVD: SG				

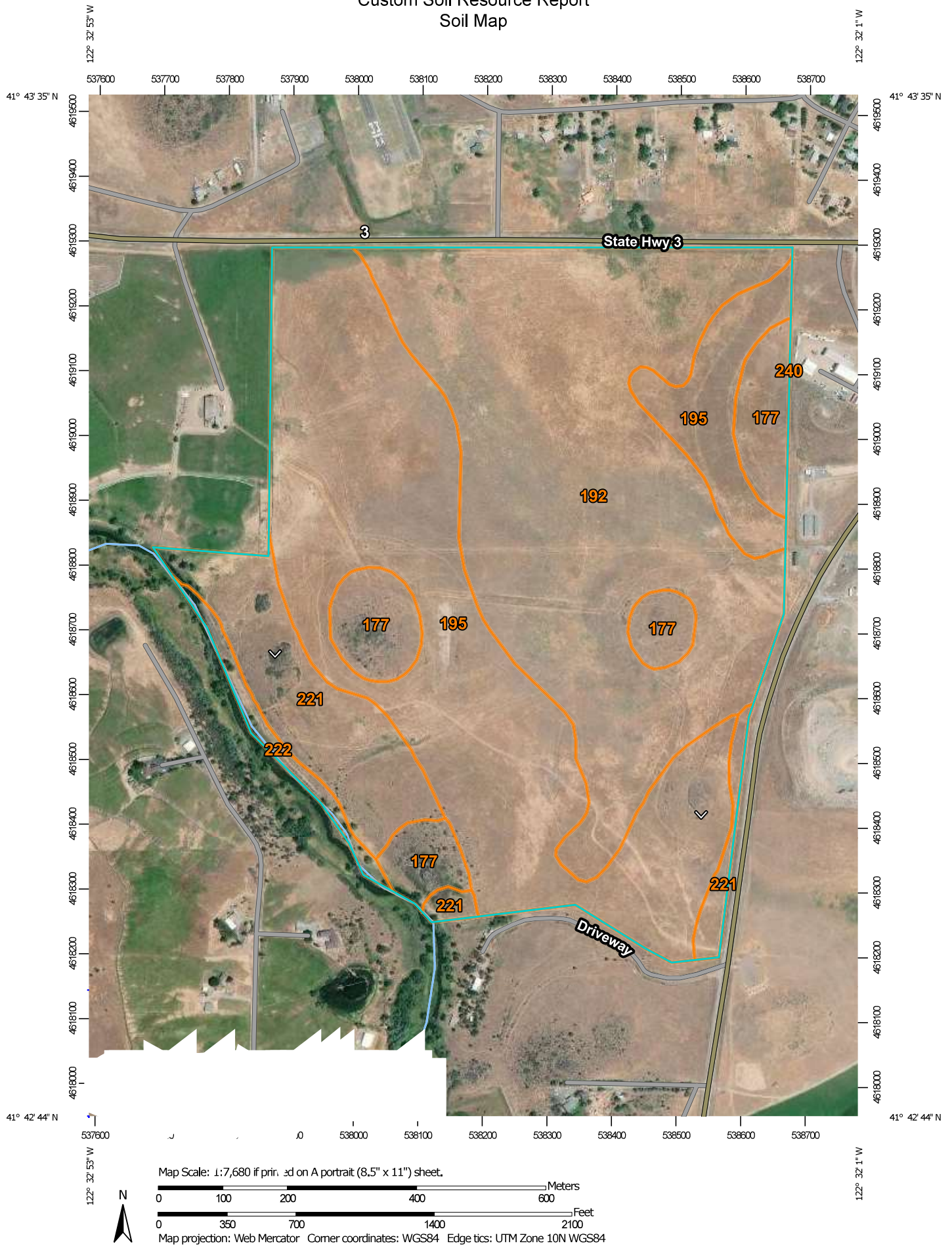
5300 AVIATION DRIVE - REDDING, CA 96002

Appendix B
NRCS Soils Report

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

	Area of Interest (AOI)		Spoil Area
	Area of Interest (AOI)		Stony Spot
Soils			Very Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
Special Point Features		Water Features	
	Blowout		Streams and Canals
	Borrow Pit	Transportation	
	Clay Spot		Rails
	Closed Depression		Interstate Highways
	Gravel Pit		US Routes
	Gravelly Spot		Major Roads
	Landfill		Local Roads
	Lava Flow		Background
	Marsh or swamp	Aerial Photography	
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Siskiyou County, California, Central Part
Survey Area Data: Version 11, Sep 16, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 18, 2013—Aug 14, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
177	Lithic Haploxerolls-Rock outcrop complex, 0 to 65 percent slopes*	15.5	7.8%
192	Montague clay, 0 to 2 percent slopes	81.5	40.8%
195	Montague variant clay, 0 to 9 percent slopes	80.1	40.1%
221	Salisbury cobbly loam, 0 to 9 percent slopes	19.5	9.8%
222	Settlemyer loam, 0 to 2 percent slopes	3.0	1.5%
240	Gravel pits	0.0	0.0%
Totals for Area of Interest		199.6	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it

Appendix C
U.S. Fish & Wildlife Service Species List



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Yreka Fish And Wildlife Office

1829 South Oregon Street

Yreka, CA 96097-3446

Phone: (530) 842-5763 Fax: (530) 842-4517



In Reply Refer To:

June 11, 2021

Consultation Code: 08EYRE00-2021-SLI-0102

Event Code: 08EYRE00-2021-E-00353

Project Name: Amen Subdivision

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies federally threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Please note that this list does not reflect State listed species or fulfill requirements related to any California Department of Fish and Wildlife consultation. Additionally, this list does not include species covered by the National Marine Fisheries Service (NMFS). For NMFS species please see the related website at the following link:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

If your project does not involve Federal funding or permits and does not occur on Federal land, we recommend you review this list and determine if any of these species or critical habitat may be affected. If you determine that there will be no effects to federally listed or proposed species or critical habitat, there is no need to coordinate with the Service. If you think or know that there will be effects, please contact our office for further guidance. We can assist you in incorporating measures to avoid or minimize impacts, and discuss whether permits are needed.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential effects to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and

implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

If wetlands, springs, or streams are known to occur in the project area or are present in the vicinity of the project area, we ask that you be aware of potential impacts project activities may have on these habitats. Discharge of fill material into wetlands or waters of the United States is regulated by the U.S. Army Corps of Engineers (ACOE) pursuant to section 404 of the Clean Water Act of 1972, as amended. We recommend you contact the ACOE's Regulatory Section regarding the possible need for a permit.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html).

Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

<http://>

The table below outlines lead Service field offices by county and land ownership/project type. Please refer to this table when you are ready to coordinate (including requests for section 7 consultation) with the field office corresponding to your project. Please send any documentation regarding your project to that office. Please note that the lead Service field office for your consultation may not be the office listed above in the letterhead. Please visit the following link to view a map of Service field office jurisdictional boundaries:

http://www.fws.gov/yreka/specieslist/JurisdictionalBoundaryES_R8_20150313.pdf

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of the letter you submit to our office along with any request for consultation or correspondence about your project.

Lead FWS offices by County and Ownership/Program

County	Ownership/Program	Species	Office Lead*
Alameda	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Alameda	All ownerships but tidal/estuarine	All	SFWO
Alpine	Humboldt Toiyabe National Forest	All	RFWO
Alpine	Lake Tahoe Basin Management Unit	All	RFWO
Alpine	Stanislaus National Forest	All	SFWO
Alpine	El Dorado National Forest	All	SFWO
Colusa	Mendocino National Forest	All	AFWO
Colusa	Other	All	By jurisdiction (see map)
Contra Costa	Legal Delta (Excluding ECCHCP)	All	BDFWO
Contra Costa	Antioch Dunes NWR	All	BDFWO
Contra Costa	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Contra Costa	All ownerships but tidal/estuarine	All	SFWO
Del Norte	All	All	AFWO
El Dorado	El Dorado National Forest	All	SFWO

El Dorado	LakeTahoe Basin Management Unit		RFWO
Glenn	Mendocino National Forest	All	AFWO
Glenn	Other	All	By jurisdiction (see map)
	All except Shasta Trinity National Forest	All	AFWO
Humboldt			
Humboldt	Shasta Trinity National Forest	All	YFWO
Lake	Mendocino National Forest	All	AFWO
Lake	Other	All	By jurisdiction (see map)
Lassen	Modoc National Forest	All	KFWO
Lassen	Lassen National Forest	All	SFWO
Lassen	Toiyabe National Forest	All	RFWO
Lassen	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
Lassen	BLM Alturas Resource Area	All	KFWO
Lassen	Lassen Volcanic National Park	All (includes Eagle Lake trout on all ownerships)	SFWO
Lassen	All other ownerships	All	By jurisdiction (see map)
Marin	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Marin	All ownerships but tidal/estuarine	All	SFWO
Mendocino	Russian River watershed	All	SFWO
Mendocino	All except Russian River watershed	All	AFWO
Modoc	Modoc National Forest	All	KFWO
Modoc	BLM Alturas Resource Area	All	KFWO

