

DATE: February 7, 2014

CASE#: UM 2014-0011

DATE FILED: 12/1/2014

OWNER: CONRAD KEITH BOWMAN

APPLICANT: NORTHERN NIGHTS MUSIC GROUP

AGENT: PETER HUSON

REQUEST: Use Permit Modification to increase attendance and hours of amplified music for a previously permitted 3 day music event, which starts the Friday before the third full weekend in July, known as the "Northern Nights Music Festival". A total of 5,000 attendees including staff artists and vendors would be authorized in 2015 and 6,000 total attendees in 2016 and 2017. Amplified music curfew would be extended from midnight to 2:00 a.m. on Friday (early Saturday) and Saturday (early Sunday).

LOCATION: Approximately 2.5 miles north of Piercy, just south of the Mendocino/Humboldt County line, lying on the east side of U.S. Highway 101, just south of the Cook's Valley exit, located at 83950 County Road 442E; AP# 053-020-10, -11, -12, -13, -14 and -16.

PROJECT COORDINATOR: DUSTY DULEY

Environmental Checklist.

"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).

Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION:

On the basis of this initial evaluation:

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

DATE

DUSTY DULEY, PLANNER

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

<u>I. AESTHETICS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic Highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I. Aesthetics a) through d) No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to aesthetics. Condition Numbers 6 through 9 were identified to mitigate potentially significant aesthetic impacts and bring the project into conformance with applicable County Code. Further discussion found in #UM 5-2013/2013 Initial Study Section I Aesthetics. No additional mitigation required.

II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II. Agriculture and Forestry Resources a) through e) No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to agriculture and forestry resources. Staff determined that the project would not result in any significant impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section II Agriculture and Forestry Resources. No mitigation required.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

following determinations. Would the project:				
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. Air Quality a) through e) No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to air quality. Condition Numbers 10 and 11 were identified to bring the project into conformance with applicable County Code. Further discussion found in #UM 5-2013/2013 Initial Study Section III Air Quality. No mitigation required.

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

by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. Biological Resources a), b), c), e) and f) **No Impact**

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to biological resources. Condition Numbers 12 through 19 were identified to mitigate potentially significant biological and water quality impacts and bring the project into conformance with applicable County Code. Further discussion found in #UM 5-2013/2013 Initial Study Section IV Biological Resources. No additional mitigation required.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?* **Less than Significant with Mitigation Incorporated**

The property has approximately 1,300 feet of Eel River frontage. As show in an aerial photo of the property, a large gravel bar along the river is exposed during the summer months. Event activities will occur on the gravel bar. The California Department of Fish and Wildlife (CDFW) and staff along with the applicant and property owner completed a site view on January 20, 2015. CDFW staff noted that the gravel bar and riparian area around the river is potential habitat for various nesting birds. To ensure that the project does not impact any birds that may be nesting at the site, CDFW is recommending the following project condition language as identified in their email to staff dated February 3, 2015.

Nesting birds or occupied nests shall not be disturbed or disrupted by project activities. Some bird species such as killdeer (Charadrius vociferous) are cryptic ground nesters known to utilize gravel bars for nesting activities. Riparian vegetation provides suitable habitat for a variety of nesting birds. In order to avoid potential take of the nest or eggs of any bird (prohibited pursuant to Fish and Game Code Sections 3503 and 3503.5), nest surveys shall be conducted by a qualified biologist within 14 days prior to the start of project-related activities, and within 14 days prior to the start of the Northern Nights Music Festival. (If all activities will take place within a two-week period, a single survey is acceptable.) The detailed survey results shall be submitted to the County and CDFW for review prior to commencement of site preparation activities and/or the Northern Nights Music Festival. CDFW will provide review and comment within five (5) business days of report submittal. Depending on site-specific conditions, CDFW may recommend buffers of 50 or more feet between identified nests and project activities, and/or other measures to avoid disturbance or take of nests.

Also,

Work on the gravel bar shall be kept to the minimum necessary to stabilize sites identified on project maps for placement of, and access to, portable toilets and associated facilities (hand wash stations, etc.). Care shall be taken to avoid excessive compaction of the gravel bar. Work outside of these parameters, including any amount of grading, may require a Lake or Streambed Alteration Agreement (LSAA) from CDFW. The need for an LSAA shall be determined through consultation with CDFW. Notification forms and additional information are available at <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

Staff has included the recommended language in project Condition Numbers 4 and 6 to minimize potentially significant impacts to any birds that may be nesting at the site as well as to protect their habitat.

The project will not interfere with the movement the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. Cultural Resources a) through d) No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to cultural resources. Condition Number 20 was identified to bring the project into conformance with applicable County Code. Further discussion found in #UM 5-2013/2013 Initial Study Section V Cultural Resources. No mitigation required.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VI. Geology and Soils a) through e) **No Impact**

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to geology and soils. Staff determined that the project would not result in any significant impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section VI Geology and Sols. No mitigation required.

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

VII. Greenhouse Gas Emissions a) and b) **No Impact**

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to Greenhouse Gas Emissions. Staff determined that the project would not result in any significant impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section VII Greenhouse Gas Emissions. No mitigation required.