Modoc	Klamath Basin National Wildlife Refuge Complex	All	KFWO
Modoc	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
Modoc	All other ownerships	All	By jurisdiction (See map)
Mono	Inyo National Forest	All	RFWO
Mono	Humboldt Toiyabe National Forest	All	RFWO
	All ownerships but tidal/estuarine	All	SFWO
Napa			
Napa	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Nevada	Humboldt Toiyabe National Forest	All	RFWO
Nevada	All other ownerships	All	By jurisdiction (See map)
	Lake Tahoe Basin Management Unit	All	RFWO
Placer			
Placer	All other ownerships	All	SFWO
Sacramento	Legal Delta	Delta Smelt	BDFWO
Sacramento	Other	All	By jurisdiction (see map)
San Francisco	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
San Francisco	All ownerships but tidal/estuarine	All	SFWO
San Mateo	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO

San Mateo	All ownerships but tidal/estuarine	All	SFWO
San Joaquin	Legal Delta excluding San Joaquin HCP	All	BDFWO
San Joaquin	Other	All	SFWO
Santa Clara	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
Santa Clara	All ownerships but tidal/estuarine	All	SFWO
Shasta	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Shasta	Hat Creek Ranger District	All	SFWO
Shasta	Bureau of Reclamation (Central Valley Project)	All	BDFWO
Shasta	Whiskeytown National Recreation Area	All	YFWO
Shasta	BLM Alturas Resource Area	All	KFWO
Shasta	Caltrans	By jurisdiction	SFWO/AFWO
Shasta	Ahjumawi Lava Springs State Park	Shasta crayfish	SFWO
Shasta	All other ownerships	All	By jurisdiction (see map)
Shasta	Natural Resource Damage Assessment, all lands	All	SFWO/BDFWO
Sierra	Humboldt Toiyabe National Forest	All	RFWO
Sierra	All other ownerships	All	SFWO
Siskiyou	Klamath National Forest (except Ukonom District)	All	YFWO
Siskiyou	Six Rivers National Forest and Ukonom District	All	AFWO

Siskiyou	Shasta Trinity National Forest	All	YFWO
Siskiyou	Lassen National Forest	All	SFWO
Siskiyou	Modoc National Forest	All	KFWO
Siskiyou	Lava Beds National Volcanic Monument	All	KFWO
Siskiyou	BLM Alturas Resource Area	All	KFWO
Siskiyou	Klamath Basin National Wildlife Refuge Complex	All	KFWO
Siskiyou	All other ownerships	All	By jurisdiction (see map)
Solano	Suisun Marsh	All	BDFWO
Solano	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Solano	All ownerships but tidal/estuarine	All	SFWO
Solano	Other	All	By jurisdiction (see map)
Sonoma	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Sonoma	All ownerships but tidal/estuarine	All	SFWO
Tehama	Mendocino National Forest	All	AFWO
Tehama	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Tehama	All other ownerships	All	By jurisdiction (see map)
Trinity	BLM	All	AFWO
Trinity	Six Rivers National Forest	All	AFWO
Trinity	Shasta Trinity National Forest	All	YFWO

Trinity	Mendocino National Forest	All	AFWO
Trinity	BIA (Tribal Trust Lands)	All	AFWO
Trinity	County Government	All	AFWO
Trinity	All other ownerships	All	By jurisdiction (See map)
Yolo	Yolo Bypass	All	BDFWO
Yolo	Other	All	By jurisdiction (see map)
All	FERC-ESA	All	By jurisdiction (see map)
All	FERC-ESA	Shasta crayfish	SFWO
All	FERC-Relicensing (non-ESA)	All	BDFWO

***Office Leads:**

AFWO=Arcata Fish and Wildlife Office

BDFWO=Bay Delta Fish and Wildlife Office

KFWO=Klamath Falls Fish and Wildlife Office

RFWO=Reno Fish and Wildlife Office

YFWO=Yreka Fish and Wildlife Office

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Yreka Fish And Wildlife Office

1829 South Oregon Street

Yreka, CA 96097-3446

(530) 842-5763

Project Summary

Consultation Code: 08EYRE00-2021-SLI-0102

Event Code: 08EYRE00-2021-E-00353

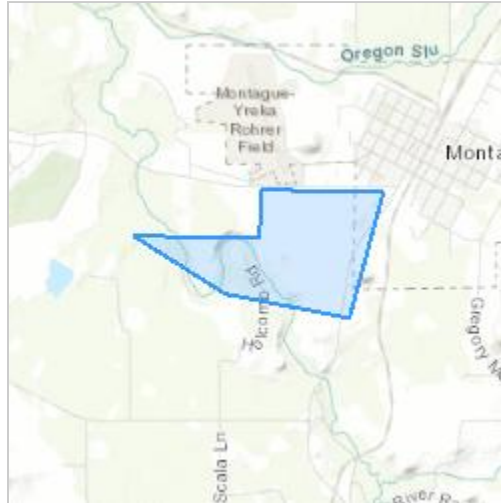
Project Name: Amen Subdivision

Project Type: DEVELOPMENT

Project Description: PM

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.7191514,-122.54476985470822,14z>



Counties: Siskiyou County, California

Endangered Species Act Species

There is a total of 10 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Northern Spotted Owl <i>Strix occidentalis caurina</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1123	Threatened
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

Amphibians

NAME	STATUS
Oregon Spotted Frog <i>Rana pretiosa</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/6633	Threatened

Fishes

NAME	STATUS
Lost River Sucker <i>Deltistes luxatus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5604	Endangered
Shortnose Sucker <i>Chasmistes brevirostris</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/7160	Endangered

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp <i>Branchinecta conservatio</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/8246	Endangered
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

Flowering Plants

NAME	STATUS
Gentner's Fritillary <i>Fritillaria gentneri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8120	Endangered
Yreka Phlox <i>Phlox hirsuta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8243	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Staff Report

Submission Date: March 21, 2022

To: Siskiyou County Airport Land Use Commission Secretary

From: Bernadette Cizin, Siskiyou County Planner

Subject: Proposed Tentative Parcel Map (TPM-20-07) Airport Land Use Consistency Review and Determination

Exhibits:

- A. Location Map
- B. Figure 3B – Compatibility Map
- C. Exhibit 7E – Noise Impacts Map
- D. Table 2A – Primary Compatibility Criteria
- E. Table 2B – Noise Compatibility Criteria
- F. Appendix D – Compatibility Guidelines for Specific Land Uses
- G. Appendix F1 – Typical Avigation Easement

Background

The Siskiyou County Planning Division is processing a tentative parcel map application (TPM-20-07) of an approximately 272.4-acre property located on Montague Road, south of Montague-Yreka Rohrer Field (Airport) on APNs: 013-400-250 and 013-410-060 (see Location Map - Exhibit A). The project is a proposed tentative parcel map to create 4 parcels ranging in size from 41 acres to 109 acres from three vacant parcels currently being utilized for livestock pasture. The agricultural and residential uses proposed as part of the plan are consistent with the Non-Prime and Prime Agricultural zoning districts.

Pursuant to the Siskiyou County Airport Land Use Compatibility Plan (Compatibility Plan) Section 1.5.2.(a), prior to approval of a Major Land Use Action, the project must be reviewed by the Airport Land Use Commission (ALUC) to determine whether or not the proposed land use is consistent with the Compatibility Plan. Section 1.5.2(d) provides that proposed land used actions shall be initially reviewed by the ALUC Secretary.

The ALUC Secretary has two choices of action when reviewing the proposed land use action (Section 2.3.2):

- a. Find that the proposed project does not contain characteristics likely to result in inconsistencies with the compatibility criteria set forth in this plan. The Secretary is authorized to approve such projects on behalf of the Commission.
- b. Find that the proposed project may be inconsistent with the Compatibility Plan. The Secretary shall forward any such project to the Commission for a consistency determination.

The principal compatibility concerns, as stated in the Compatibility Plan, are as follows:

- a. Exposure to aircraft noise;
- b. Land use safety with respect both to people on the ground and the occupants of aircraft;
- c. Protection of airport airspace; and
- d. General concerns related to aircraft overflights.

Analysis

The subject property is located within Zones A, B, C1 and D (see Compatibility Map - Exhibit B) and within the 55 and 60 community noise equivalent level (CNEL) contours as shown on the Compatibility Plan Exhibit 7E Noise Impacts map for the Airport (see Exhibit C). Primary compatibility criteria are detailed in Table 2A of the Compatibility Plan (see Exhibit D).

Noise: The locations of the CNEL contours are a factor in determining noise compatibility. However, they are not absolute determinants of the compatibility of a given land use. The extent of outdoor activity associated with the proposed land uses should be considered when evaluating compatibility. Compatibility Plan Table 2B (see Exhibit E) provides examples of acceptable noise levels for land uses in the Airport's vicinity. The allowed uses in the zoning district and proposed as part of the project have been evaluated against Table 2B and found to be Clearly Acceptable, Normally Acceptable, or Marginally Acceptable. There are no uses proposed that are classified as Clearly Unacceptable or Normally Unacceptable pursuant to Table 2B.

Safety: The main objective of land use safety compatibility criteria is to minimize the risks associated with an off-airport aircraft accident or emergency landing. The risks associated with both people and property in the vicinity of the Airport and to people on board aircraft shall be considered. In areas with greater risk, more stringent land use controls shall be applied.

Limiting the number of people on the ground is the principal means to reducing risks to people on the ground. Additionally, land uses in which the occupants have reduced mobility or an inability to respond to emergency situations are of concern and shall be prohibited within Zone A, B and C1. The proposed tentative parcel map identifies the residential building sites located in Zones B and C1 .

Other risks include the storage of fuel or other hazardous materials. To minimize that risk, bulk storage (greater than 2,000 gallons) of nonaviation flammable materials and above ground storage of fuel or other hazardous materials shall be prohibited. A note stating 'Uses that involve the bulk storage of fuels, lubricants, flammables, or explosives are expressly prohibited' shall be included on the recorded map as a Condition of Approval for TPM-20-07 when presented to the Siskiyou County Planning Commission for consideration.

Airspace Protection: Height limits are based on Federal Aviation Regulations (FAR) and the United States Standard for Terminal Instrument Procedures (TERPS). All residential and accessory structures are prohibited within Zone A. Within Zone B, objects up to 35 feet tall are acceptable and do not require ALUC review for purposes of height factors. Even though the Zoning districts (Prime Agricultural and Non-Prime Agricultural) allow for residential structures up to 40 feet tall on one-acre or larger lots, any proposed object taller than 35 feet will require ALUC review. A note on the recorded map of the height limitations and ALUC review will be included as a Condition of Approval for TPM-20-07 when presented to the Siskiyou County Planning Commission for consideration.

An aviation easement is required for any property within Zone A or B, or within a Height Review Overlay Zone (see Exhibit G). The aviation easement provides airspace protection by providing the right of flight in the airspace above the property; allows for the generation of noise and other impacts associated with the aircraft overflight; restricts the height of structures, trees, and other objects; permits access to the property for the removal or aeronautical marking of objects exceeding the established height limit; and prohibits electrical interference, glare, and other potential hazards to flight from being created on the property. The recording of an aviation easement will be included as a Condition of Approval for TPM-20-07 when presented to the Siskiyou County Planning Commission for consideration.

Federal Aviation Administration (FAA) notification is required pursuant to FAR Part 77, Subpart B and by the State Aeronautics Act, Sections 21658 and 21659. As required by the Compatibility Plan, the project proponents were notified of FAA requirements for notification to the FAA. Should any future projects require FAA notification, compatibility review by the ALUC may not be necessary if the future project is otherwise in conformance with the compatibility criteria established with approval of this proposed tentative parcel map.

Any use that may result in hazards to flight, including physical, visual, and electronic forms of interference, or uses that may cause the attraction of birds are expressly prohibited. Characteristics to be avoided include:

- a. Glare or distracting lights which could be mistaken for airport lights;
- b. Sources of dust, steam, or smoke which may impair pilot visibility;
- c. Sources of electrical interference with aircraft communications or navigations; and
- d. Any use, especially landfills and certain agricultural uses, which may attract large flocks of birds.

Overflights: Concerns related to overflight compatibility generally encompass noise and safety issues. Frequency of overflights, the altitude at which they are taking place, the noise levels of the individual aircraft and the characteristic of the noise (e.g. helicopter vs. fixed wing, with helicopter noise being more intrusive), and perceived necessity of the noise (e.g. fire attack aircraft being considered more acceptable) are the principal determinants where overflights are considered to be a potential concern.

Through the recording of the avigation easement, mentioned above, perspective future purchasers of this property would be notified of the proximity of the Airport and the potential for overflight noise and safety concerns.

Environmental Review

The recommended action has been determined to not be subject to the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15060(c)(3), which states that an activity is not subject to CEQA if it will not result in a direct or reasonably foreseeable direct physical impact on the environment; and if the activity is not a project as defined in CEQA Guidelines Section 15378.

Recommended Action

- Determine that ALUC action on TPM-20-07 is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3), which states that an activity is not subject to CEQA if the activity is not a project as defined in CEQA Guidelines Section 15378; and
- Determine the proposed Tentative Parcel Map (TPM-20-07) consistent with the Compatibility Plan based on the recommended findings and subject to the recommended conditions of approval.

ALUC Secretary Approval

Based on the findings contained within this staff report, the Secretary of the Siskiyou County Airport Land Use Commission finds the consistency review and determination of TPM-20-07 to not be subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) which states that an activity is not subject to CEQA if the activity is not a project as defined in CEQA Guidelines Section 15378 and Finds Tentative Parcel Map TPM-21-07 consistent with the Siskiyou County Airport Land Use Compatibility Plan.

Approved by:

County of Siskiyou
Airport Land Use Commission



Hailey Lang
Secretary of the Airport Land Use Commission

3-21-22

Date of Approval

Preparation: Prepared by the Siskiyou County Planning Division (B. Cizin) on March 21, 2022. Copies are available for review at Siskiyou County Planning, 806 S. Main Street, Yreka, California.