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. Hazards and Hazardous Materials a) through h) **No Impact**

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to hazards and hazardous materials. Condition

Number 21 was identified to mitigate potentially significant hazard related impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section VIII Hazards and Hazardous Materials. No additional mitigation required.

<u>IX. HYDROLOGY AND WATER QUALITY.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

involving flooding, including flooding as a result of the failure of a levee or dam?				
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. Hydrology and Water Quality a) through e) and g) through m) **No Impact**

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to hydrology and water quality. Condition Numbers 12 through 19 were identified to mitigate potentially significant biological and water quality impacts and bring the project into conformance with applicable County Code. Further discussion found in #UM 5-2013/2013 Initial Study Section IX Hydrology and Water Quality. No additional mitigation required.

f) Otherwise substantially degrade water quality? **Less than Significant Impact with Mitigation Incorporated**

As the event is taking place during summer months, staff anticipates event attendees will choose to use the river for recreational purposes. Large numbers of people accessing a short stretch of river in a concentrated timeframe can significantly impact water quality. To minimize potential impacts, river users will be reminded to utilize showers and restrooms provided and refrain from using soap or urinating in the river. Restrooms and wash stations shall not be located within 50 feet of the river but otherwise will be strategically located to discourage human impacts to water quality. With the proposed increase attendance levels, staff anticipates an increase in the number of attendees using the river for recreational purposes. Staff has requested that the applicant locate some portable toilet facilities closer to the river and river stage where attendees congregate. Staff along with personal from the California Department of Fish and Wildlife (CDFW) visited the property with the applicant and identified appropriate locations on the river bar to install temporary bathrooms that will be more convenient to attendees using the river as well as those choosing to camp near the river. CDFW is recommending the following project condition language as identified in their email to staff dated February 3, 2015.

Portable toilets shall be placed only as indicated on project maps and discussed during the site visit. If any spillage or leakage from portable toilets occurs, applicant (or designated representative) shall proceed with clean-up of spilled materials, including contaminated gravel. In the case of such an incident, applicant (or designated representative) shall follow the emergency response plan as prescribed by the County. CDFW shall be notified using forms and instructions available at <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

Also,

A buffer of no less than 30 feet shall be maintained between all project activities and the wetted channel of South Fork Eel River.

Staff has included the recommended language in project Condition Numbers 5 and 7 to minimize potentially significant impacts to river water quality.

X. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X. Land Use Planning a) through c) No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to land use. Staff determined that the project would not result in any significant impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section X Land Use Planning No mitigation required.

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

XI. Mineral Resources a) and b) No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to mineral resources. Staff determined that the project would not result in any significant impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section XI Mineral Resources. No mitigation required.

XII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. Noise a) through f) **Less than Significant Impact or No Impact**

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to noise. Condition Numbers 22 through 26 were identified to mitigate potentially significant noise impacts and bring the project into conformance with applicable County Code. Further discussion found in #UM 5-2013/2013 Initial Study Section XII Noise. No additional mitigation required.

XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

existing housing, necessitating the construction of replacement housing elsewhere?				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII Population and Housing a) thru c) No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to population and housing. Staff determined that the project would not result in any significant impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section XII Population and Housing. No mitigation required.

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

XIV. Public Services a) Less than Significant Impact or No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to public services. Condition Numbers 27 through 36 were identified to mitigate potentially significant public service related impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section XIV Public Services. No additional mitigation required.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

the facility would occur or be accelerated?				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. Recreation a) and b) No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to recreation. Staff determined that the project would not result in any significant impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section XV Recreation. No mitigation required.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate substantial additional vehicular movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Effect existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially impact upon existing transportation systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Alter present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Increase traffic hazards to motor vehicles, bicyclists or pedestrians.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XVI. Transportation/Traffic a) through f) Less than Significant Impact

The proposed attendance increase of 2,000 attendees, 6,000 total, is expected to result in the need to accommodate approximately 870 additional vehicles. Pre-designated parking areas are identified on the event Site Plan (Attachment E). The applicant has identified additional parking areas located on adjacent lands in Humboldt County for which they are obtaining a permit (Case #MON-15-022) from Humboldt County. This permit would allow the applicant to use a portion of the neighboring property as a temporary auxiliary parking lot in conjunction with the Northern Nights event. All camping and entertainment activities would continue to exclusively occur in Mendocino County. Staff determined that adequate parking areas have been identified to accommodate increased parking needs resulting from increased attendance levels.

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to transportation and traffic. Condition Numbers 37 through 42 were identified to mitigate potentially significant transportation and traffic impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section XVI Transportation/Traffic. No additional mitigation required.

<u>XVII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. Utilities and Service Systems a) through g) No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential impacts related to utilities. Condition Number 43 was identified to ensure that the project was in conformance with applicable County Code. Further discussion found in #UM 5-2013/2013 Initial Study Section *XVII Utilities and Service Systems*. No mitigation required.

<u>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVIII. Mandatory Findings of Significance a) through c) Less than Significant Impact or No Impact

The initial study, completed for previous Use Permit Modification #UM 5-2013/2013 permitting the Northern Nights event through 2017, evaluated potential cumulative impacts. Further discussion found in #UM 5-2013/2013 Initial Study Section XVIII Mandatory Findings of Significance. No mitigation required.

DD/at
April 29, 2015