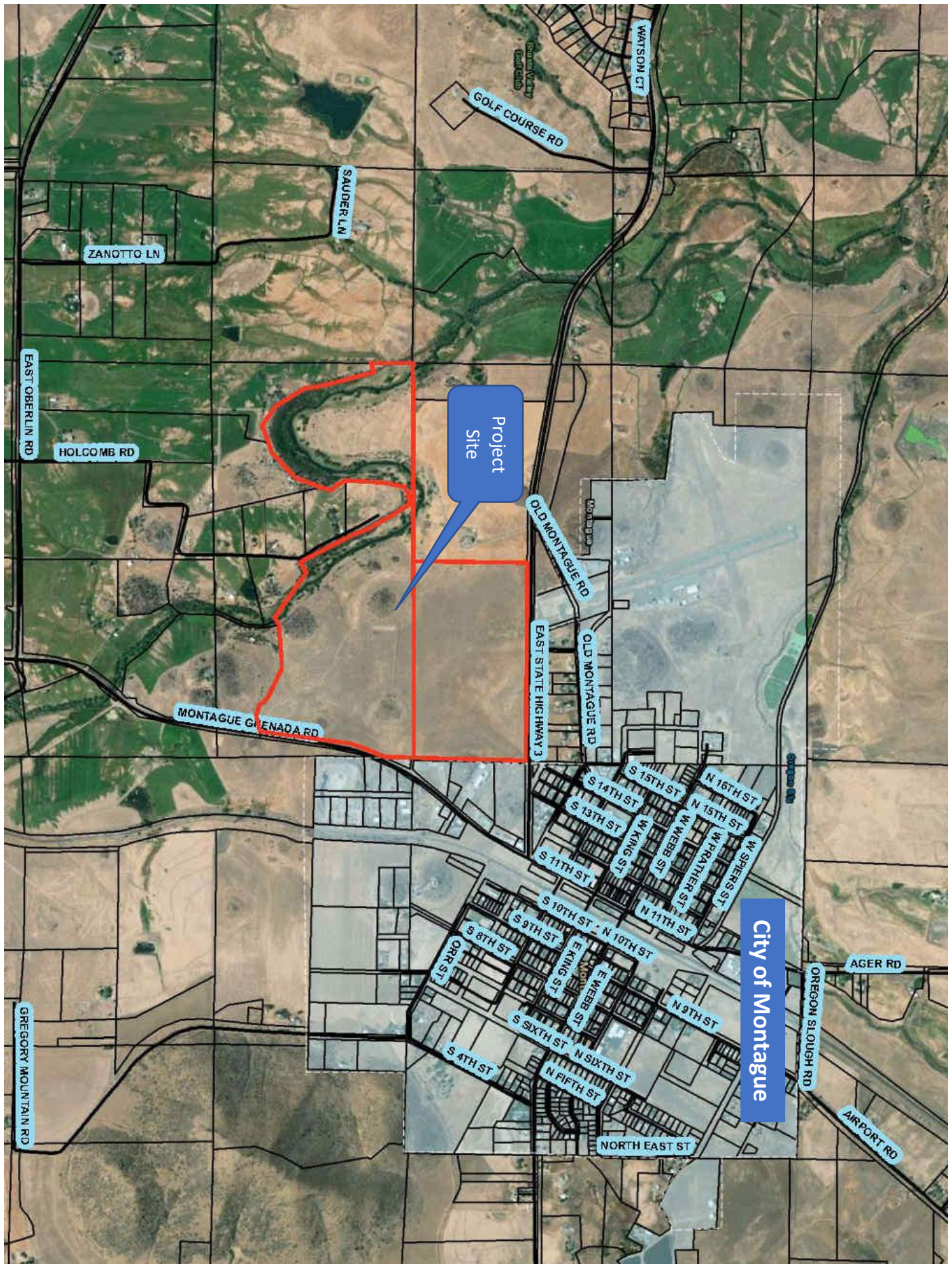
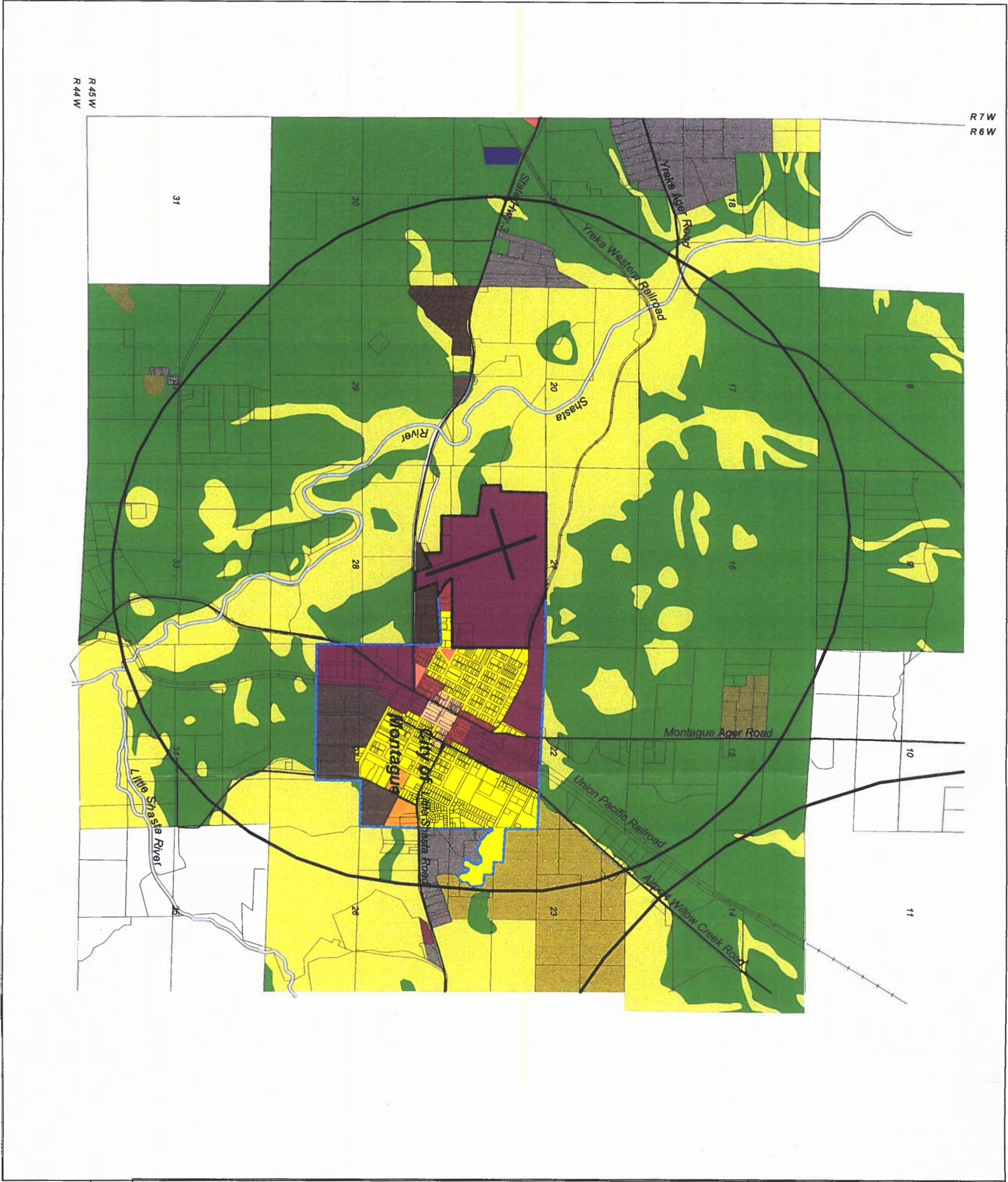


Exhibit B - April 20, 2022, PC Staff Report Packet



Zoning District

Siskiyou County

- C-C: Town Center
- M-M: Light Industrial
- M-H: Heavy Industrial
- P-D: Planned Development
- R-R: Rural Residential
- R-R: Rural Residential (2 1/2-acre minimum)
- R-R: Rural Residential (5-acre minimum)
- AG-1: Prime Agricultural
- AG-2: Non-Prime Agricultural (20-acre minimum)
- AG-2: Non-Prime Agricultural (10 d.u./acre)
- AG-2: Non-Prime Agricultural (40-acre minimum)

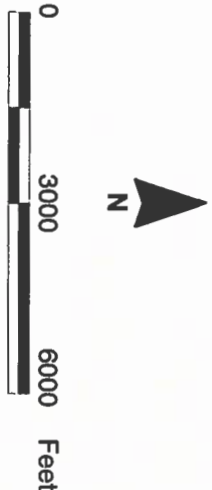
City of Montague

- C-2: General Commercial
- M: Industrial
- C-1: Retail Commercial
- Mobile Home
- R-1: Low Density Residential (4 d.u./acre)
- R-2: Medium Density Residential (10 d.u./acre)
- R-3: High Density Residential (17 d.u./acre)
- RAG: Residential Agricultural (2 1/2-acre minimum)

Boundary Lines

- Airport Influence Area
- Airport Property Line
- Montague City Limits

Note: Boundary between AG-1 and AG-2 zones is approximate.



Source: Summarized from data provided by Siskiyou County Planning Department and City of Montague (July 2001)

Exhibit 7G

Airport Vicinity Zoning
Montague-Yreka Rohrer Field



Exhibit 7E

Noise Impacts
Montague-Yreka Rohrer Field

Zone	Location	Maximum Densities		Additional Criteria	
		Residential (du/ac) ¹	Other Uses (people/ac) ²	Prohibited Uses ³	Other Development Conditions ⁴
A	Runway Protection Zone or within Bldg. Restriction Line	0	10	▶ All structures except ones with location set by aeronautical function ▶ Assemblages of people ▶ Objects exceeding FAR Part 77 height limits ▶ Aboveground bulk storage of hazardous materials ▶ Hazards to flight ⁵	▶ Avigation easement dedication
B	Approach/Departure Zone and Adjacent to Runway	0.2 (5-acre parcel)	25	▶ Children's schools, ⁶ day care centers, ⁷ libraries ▶ Hospitals, nursing homes ▶ Highly noise-sensitive uses (e.g. outdoor theaters) ▶ Aboveground bulk storage of hazardous materials ⁸ ▶ Hazards to flight ⁵	▶ Locate structures maximum distance from extended runway centerline ▶ Airspace review required for all objects ⁹ ▶ Avigation easement dedication
C1	Common Traffic Pattern (rural areas)	0.4 (2½-acre parcel)	75	▶ Children's schools, ⁶ day care centers, ⁷ libraries ▶ Hospitals, nursing homes ▶ Hazards to flight ⁵	▶ Deed notice required ▶ Airspace review required for objects >50 feet tall
C2	Common Traffic Pattern (existing urbanized areas near low-activity airports)	5	75	▶ Hazards to flight ⁵	▶ Avoid children's schools, day care centers, libraries, hospitals, nursing homes in areas closest to extended runway centerline ▶ Airspace review required for objects >50 feet tall
D	Other Airport Environs	No Limit	No Limit	▶ Hazards to flight ⁵	▶ Airspace review required for objects >150 feet tall
*	Height Review Overlay	Same as Underlying Compatibility Zone		Same as Underlying Compatibility Zone	▶ Airspace review required for all objects >35 feet tall ⁹ ▶ Avigation easement dedication

Table 2A

Primary Compatibility Criteria

Siskiyou County Airport Land Use Compatibility Plan

Land Use Category	CNEL (dB)				
	50-55	55-60	60-65	65-70	70-75
<i>Residential</i>					
single-family, nursing homes, mobile homes	++	+	o	--	--
multi-family, apartments, condominiums	++	+	o	--	--
<i>Public</i>					
schools, libraries, hospitals	+	o	-	--	--
churches, auditoriums, concert halls	+	o	o	-	--
transportation, parking, cemeteries	++	++	++	+	o
<i>Commercial and Industrial</i>					
offices, retail trade	++	+	o	o	-
service commercial, wholesale trade, warehousing, light industrial	++	++	+	o	o
general manufacturing, utilities, extractive industry	++	++	++	+	+
<i>Agricultural and Recreational</i>					
cropland	++	++	++	++	+
livestock breeding	++	+	o	o	-
parks, playgrounds, zoos	++	+	+	o	-
golf courses, riding stables, water recreation	++	++	+	o	o
outdoor spectator sports	++	+	+	o	-
amphitheaters	+	o	-	--	--

Land Use	Acceptability	Interpretation/Comments
++	<i>Clearly Acceptable</i>	The activities associated with the specified land use can be carried out with essentially no interference from the noise exposure.
+	<i>Normally Acceptable</i>	Noise is a factor to be considered in that slight interference with outdoor activities may occur. Conventional construction methods will eliminate most noise intrusions upon indoor activities.
o	<i>Marginally Acceptable</i>	The indicated noise exposure will cause moderate interference with outdoor activities and with indoor activities when windows are open. The land use is acceptable on the conditions that outdoor activities are minimal and construction features which provide sufficient noise attenuation are used (e.g., installation of air conditioning so that windows can be kept closed). Under other circumstances, the land use should be discouraged.
-	<i>Normally Unacceptable</i>	Noise will create substantial interference with both outdoor and indoor activities. Noise intrusion upon indoor activities can be mitigated by requiring special noise insulation construction. Land uses which have conventionally constructed structures and/or involve outdoor activities which would be disrupted by noise should generally be avoided.
--	<i>Clearly Unacceptable</i>	Unacceptable noise intrusion upon land use activities will occur. Adequate structural noise insulation is not practical under most circumstances. The indicated land use should be avoided unless strong overriding factors prevail and it should be prohibited if outdoor activities are involved.

Siskiyou County Airport Land Use Compatibility Plan (Adopted July 10, 2001)

Table 2B

Noise Compatibility Criteria

Siskiyou County Airport Land Use Compatibility Plan

Compatibility Guidelines for Specific Land Uses

Siskiyou County Airport Land Use Compatibility Plan

The compatibility evaluations listed below for specific types of land uses can be used by Siskiyou County and any other affected jurisdictions as guidelines in implementation of the general compatibility criteria listed in Table 2A. These evaluations are not regarded as adopted ALUC policies or criteria. In case of any conflicts between these evaluations of specific land uses and the policies and criteria in Chapters 2 and 3 of this document, the contents of Chapters 2 and 3 shall prevail.

Land Use	Compatibility Zones				
	A	B	C1	C2	D
Agricultural Uses					
Truck and Specialty Crops	0	+	+	+	+
Field Crops	0	+	+	+	+
Pasture and Rangeland	0	+	+	+	+
Vineyards	0	+	+	+	+
Orchards	-	0	+	+	+
Dry Farm and Grain	0	+	+	+	+
Tree Farms, Landscape Nurseries and Greenhouses	-	0	+	+	+
Fish Farms	-	0	+	+	+
Feed Lots and Stockyards	-	0	+	+	+
Poultry Farms	-	0	+	+	+
Dairy Farms	-	0	+	+	+
Natural Uses					
Fish and Game Preserves	0	0	0	0	0
Land Preserves and Open Space	0	+	+	+	+
Flood and Geological Hazard Areas	0	+	+	+	+
Waterways: Rivers, Creeks, Canals, Wetlands, Bays, Lakes	0	0	0	0	+

-
- Incompatible
 - 0 Potentially compatible with restrictions (see Table 2A)
 - + Compatible

Land Use	Compatibility Zones				
	A	B	C1	C2	D
Residential					
Rural Residential (1 du / 5 acres)	-	+	+	+	+
Rural Residential (1 du / 2½ acres)	-	-	+	+	+
Single-Family Residential (1 du / acre)	-	-	-	+	+
Single-Family Residential (5 du / acre)	-	-	-	+	+
Multi-Family Residential (>5 du / acre)	-	-	-	-	+
Mobile Home Parks	-	-	-	-	+
Institutional					
Schools, Colleges and Universities	-	-	-	-	+
Day Care Centers	-	-	-	0	+
Hospitals and Residential Care Facilities	-	-	-	-	+
Recreational					
Golf Courses	0	0	+	+	+
Parks - low intensity; no group activities	0	+	+	+	+
Playgrounds and Picnic Areas	-	0	0	+	+
Athletic Fields	-	0	0	+	+
Riding Stables	-	0	+	+	+
Marinas and Water Recreation	-	0	+	+	+
Health Clubs and Spas	-	-	0	0	+
Tennis Courts	-	0	+	+	+
Swimming Pools	-	0	0	0	+
Fairgrounds and Race Tracks	-	-	-	-	+
Resorts and Group Camps	-	-	0	0	+
Industrial					
Research and Development Laboratories	-	0	0	+	+
Warehouses and Distribution Facilities	-	0	+	+	+
Manufacturing and Assembly	-	0	0	0	+
Cooperage and Bottling Plants	-	0	+	+	+
Printing, Publishing and Allied Services	-	0	+	+	+
Chemical, Rubber and Plastic Products	-	-	0	0	+
Food Processing	-	-	0	0	+

-
- Incompatible
 - 0 Potentially compatible with restrictions (see Table 2A)
 - + Compatible

Land Use	Compatibility Zones				
	A	B	C1	C2	D
Commercial Uses					
Low-Intensity Retail (e.g., auto, furniture sales)	-	0	+	+	+
Retail Stores (one story)	-	0	0	0	+
Retail Stores (two story)	-	-	0	0	+
Large Shopping Malls (500,000+ sq. ft.)	-	-	-	0	+
Restaurants and Drinking Establishments (no take-out)	-	0	0	0	+
Food Take-Outs	-	-	-	0	+
Auto and Marine Services	-	0	+	+	+
Building Materials, Hardware and Heavy Equipment	-	0	+	+	+
Office Buildings (one story)	-	0	+	+	+
Multiple-Story Retail, Office and Financial	-	-	0	0	+
Banks and Financial Institutions	-	0	0	+	+
Repair Services	-	0	0	+	+
Gas Stations	-	0	0	+	+
Government Services / Public Buildings	-	0	0	+	+
Motels (one story)	-	-	0	0	+
Hotels and Motels (two story)	-	-	0	0	+
Theaters, Auditoriums and Assembly Halls	-	-	0	0	+
Outdoor Theaters	-	-	-	0	+
Memorial Parks / Cemeteries	-	+	+	+	+
Truck Terminals	-	+	+	+	+
Transportation, Communications and Utilities					
Aircraft Storage	0	+	+	+	+
Automobile Parking	0	+	+	+	+
Highway and Street Right-of-Ways	0	+	+	+	+
Railroad and Public Transit Facilities	0	+	+	+	+
Taxi, Bus and Train Terminals	-	0	+	+	+
Reservoirs	-	0	0	0	+
Power Lines	-	0	0	0	+
Water Treatment Facilities	-	0	+	+	+
Sewage Treatment and Disposal Facilities	-	0	0	0	+
Electrical Substations	-	0	0	0	+
Power Plants	-	-	0	0	+
Sanitary Landfills	-	-	-	-	0

-
- Incompatible
 - 0 Potentially compatible with restrictions (see Table 2A)
 - + Compatible

This indenture made this ____ day of _____, 19 __, between _____ hereinafter referred to as Grantor, and the [Insert County or City name], a political subdivision in the State of California, hereinafter referred to as Grantee.

The Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual and assignable easement over the following described parcel of land in which the Grantor holds a fee simple estate. The property which is subject to this easement is depicted as _____ on "Exhibit A" attached and is more particularly described as follows:

[Insert legal description of real property]

The easement applies to the Airspace above an imaginary plane over the real property. The plane is described as follows:

The imaginary plane above the hereinbefore described real property, as such plane is defined by Part 77 of the Federal Aviation Regulations, and consists of a plane [describe approach, transition, or horizontal surface]; the elevation of said plane being based upon the _____ Airport official runway end elevation of ____ feet Above Mean Sea Level (AMSL), as determined by [Insert name and Date of Survey or Airport Layout Plan that determines the elevation] the approximate dimensions of which said plane are described and shown on Exhibit A attached hereto and incorporated herein by reference.

The aforesaid easement and right-of-way includes, but is not limited to:

- (1) For the use and benefit of the public, the easement and continuing right to fly, or cause or permit the flight by any and all persons, or any aircraft, of any and all kinds now or hereafter known, in, through, across, or about any portion of the Airspace hereinabove described; and
- (2) The easement and right to cause or create, or permit or allow to be caused or created within all space above the existing surface of the hereinabove described real property and any and all Airspace laterally adjacent to said real property, such noise, vibration, currents and other effects of air, illumination and fuel consumption as may be inherent in, or may arise or occur from or during the operation of aircraft of any and all kinds, now or hereafter known or used, for navigation of or flight in air; and
- (3) A continuing right to clear and keep clear from the Airspace any portions of buildings, structures, or improvements of any kinds, and of trees or other objects, including the right to remove or demolish those portions of such buildings, structures, improvements, trees, or other things which extend into or above said Airspace, and the right to cut to the ground level and remove, any trees which extend into or above the Airspace; and
- (4) The right to mark and light, or cause or require to be marked or lighted, as obstructions to air navigation, any and all buildings, structures, or other improvements, and trees or other objects, which extend into or above the Airspace; and
- (5) The right of ingress to, passage within, and egress from the hereinabove described real property, for the purposes described in subparagraphs (3) and (4) above at reasonable times and after reasonable notice.

Appendix F1

Typical Avigation Easement

For and on behalf of itself, its successors and assigns, the Grantor hereby covenants with the [Insert County or City name], for the direct benefit of the real property constituting the _____ Airport hereinafter described, that neither the Grantor, nor its successors in interest or assigns will construct, install, erect, place or grow in or upon the hereinabove described real property, nor will they permit to allow, any building structure, improvement, tree or other object which extends into or above the Air-space, or which constitutes an obstruction to air navigation, or which obstructs or interferes with the use of the easement and rights-of-way herein granted.

The easements and rights-of-way herein granted shall be deemed both appurtenant to and for the direct benefit of that real property which constitutes the _____ Airport, in the [Insert County or City name], State of California; and shall further be deemed in gross, being conveyed to the Grantee for the benefit of the Grantee and any and all members of the general public who may use said easement or right-of-way, in landing at, taking off from or operating such aircraft in or about the _____ Airport, or in otherwise flying through said Airspace.

This grant of easement shall not operate to deprive the Grantor, its successors or assigns, of any rights which may from time to time have against any air carrier or private operator for negligent or unlawful operation of aircraft.

These covenants and agreements run with the land and are binding upon the heirs, administrators, executors, successors and assigns of the Grantor, and, for the purpose of this instrument, the real property firstly hereinabove described is the servient tenement and said _____ Airport is the dominant tenement.

DATED: _____

STATE OF }
 ss
 COUNTY OF }

On _____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____, and _____ known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

 Notary Public

Resolution PC 2022-008

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the Amen Tentative Parcel Map (TPM-20-07).

Whereas, an application has been received from Ivar Amen to subdivide three existing legal parcels (APNs 013-400-250 AND 013-410-060) into one 109-acre parcel, one 77-acre parcel and two 41-acre parcels; and

Whereas, a Tentative Parcel Map was prepared for the project as required by Section 10-4.501.1 of the Siskiyou County Code; and

Whereas, the project site is developed with agricultural uses; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on April 6, 2022; and

Whereas, public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

Whereas, comments received on the project resulted in conditions of approval being recommended by staff; and

Whereas, the Planning Division recommended that the project be determined exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301(c), 15303(a), 15303(e) and 15304; and

Whereas, the Planning Division presented its oral and written staff report on the Amen Parcel Map (TPM-20-07) at a regular meeting of the Planning Commission on April 20, 2022; and

Whereas, there is no substantial evidence, in light of the whole record before the County, that the proposed tentative parcel map would have a significant effect on the environment; and

Whereas, on April 20, 2022, the chair of the Planning Commission opened the duly noticed public hearing on the Amen Tentative Parcel Map (TPM-20-07) to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the project prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A-2 of the written staff report referenced hereto and incorporated herein; and

Be It Further Resolved that the Planning Commission, based on the evidence in the record and the findings set forth in Exhibit A-2 referenced hereto and incorporated herein, hereby takes the following actions on the Amen Tentative Parcel Map (TPM-20-07):

1. Determines the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301(c), 15303(a), 15303(e), and 15304; and
2. Approves the Amen Tentative Parcel Map (TPM-20-07), subject to the notations and conditions of approval contained in Exhibit A-1 to this resolution referenced hereto and incorporated herein.

It is Hereby Certified that the foregoing Resolution PC-2022-008 was duly adopted on a motion by Commissioner Fowle and seconded by Commissioner Hart at a regular meeting of the Siskiyou County Planning Commission held on the 20th day of April 2022 by the following vote:

Ayes: Commissioners Hart, Melo, Fowle, Veale and Lindler

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission



Danielle Lindler, Chair

Witness, my hand and seal this 20th day of April 2022



Hailey Lang, Secretary of the Commission

Attachments:

Exhibit A-1: Notations and Recommended Conditions of Approval

Exhibit A-2: Recommended Findings

Exhibit A-1 to Resolution PC-2022-008
Notations and Recommended Conditions of Approval

Notations

1. Within ten (10) days following the date of the decision of the Siskiyou County Planning Commission, the decision may be appealed to the Siskiyou County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
2. Upon determination of the categorical exemption(s), a check in the amount of \$50 made payable to the Siskiyou County Clerk and submitted to the Siskiyou County Planning Division is necessary in order to file the Notice of Exemption. Failure to file the Notice of Exemption extends the statute of limitations for legal challenges to the categorical exemption from 35 days to 180 days.

Conditions of Approval

1. The project shall substantially conform to the project description and tentative parcel map as approved by the Planning Commission on April 20, 2022. Any proposed amendment(s) shall be submitted to the Deputy Director of Planning. Minor amendments shall be considered by the Community Development Director. Major amendments shall be considered by the Planning Commission.
2. The final parcel map(s) shall be developed in accordance with the submitted tentative parcel map dated July 27, 2020.
3. The dedication and recording of an aviation easement as required by Siskiyou County Code in Section 10-1.10(b).
4. A Taxes and Assessments Certificate shall be obtained from the County Assessor's Office, signed off by the County Tax Collector, and submitted with the legal descriptions for recording.
5. The engineer or surveyor for the applicant shall submit two copies of the final parcel map to the Planning Division to the satisfaction of the Planning Director and Environment Health Director for review and processing along with the applicable review fees as required by the adopted fee schedule.
6. The applicant shall comply with all adopted rules and regulations of the Siskiyou County Public Works Department, Environmental Health Division, Community Development Department, and all other local and state regulatory agencies.
7. Future development shall be required to comply with all applicable statutory requirements of the fire safe standards enacted pursuant to Public Resources Code Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, as they exist at the time the development is proposed.

8. A One Hundred and fifty foot (150') "no structures" area, with the exception of a pre-existing pump station, and a fifty foot (50') "no-disturbance" buffer, with the exception of fencing, shall be placed on the final parcel map along the Shasta River. This buffer should be measured from the top of bank.
9. A "Construction Avoidance Area" shall be placed on the final parcel map the irrigated pasture that has yielded a man-made wetland at the northwestern corner of the property within Lot 1.
10. A "Construction Avoidance Area" shall be placed on the final parcel map along the rock mounds located on the property.

11. A note shall be added to the final parcel map stating,

If vegetation removal will occur or construction will be initiated during the nesting season for birds (February 1 through August 31), a qualified biologist shall conduct a preconstruction survey seven days before construction activities begin. If nesting birds are found, CDFW will be notified and consulted. An appropriate buffer, as determined by CDFW and the qualified biologist, will be placed around the nest until the young have fledged.

If an active raptor nest is found during surveys, no construction activities shall occur within 250 feet of the nest unless a smaller buffer zone is approved by CDFW. Construction may resume once the young have left the nest or as approved by the qualified biologist.

12. A note shall be added to the final parcel map stating,

*A pre-construction Rare Plant Survey will be completed for alkali hymenoxys (*Hymenoxys lemmonii*) during the flowering period (June – August) in any areas where development of roads or buildings would occur if development is to occur within potential habitat areas for the species (existing roadsides, open meadows).*

13. The applicant shall obtain a Caltrans encroachment permit.
14. The road from Highway 3 to Proposed Parcels 1 and 2 shall be constructed directly across from Airport Road.

15. A note shall be added to the final parcel map stating,

The property owner should be advised that Caltrans encroachment permits are non-transferable. A Caltrans encroachment permit is required to utilize and maintain the highway connection. The encroachment permit records the change in ownership and assigns the maintenance responsibilities for the connection to the current owner. For more information regarding encroachment permit fees or the encroachment permit process, the owner/applicant may contact the District 2 Permits Office located at 1657 Riverside Drive in Redding. The telephone number is (530) 225-3400. Encroachment permit applications are also available from the Caltrans website at www.dot.ca.gov.

16. An Avigation Easement shall be recorded prior to the recordation of the final map.

17. A note shall be added to the final parcel map stating,

Any proposed object taller than 35 feet will require ALUC review.

18. All Conditions of Approval must be completed, and the Final Parcel Map shall be recorded within 24 months of the date of approval unless a request for a time extension is made prior to the expiration date pursuant to Section 10-4.401.8.2 of the Siskiyou County Code.

19. The applicant shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding (collectively, "Action") against the County, its agents (including consultants), officers, or employees to attack, set aside, void, or annul the approvals, or any part thereof, or any decision, determination, or Action, made or taken approving, supplementing, or sustaining the project or any part thereof, or any related approvals or project conditions imposed by the County or any of its agencies, departments, commissions, agents (including consultants), officers, or employees, concerning the project, or to impose personal liability against such agents (including consultants), officers, or employees resulting from their non-negligent involvement in the project, which action is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party from the County. Said responsibilities shall be pursuant to the County's standard Agreement for Indemnification in effect at the time of application approval or Agreement for Indemnification if signed and effective prior to the date the application is approved. In the event that the applicant fails to comply with the terms of the applicable agreement, the applicant does hereby consent and agree to all remedies in said agreement and does hereby agree and consent to the County rescinding all applicable project approvals.

20. Cubic Feet Per Second (CFS) per parcel will be specified within existing water rights, working with Scott and Shasta Water Master District, where necessary, delineating the means of conveyance, associated easement, and maintenance agreement as applied to the point of conversion, pumping station.

Findings

Tentative Parcel Map / Subdivision Map Act

In accordance with Government Code Sections 66412.3, the Planning Commission finds:

1. Local agencies shall consider the effect of the approval or denial on the housing needs of the region in which the local jurisdiction is situated and balance these needs against the public service needs of its residents and available fiscal and environmental resources.

The project site is located in the Non-Prime Agricultural, 40-acre minimum parcel size, (AG-2--B-40) and Prime Agricultural, 80-acre minimum parcel size, (AG-1-B-80) zoning districts where residential uses can be compatibly mixed with commercial agricultural activities, and prime commercial agricultural activities can include single-family dwellings and farm labor housing. One single-family dwelling unit and one accessory dwelling unit is allowed per parcel. Therefore, the proposed subdivision will potentially have a positive net effect on the local housing supply by potentially adding eight dwelling units, with the additional possibility of farm labor housing. Adequate groundwater exists in the area for new dwelling units, and the sites have already designated septic system locations. Fire and police service are within 5 miles of the project site and the project will not detrimentally impact available fiscal resources.

2. The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The resultant parcels would be a minimum of 41-acres in size and would feasibly allow the use of future solar passive heating and cooling with appropriate site design.

In accordance with Government Code Section 66424.6 and 66452, the Planning Commission finds:

3. The tentative parcel map was submitted as required pursuant to the above sections and included the required information.

In accordance with Government Code Section 66473.5, the Planning Commission finds:

4. The subdivision is consistent with the General Plan.

The subdivision is consistent with all General Plan policies as set forth in the section titled General Plan Consistency Findings below.

In accordance with Government Code Section 66474, the Planning Commission finds:

5. That the proposed map is consistent with applicable general and specific plans.

The map and project are consistent with the General Plan as set forth in the section titled General Plan Consistency Findings below and detailed by the Staff Report dated April 18, 2022.

6. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The subdivision does not include new improvements which are inconsistent with the General Plan. No specific plan exists for this area.

7. That the site is physically suitable for the type of development.

The project is designed within the density limits of the AG-1 and AG-2-B-40, which both allow for parcels with a minimum of 40 acres. The property is mainly flat with a mild southerly slope. The predominant soils located on the project site are several variations of Montague clay and Salisbury loam in the farmed areas and Settlemeyer loam, 0-2% slopes along the river. The potential for erosion hazards has been evaluated as slight. Therefore, the site is physically suitable for the type of development that would be allowed.

8. That the site is physically suitable for the proposed density of development.

There are no existing physical conditions on the site that appear to prohibit the already-entitled non-prime agricultural and prime agricultural zoning districts density requirement.

9. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the subdivision proposes to create four parcels from three parcel. Should development occur in the future, it would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat due to the size, scale, and intensity of this project.

10. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

The subdivision will not cause serious public health problems in that any future development will be served by private sewer and water, the access to and circulation within the site is acceptable to the Department of Forestry and Fire Protection (Cal Fire), and any future development will be required to comply with the California Building Code.

In accordance with Siskiyou County Code Section 10-4.105.3, and Section 10-6.5501, the Planning Commission finds:

1. That the minimum lot size shall be 40 acres when water from an approved system is provided.

The four proposed parcels are designed with acreages of 41-acres or larger. All exceed the minimum parcel sizes for their zoning districts.

2. That the depth of any lot shall not exceed three (3) times the width on lots of 300 feet or less in width nor exceed four (4) times the width on lots exceeding 300 feet in width.

All resultant parcels meet or exceed the required 600 foot frontage lot width, as an allowed exception to this requirement.

3. That the lot side lines shall be at approximately right angles or radial to street or road lines.

The two proposed parcels are designed with lot side lines that are at approximate right angles to State Highway 3 and Grenada Montague Road.

4. No lot shall have double frontage unless otherwise approved by the Planning Commission.

No resultant parcels would have double frontage.

5. That no lot shall be divided by city, County, school district, or other taxing agency lines.

The resultant parcels will not be divided by a taxing agency line.

Zoning Consistency Findings

1. The proposed tentative parcel map, as recommended for approval, is in conformance with the applicable policies of the Siskiyou County General Plan and County Code as documented herein.
2. The Planning Commission has considered all written and oral comments received and based on its analysis of the public testimony and staff's analysis, the Commission has determined that the project as designed and conditioned would be compatible with existing and planned uses of the area.

General Plan Consistency Findings

Composite Overall Policies

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

The neighboring parcels are zoned for rural residential agricultural and prime agricultural uses and are partially developed. The project site is also zoned for the same rural residential and prime agricultural uses and no new uses are proposed as part of this project. As such, this project is 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.

The existing agricultural use of the land is not proposed to change as part of this project, and as such will clearly 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, fire hazard or any other resource or environmentally related problems.

No new development is proposed as part of this project, however the creation of four new parcels could allow the possibility of a higher density of development. All proposed parcels have approved septic system locations and there is adequate groundwater in the area to serve the proposed parcels. Any future development is required to meet Building Code requirements for erosion and runoff. The project site has access from Highway 3, a public road, Montague Grenada Road, a public road. All future development would be required to meet fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning.

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.

Each proposed parcel has approved on-site sewage disposal system location.

Policy 41.7 Evidence of water quality and quantity acceptable to the Siskiyou County Health Department must be submitted prior to development approval.

Proposed parcels, Lots 2 and 4 each have a groundwater well. Prior to development of the four proposed parcels, evidence of water quality and quantity is required.

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 acceptable central sewer system serving 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 land uses permitted that will meet minimum water quality and quantity requirements, and the requirements of the county's flood plain management ordinance.

A sewage disposal site has been identified for any future development on each proposed Parcel. All proposed parcels meet the Environmental Health density standard.

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.

The four new proposed parcels have direct access to public roads. Any future development, including driveways, is required to be built or upgraded to comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning. Upon compliance with the condition of approval, the access will be adequate to accommodate the immediate and cumulative traffic impacts of the project.

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.

Staff has reviewed all Land Use Element policies and has determined that the project is consistent with the Siskiyou County General Plan as documented herein.

Map 4 Soils: Severe Septic Tank Limitations

Policy 9 – The minimum parcel size shall be one acre on zero to 15 percent slopes and five acres on 16 to 29 percent slopes.

The resultant parcels all exceed 40 acres in size and are consistent with this General Plan Policy.

Policy 10 – Single-family residential, heavy, or light industrial, heavy or light commercial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses may only be permitted. The permitted density will not create erosion or sedimentation problems.

No new development or land uses are proposed as part of this project. The project site is developed with agricultural uses. All future uses and development would be required to comply with the requirements of the County's Zoning Ordinance for the AG-1 and AG-2-B-40 zoning districts, which currently exists and would remain unchanged.

Map 7: Flood Hazard

Policy 21 - Primary and secondary flood plains are defined as follows:

1. Primary flood plains are the designated flood ways.
2. Secondary flood plains are the areas located within the 100-year flood hazard boundaries but located outside the designated floodways.

Policy 22 – No development may be allowed within the designated floodways, and any development proven to be outside the designated floodways and within the 100-year flood hazard boundary shall be in accordance with the requirements of the County's flood plain management ordinance.

No new construction is planned for the site at this time. This policy would be enforced with the review of any development application(s) for future construction purposes.

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 sediment problems.

The proposed tentative parcel map will allow single-family residential uses, which are permitted uses per Policy 24, and 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.

All proposed parcels have variable slopes that range from 9% to 50% slope. The proposed parcel sizes exceed the one acre required for slopes between 0-15% and the five acres required for slopes between 16-29%.

No new construction is planned for the site at this time. Policy 22 would be enforced with the review of any development application(s) for future construction purposes.

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

Map 8 : Surface Hydrology

Policy 27 No residential or industrial development shall be allowed on water bodies. Exceptions may be considered for water supply, hydroelectric power generation facilities, public works projects necessary to prevent or stabilize earth movement, erosion, and the enhancement of migratory fish and other wildlife, light commercial, open space, non-profit and non-organization in nature recreational uses, and commercial/recreational uses.

No new construction is planned for the site at this time. This policy would be enforced with the review of any development application(s) for future construction purposes.

Map 12: Prime Agricultural Soils

Policy 34 – All Class I, II, and III soils, and the soils that become Class III under irrigation, with the exception of Class III soils determined to be non-irrigable, are defined as prime agricultural land.

Policy 35 – The minimum parcel size on prime agricultural land shall be 40 acres.
The permitted density will not create erosion or sedimentation problems.

The proposed parcels exceed the forty-acre minimum area and will not create erosion or sedimentation problems.

Policy 37 – Only agricultural uses are permitted on prime agricultural land.

Existing use is agricultural and no changes to the use of the prime agricultural land are proposed.

Policy 40 – All development proposals within an irrigation district shall conform to all rules, regulations,

Exhibit A-2 – Recommended Findings

Amen Tentative Parcel Map (TPM-20-07)

and policies of the applicable irrigation district. The intent of this policy is not to permit district regulation of land use or density – it is intended to prohibit any interference of the district's functions, such as keeping checks and irrigation ditches free and clear of any disturbance.

No new development is proposed as part of this project.

California Environmental Quality Act (CEQA) Findings

1. Pursuant to CEQA Guidelines, Section 15301(c), Class 1 projects consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing streets involving negligible, or no expansion of use are categorically exempt from the provisions of CEQA. Because the project involves existing roads, any repair of the road required to meet Cal Fire 4290 standards is exempt from CEQA.
2. Pursuant to CEQA Guidelines, Section 15303(a), Class 3 consists of new construction or conversions of small structures are categorically exempt from the provisions of CEQA. Because subsection (a) allows for the one single-family residence, or a second dwelling unit, this project is exempt from CEQA pursuant to CEQA Guidelines section 15303(a).
3. Pursuant to CEQA Guidelines, Section 15303(e), Class 3 consists of new construction or conversions of small structures are categorically exempt from the provisions of CEQA. Because subsection (e) allows accessory structures including garages, carports, patios, swimming pools and fences this project is exempt from CEQA pursuant to CEQA Guidelines section 15303(a).
4. Pursuant to CEQA Guidelines, Section 15304, Class 4 consists of minor public or private alterations in the condition of land, water and/or vegetation are categorically exempt from the provisions of CEQA. Because this section allows minor alterations for agricultural purposes and fuel management, this project is exempt from CEQA pursuant to CEQA Guidelines section 15304.
5. In making its recommendation, the Planning Commission has reviewed and considered the proposed project and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
6. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.



Siskiyou County
Planning Commission Staff Report
March 20, 2024

New Business Agenda Item No. 2
Amen Tentative Parcel Map (TPM-20-07-1M) Time Extension Request

Applicant: Ivar Amen

Property Owners: Ivar Amen
PO Box 305
Cottonwood, CA 96022

Grant A. & June L. Amen
15840 Bosman Drive
Red Bluff, CA 96080

Representatives: Susan Goodwin
VESTRA Resources, Inc.
11239 Ball Mountain Road
Montague, CA 96064

Project Summary: The applicant is requesting approval of the following:

- 18-month time extension to the Amen Tentative Parcel Map (TPM-20-07).

Location: The project site is located on East State Highway 3, adjacent to the city of Montague, on APNs 013-400-250 and 013-410-060, Township 45N, Range 6W MDB&M, Latitude 41.720, Longitude -122.542.

General Plan: Soils: Severe Septic Tank Limitations; Flood Hazard; Surface Hydrology; Prime Agricultural Soils

Current Zoning: Non-Prime Agricultural, 40-acre minimum parcel size (AG-

Exhibits:

- A. Draft Resolution PC 2024-007
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Proposed Time Extension is Not a Project Pursuant to California Environmental Quality Act and Extending the Amen Tentative Parcel Map Time (TPM-20-07).
- B. April 20, 2022, Planning Commission Staff Report Packet
- C. Signed Resolution PC 2022-008
- D. Comments

Planning Commission Staff Report
March 20, 2024

Background

The Amen Tentative Parcel Map (TPM-20-07) is a proposed tentative map to create four parcels of 109 acres, 77 acres, 41 acres and 41 acres from three existing parcels. TPM-20-07 was approved by the Planning Commission on April 20, 2022.

At this time, the project has not been completed. The applicant cites working through the complexities of dividing the water rights as the reason for the delay in filing the final map. The applicant is requesting an eighteen-month time extension in order to complete this project. Once all work has been completed and conditions of approval have been met, the applicant would be able to move forward with recording the parcel map.

Analysis

The Amen Tentative Parcel Map (TPM-20-07) was approved by the Planning Commission on April 20, 2022, with an expiration date of April 20, 2024.

Siskiyou County Code Section 10-4.401.8.2(a) states a subdivider may request an extension of the expiration date of the approved tentative map by a written application. An extension request was received by the Planning Division on February 23, 2024. Pursuant to Government Code Section 66463.5(c), upon application by the subdivider to extend the approved map, the map shall be automatically extended for 60 days or until the application is approved, conditionally approved, or denied, whichever comes first. Because the applicant filed an extension request prior to the expiration date of April 20, 2024, the expiration date was automatically extended. At this time, the current expiration date of TPM-20-07 is June 19, 2024. Should the Planning Commission approve the eighteen-month extension request, authorized under SCC 10.4.401.8.2.(c), on March 20, 2024, the new expiration date would be September 20, 2025.

Environmental Review

The proposed project requests an extension of time for a previously approved Tentative Parcel Map (TPM-20-07). Potential environmental impacts were analyzed, and the project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301(c), 15303(a), 15303(e), and 15304 of the CEQA Guidelines. The setting for the project has not significantly changed and there have been no changes to the land use designations in the area since approval of the original project. Additionally, the extension of time for a tentative map does not involve any physical changes in the environment and hence does not have the potential for causing an effect on the environment. Therefore, staff is recommending that the Planning Commission determine the proposed time extension does not constitute a “project” pursuant as defined in CEQA Guidelines Section 15378 and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

**Planning Commission Staff Report
March 20, 2024**

Comments

A Notice of Public Hearing was published in the Siskiyou Daily News on March 6, 2024, and mailed to property owners within 300 feet of the applicant's property. No agency comments were received at the time this staff report was written.

Public Comment

Anne Marsh – March 6, 2024

The comment was regarding the Public Hearing Notice description of the proposed project not being clear.

Staff responded that this would be addressed by the Planning Commission. Staff does not see this issue to require a re-notice of the hearing as the map extension was discussed in the hearing notice.

Planning Staff Recommendations

- Adopt Resolution PC-2024-007 taking the following actions:
 - Determine the time extension is not a project pursuant to California Environmental Quality Act (CEQA) as defined in Section 15378, and is therefore not subject to CEQA pursuant to Section 15060(c)(3) and
 - Approve the Amen Tentative Parcel Map (TPM-20-07-1M) Time Extension Request and establish a new expiration date of September 20, 2025.

Suggested Motion

I move to adopt Resolution PC 2024-007, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project is Not Subject to the California Environmental Quality Act and Extend the Amen Tentative Parcel Map (TPM-20-07) to September 20, 2025.

Preparation

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Bernadette Cizin, Associate Planner
Siskiyou County Planning Division
806 S. Main Street
Yreka, California 96097

Resolution PC 2024-007

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determine the Project Not Subject to the California Environmental Quality Act and Extending the Amen Tentative Parcel Map (TPM-20-07-1M) to September 20, 2025.

Whereas, Tentative Parcel Map TPM-20-07 was originally approved by the Planning Commission on April 20, 2022 with an expiration date of April 20, 2024; and

Whereas, Siskiyou County Code Section 10-4.401.8.2 provides for extension to subdivision maps; and

Whereas, Ivar Amen has applied for an 18-month extension pursuant to Siskiyou County Code Section 10-4.401.8.2; and

Whereas, pursuant to Government Code Section 66463.5(c), the extension request automatically extended TPM-20-07 for 60 days (until April 23, 2024) or until the application is approved, conditionally approved, or denied, whichever comes first; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on March 6, 2024; and

Whereas, public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

Whereas, the Planning Division recommended that the project be determined not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378; and

Whereas, the Planning Division presented its oral and written staff report on the Amen Tentative Parcel Map (TPM-20-07-1M) Time Extension Request at a regular meeting of the Planning Commission on March 20, 2024; and

Whereas, there have been no significant changes in the project, no significant changes in the circumstances under which the project will be undertaken, and no new information has come to light regarding new or significant environmental effects; and

Whereas, on March 20, 2024, the Planning Commission discussed the CEQA exemptions and Tentative Parcel Map (TPM-20-07-1M); and

Whereas, on March 20, 2024, the chair of the Planning Commission opened the duly noticed public hearing on the Amen Tentative Parcel Map (TPM-20-07-1M) Time Extension Request to receive testimony both oral and written, following which the Chair

closed the public hearing and the Commission discussed the project prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission, based on the evidence in the record, hereby takes the following actions on the Amen Tentative Parcel Map (TPM-20-07-1M) Time Extension Request:

1. Determines that the project to not be subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) which states that an activity is not subject to CEQA if the activity is not a project as defined in CEQA Guidelines Section 15378; and
2. Approves the Amen Tentative Parcel Map (TPM-20-07-1M) Time Extension Request, pursuant to SCC Section 10-4.401.8.2(c) and establishes a new expiration date of September 20, 2025.

It is Hereby Certified that the foregoing Resolution PC-2024-007 was duly adopted on a motion by Commissioner Veale and seconded by Commissioner Melo at a regular meeting of the Siskiyou County Planning Commission held on the 20th day of March 2024 by the following vote:

Ayes: Melo, Veale and Lindler

Noes:

Absent: Hart and Fowle

Abstain:

Siskiyou County Planning Commission



Danielle Lindler, Vice Chair

Witness, my hand and seal this 20th day of March 2024


Hailey Lang, Secretary of the Commission